

**CITY OF LYONS POLICE DEPARTMENT**  
**POLICE OPERATIONS MANUAL**

---

**CHAPTER: 16 – UNIFORM PATROL FUNCTIONS**

**EFFECTIVE DATE: February 1, 2012**

**NUMBER OF PAGES: 56**

**REVISED DATE:**

**DISTRIBUTION: All**

**SPECIAL INSTRUCTIONS:**

---

**INDEX**

**I. PURPOSE**

**II. RULES AND REGULATIONS**

A. General

B. Traffic Law Enforcement

C. Traffic Direction and Control

D. Miscellaneous

**S.O.P. 16-1 RESPONDING TO CALLS FOR SERVICE**

**S.O.P. 16-2 TRAFFIC ACCIDENT INVESTIGATION**

**S.O.P. 16-3 MANAGING DISPUTES**

**S.O.P. 16-4 INVESTIGATION OF SUSPICIOUS PERSONS/VEHICLES**

**S.O.P. 16-5 BUILDING CHECKS AND SEARCHES**

**S.O.P. 16-6 MANAGING MENTALLY ILL OR INTOXICATED PERSONS**

**S.O.P. 16-7 FAMILY VIOLENCE INCIDENTS**

**S.O.P. 16-8 RACIAL PROFILING**

**S.O.P. 16-9 MISSING PERSONS**

**BLANK**  
**PAGE**

## **I. PURPOSE**

- A. To establish the scope of a uniform patrol officer's responsibilities.
- B. To establish a priority system for handling calls for services.
- C. To establish a standard operating procedure for responding to calls for service.
- D. To establish a standard operating procedure for traffic accident investigation.
- E. To establish a standard operating procedure for the management of disputes, both civil and criminal.
- F. To establish a standard operating procedure for the investigation of suspicious persons and/or vehicles.
- G. To establish a standard operating procedure for conducting building checks and searches.
- H. To establish a standard operating procedure for managing mentally ill or intoxicated persons.

## **II. RULES AND REGULATIONS**

### **A. General**

#### **1. Scope of the Police Function**

The Department is responsible for: the protection of life, individual liberty and property; the preservation of peace; the prevention of crime and disorder; the detection and arrest of violators of the law; the enforcement of state laws and city ordinances within the Department's jurisdiction; and the provision of public service to the community. The function of the Department must be broadly interpreted to include many tasks other than the enforcement of laws.

#### **2. Attitude Toward Providing Service**

The Department employees should recognize that service to citizens of the community is a major function of the police, and must be rendered by every employee of the Department. Employees should try to assist citizens who are victims of crime, need emergency help, need assistance or would otherwise be inconvenienced by the Department's failure to act. This kind of service can range from giving simple directions and advice to travelers, to providing victims of crime with reassurance and support.

3. Crime Prevention

An important, though often overlooked, function of the police is crime prevention. In many ways, crime prevention is a more worthwhile function than after-the-fact investigation and apprehension activities. In addition to suppressing crime through visible, aggressive patrol, officers can accomplish long term crime prevention objectives by informing citizens of ways to protect themselves and their property. By encouraging citizens to cooperate with other criminal justice and social agencies, officers can effectively support efforts of a system-wide approach to prevent crime.

4. Maintenance of Order

Another broadly interpreted function of the police might best be defined as a manager of social order. For example, this role includes such activities as preventing or settling family and neighborhood disputes, providing traffic escorts and directions, and assisting ill or injured persons.

5. Uniform Patrol Objectives

The uniform patrol operation exists to: provide 24 hour protection to the citizens; prevent the occurrence of street crimes through preventive patrol; respond rapidly to all requests for emergency police service; improve the criminal apprehension rate by conducting thorough preliminary on-the-scene investigations; reduce traffic congestion and accident hazards through systematic enforcement of traffic laws and ordinances; respond to and investigate motor vehicle accidents; aid victims of accidents; assist citizens in dealing with legal, medical, social problems through direct crisis intervention and/or making correct referrals to agencies equipped to deal with such problems; and improve police/community relations by increasing the quality and quantity of contacts between citizens and the police.

6. Response to Calls

The response to and investigation of citizen complaints and requests for service should be given priority according to the seriousness of the situation and the availability of resources. Follow-up investigation of these incidents should be conducted, as required.

7. Prioritizing Calls for Service

It is usually possible for the Department to respond to every call for service; however, the Department must organize available resources to give the most efficient service possible. Priority of call assignment depends on many factors, and it is normally the responsibility of the dispatchers to make these assignments. However, a uniform patrol officer may be required to decide between continuing on an assigned call and responding to a citizen's complaint or other observed event. The officer's determination should be based upon the risk to life and property. When it is impossible for an officer to respond to a citizen's complaint or an observed event, he/she shall, if circumstances permit, either give direction for obtaining such assistance or start the necessary notifications himself.

The following is a list of priorities for guidance in responding to calls:

- a. Life threatening emergencies;
- b. Violent felonies in-progress;
- c. Violent misdemeanors in-progress;
- d. Other felonies in-progress;
- e. Other misdemeanors in-progress;
- f. Non-criminal calls with injuries or property damage;
- g. Other felonies not in-progress;
- h. Other misdemeanors not in-progress;
- i. Miscellaneous service calls not involving injury or property damage.

**NOTE: ONLY SUBPARAGRAPHS a. THROUGH d. WILL NORMALLY CALL FOR A RESPONSE IN THE EMERGENCY MODE.**

8. Preventive Patrol

Although the uniform patrol officer's work is often dictated by requests for service, a considerable portion of the officer's work day is normally consumed by preventive patrol. To make productive use of the available time, officers should plan their watch to focus on specific problems within their area of assignment. In addition, where the call load permits, officers will spend at least ten minutes out of every hour out of the uniform patrol car walking and talking to the public within their community services zone

9. Knowledge of Area

Uniform patrol officers shall know the physical characteristics of their assignments as well as the current crime problems in those areas. In addition, officers shall become acquainted with residents and businessmen in their area of assignment. Uniform patrol officers should be skilled in the detection of criminal activities and assertively conduct their own preliminary investigations and relay this information to others within the area of assignment and Department.

10. Preventive Action

Uniform patrol officers should be alert to conditions which are conducive to crime (e.g., inoperative street lights, overgrown vacant lots, dead ends). Whenever possible, officers should take the steps necessary to prevent criminal activity such as advising a storekeeper of points of vulnerability, mediating a family dispute which could escalate into an assault or homicide, or managing intoxicated persons.

11. Commitment of Resources

As a public service agency, the Department is mandated to protect the interests and safety of all citizens. Under ideal circumstances, the Department should provide equitable service delivery; however, this may be an unattainable goal. Consequently, requests from individual citizens for special services (e.g. increased patrol, the use of radar, premises checks) should be carefully evaluated in terms of total departmental commitments before any promises are made. If a service is promised, the officer making the assurance shall take steps to ensure the request for service is processed. When making an assurance that a service will be provided, the officer shall inform the citizen that other demands may make its compliance difficult.

B. Traffic Law Enforcement

1. The purpose of traffic law enforcement is to reduce traffic accidents through preventive patrol and active enforcement. All uniformed personnel have traffic enforcement responsibilities whether or not they are assigned to the Uniform Patrol Division. To effectively carry out this function, all officers must be familiar with Georgia statutes that apply to traffic law enforcement.
2. Traffic enforcement techniques:
  - a. Visible traffic patrol;

b. Stationary observation;

The tendency of motorists to knowingly violate traffic laws is deterred by open and visible patrol. However, when there is an unusual or continuing enforcement problem at a particular location, officers may park in a conspicuous location and observe traffic.

c. Unmarked vehicles;

These vehicles will not normally be utilized for traffic enforcement activity. Sworn personnel operating unmarked vehicles are to use discretion when stopping traffic violators and are discouraged from enforcing minor violations. Unmarked vehicles must be equipped with an emergency light and siren when stopping any traffic violator. Private vehicles will not be used for traffic enforcement.

d. Traffic Safety Road Blocks

Traffic Safety Road Blocks are an effective tool in checking for violation of traffic laws, child safety restraints, drivers licenses, vehicle registration, and insurance laws. In addition they provide an opportunity for the Department to educate the public regarding traffic safety. Since Traffic Safety Road Checks have the effect of significantly slowing the flow of traffic in a given area, they will only be conducted with the approval of the Watch Captain or the Uniform Patrol Division Shift Supervisor. In each case, the method of checking vehicles must be consistent i.e. every third vehicle, every other vehicle, etc.

e. The Lyons Police Department utilizes radar sign speed monitoring devices to enhance public safety by lowering speed in areas when officers are not readily available. Radar speed monitoring devices employ data collection technology available to the department for traffic and speed analysis. Such analysis will allow the department to better utilize resources and concentrate preventative patrol in areas where needed to prevent accidents and injuries as possible.

3. Traffic Accident Response (See S.O.P. 16-2 Traffic Accident Investigation)

a. The officer's response to an accident scene will be determined by the magnitude of the accident as reported. Officers responding to the scene of any accident will drive in a safe manner with due regard for persons and property. Emergency lights and siren will be used when responding to accidents with known or probable injuries. Only one unit will respond in an emergency mode to accidents with known or probable injuries unless otherwise directed by the dispatcher, the shift supervisor, or the first unit to arrive on scene requests emergency assistance.

- b. Upon arrival, the officer will determine if additional assistance is required at the scene.

C. Traffic Direction and Control

1. Manual Direction - Officers will manually direct traffic under the following circumstances:

- a. During periods of traffic or pedestrian congestion where traffic control signals are malfunctioning;
- b. During special events (notification should be given in advance of any planned special event);
- c. Before and after school at crossing zones that do not have guards assigned.

2. Fire and Emergency Scenes

Officers directing traffic at fire and emergency scenes will ensure that all private vehicles, including volunteer firemen's vehicles, are well clear of the emergency scene and are not obstructing emergency vehicles or other traffic.

3. Disabled Vehicles and Highway Assistance

Upon observing a stranded motorist on any street or highway, the officer shall stop and determine what assistance, if any, is required. If the officer is en route to a call, the Dispatch Center should be notified to dispatch an officer when possible.

4. Emergency Escorts

Police vehicles will not be used to escort other vehicles (civilian or marked) on an emergency run. When possible assistance should be provided at intersections.

5. Radar or Laser operations

The Lyons Police Department will only utilize speed measuring devices which meet or exceed the performance specifications established by the Georgia Department of Public Safety.

Radar and Laser operators will complete a course of instruction and must be properly certified prior to engaging in speed enforcement activities according to current State law. Each operator and the Uniform Patrol Captain will ensure the programmed maintenance, proper care, testing and calibration of speed measuring device is being used. Each operator and the Uniform Patrol Captain will ensure adequate maintenance, calibration and operational record (suitable for introduction as evidence in court) are maintained.



6. Road Hazards

Officers shall report any road hazards to the Dispatch Center. The following are considered road hazards:

- a. Damaged or malfunctioning traffic control device;
- b. Defective roadway lighting;
- c. Visually obscured intersections;
- d. Roadway defects;
- e. Lack of, damaged or missing roadway signs or safety devices.

7. Reflective Clothing and Equipment

All personnel directing traffic or in the roadway controlling traffic, shall wear reflective clothing at all times that such actions are being performed.

D. Miscellaneous

1. Transportation of Persons - the Police Department does not provide routine transportation of persons from one place to another except under the following circumstances:
  - a. During periods of icy or dangerous road conditions, transportation of emergency personnel (nurses, doctors, firemen, etc.) is authorized.
  - b. Transportation of persons from the Emergency Room to Detox Center.
  - c. When authorized by a supervisor.
2. Unlocking of Vehicles or Dwellings - the Police Department does not routinely unlock vehicles or dwellings except under the following conditions:
  - a. When a potential or life threatening emergency exists.
  - b. When authorized by a supervisor.
3. Bank Escorts - the Police Department does not routinely escort persons from their business or home to the bank or meet persons at the bank who are making an after hours deposit except under the following circumstances:
  - a. When a current or recent threat against the business or person exists;  
and
  - b. When authorized by a supervisor.

**PAGE**  
**BLANK**

## **STANDARD OPERATING PROCEDURE**

**EFFECTIVE February 1, 2012**

### **S.O.P. 16-1 RESPONDING TO CALLS FOR SERVICE**

#### **I INTRODUCTION**

The Department cannot be aware of every circumstance where police action or assistance may be required. Citizens of the community are needed for this information. The people, in return, expect the Department to respond to requests for police service within a reasonable time and to satisfactorily perform the necessary services. As a practical matter, the extent of the service may necessarily be limited, but, regardless of its extent, professional service must be rendered in all cases.

##### **A. Receiving calls**

1. Officers should never consider any call as routine.
2. Officers should be discouraged from forming definite opinions about a call before arriving at the scene; the circumstances at the scene should determine officers' actions.

##### **B. Arriving at the Scene**

The police car shall be parked at a reasonable distance from the entrance to the location of a call. Officers shall:

1. Properly park the car as close to the curb as possible;
2. Depending on the type of call, additional weapons in the unit should either be taken out or locked in the unit;
3. Approach the building from an angle to reduce the possibility of an attack from the inside;
4. In cases where the immediate presence of the police is required to protect a person from possible death or injury, the first officer on the scene will enter the building after notifying the Dispatch Center of his/her intentions;
5. If a situation requires one or more back-up units to respond, the first car on the scene should maintain a safe position until one of the back-up units arrives.

##### **C. Portable Radios**

The portable radio shall always be carried.

D. Approaching Doorways

1. When approaching a doorway, officers shall knock on the door and stand to either side of the entrance;
2. When the officer is making the initial approach to any building, he/she should take notice of any movement inside (e.g. persons, running silhouettes, or flash light movement).

E. Building Interior

The interior of the building must be given careful consideration because:

1. The possibility of more than one person may be present. When confronting persons, the officer should keep all persons in front of him.
2. Suspects or persons placed under arrest are probably familiar with the interior of the house or building.
  - a. Do not allow persons to get a hat, coat, etc. Get the article for them if it is needed, but search the article before giving it to the person.
  - b. Do not allow the arrested person to talk or wander around inside.
  - c. All persons arrested and being transported to another location will be handcuffed and placed in the rear seat of the transporting unit.
3. The first officer to arrive at the scene has specific responsibilities:
  - a. The officer shall begin to secure the scene and cover the most likely avenue of escape;
  - b. If difficulties or violence are encountered, the officer shall summon assistance through the Dispatch Center by the quickest means available;
  - c. If injuries are involved, the officer shall administer first aid and request emergency medical personnel;
  - d. If the suspect has left the scene, the officer shall develop a description and issue a lookout;

- e. The officer shall take charge of and process or protect the crime scene, preserve evidence, and keep witnesses present;
- f. If it is determined that additional help is needed, the officer shall notify the Dispatch Center;
- g. The officer shall prepare the appropriate report. The first officer arriving at the scene is responsible for the report;
- h. When serious types of calls (shootings, robberies, cuttings, nature unknown, etc.) are unfounded, the officer shall notify the Dispatch Center immediately;
- i. On calls of an emergency nature, officers are to notify the Dispatch Center of the circumstances of the call as soon as possible. The Dispatch Center shall be informed of the situation if the officer is out of service for an extended period. A superior officer who is monitoring the situation has the authority to designate duties and responsibilities and send help as he determines necessary.

F. "Officer Needs Assistance" Call

- 1. Units responding to assist an officer needing help shall operate with blue light and siren;
- 2. If the exact situation is unknown, officers are to be particularly observant and cautious when arriving at the scene.
- 3. When the situation is under control or an assisting officer's services are no longer needed, the officer should immediately notify the Dispatch Center and return to service. Only those cars directed to remain at the scene by the superior officer will do so.

**BLANK**  
**PAGE**

## STANDARD OPERATING PROCEDURE

EFFECTIVE February 1, 2012

### S.O.P. 16-2 TRAFFIC ACCIDENT INVESTIGATION

#### I INTRODUCTION

The investigation of traffic accidents is necessary, not only to determine traffic law violations, but also to obtain engineering data, protect the rights of the individuals involved, and assist in traffic education. To ensure proper and complete investigation of accidents the following procedures will be utilized:

#### II PROCEDURES

##### A. GENERAL PROCEDURE

Upon arrival at an accident scene, officers are to:

1. Administer first aid and advise the Dispatch Center when rescue and/or wrecker service is needed. The officer will also advise if another officer is needed for assistance;
2. When serious bodily injury, death, or extenuating circumstances exist, the photographer is to be called. In this case, vehicles should not be moved unless absolutely necessary to preserve life or prevent further collisions (see number B below);
3. Obtain driver's license and proof of insurance from all drivers involved in the accident; **furnish all drivers with the driver's license information and insurance information for all parties;**
4. Question and obtain names and addresses from any witnesses. When it is necessary for a witness to leave the scene before the investigation is completed due to a pressing appointment or some type of emergency, obtain the necessary information as quickly as possible and allow the witness to leave;
5. Investigate and determine the cause of the accident. Note the position of all vehicles involved and take measurements whenever possible;
6. After the preliminary investigation is completed, clear the roadway quickly and refrain from blocking any portion of the roadway while completing paperwork;

7. After the roadway is clear, the investigating officer should turn his/her blue lights off as quickly as possible if this can be done without creating a hazard. This action will usually allow traffic to flow faster by attracting less attention;
8. When a violation of the traffic law is involved, issue the appropriate citations and subpoena the witnesses, if any, and allow them to leave;
9. If the driver and passengers of any vehicle involved were transported from the scene because of injuries, the officer will follow up obtaining all the information necessary to complete the investigation and report. Where injuries are minor and all of the needed information has been obtained at the scene, it is not normally necessary for the officer to conduct a follow-up investigation;

**B. ACCIDENTS INVOLVING SERIOUS INJURY OR FATALITY**

1. The following steps will be followed:
  - a. The initial officer receiving the call will arrive on the scene and park outside of the scene area;
  - b. Upon determination that a fatality exists, the initial officer will advise the Dispatch Center, calling for a supervisor to assist;
  - c. The initial officer will call for the photographer and other emergency assistance as needed. The accident scene will be protected as a crime scene. Other traffic will be diverted or directed around the scene;
  - d. Any suspects at the scene will be detained by the initial officer, either at the scene, or if injured, at the medical facility for later investigation;
  - e. No items such as vehicle parts, body limbs or deceased persons should be disturbed or removed from the crime scene if at all possible;
  - f. No wreckers or spectators will be allowed to enter the accident scene until authorized;
  - g. If a fatality exists, emergency medical technicians or ambulance service should not remove the victim from the scene. However, if a victim must be removed, the initial officer will document the position of the victim before removal;
  - h. If different from the initial responding officer, the investigating officer shall be called by the supervisor on the scene. The initial responding officer shall make a supplemental report outlining his/her activities to be included in the investigative report;



- i. The investigating officer will assume command of the accident scene. All pertinent information will be relayed to this investigator;
- j. The investigating officer will complete all investigative reports and will be responsible for conducting and concluding the investigation, including the initiation of any criminal charges that may be forthcoming;
- k. The investigating officer will be responsible for clearing the accident scene and impounding vehicles. The wrecker service impounding will clear the roadway at the accident scene;
- l. The investigating officer shall be responsible for notifying the appropriate medical authorities;
- m. It will also be the responsibility of the investigating officer to ensure that every effort be made in contacting the victim's immediate family before any news release occurs. All news releases will be made in accordance with SOP 14-1 Release of Information to News Media;
- n. The following reports will be submitted by the investigating officer concerning a fatality:
  - 1). Vehicle Accident Report;
  - 2). Incident Report, outlining in detail the complete investigation;
  - 3). Vehicle Impound Report;
  - 4). Copies of Witnesses' Statements;
  - 5). Arrest Booking Report (if applicable);
  - 6). Blood Alcohol Test on Victim;
  - 7). Blood Alcohol Test on Suspect (if applicable);
  - 8). Warrants (if applicable);
  - 9). Reports by Medical Examiner or Coroner;
  - 10). Photographs (to be attached later).

C. HIT AND RUN ACCIDENTS

The following procedures will be used in accidents involving hit and run circumstances:

1. First officer to arrive on the scene shall:
  - a. Administer first aid and advise the Dispatch Center when emergency equipment is needed and contact the photographer if he is needed;
  - b. Obtain information and dispatch a lookout on the suspect's vehicle;
  - c. If the hit and run accident involves a fatality, notify a superior officer.
2. The officer receiving the call will handle the investigation and report as follows:
  - a. Investigate and, if possible, determine the cause of the accident;
  - b. Try to obtain paint samples from victim's car and suspect's car;
  - c. Obtain any other evidence that would aid in identifying suspect's car;
  - d. If possible, give additional information for lookout broadcast;
  - e. All evidence collected at the scene should be turned over to the Evidence Custodian.
  - f. Complete a vehicle accident report and mark clearly on that report that the accident is a hit and run. This will help to ensure the report will go to the appropriate investigator;
  - g. Complete an incident report.

D. VEHICLE ACCIDENTS INVOLVING INJURY TO POLICE PERSONNEL

A very close investigation will be made of all circumstances involving vehicle accidents resulting in injury to police personnel and/or damage to police vehicles. All such reports will be forwarded to the Chief of Police for review. In instances where police personnel are held to be at fault, administrative actions will be taken.

In addition, a report for departmental use only will be completed by supervisory personnel and turned in on all accidents (vehicular) involving police personnel. The following procedures are to be used in reporting accidents involving police vehicles:

1. The officer shall notify the Dispatch Center of the accident, give the location and other pertinent information and request that a supervisor be dispatched to the scene;

2. An incident report, as well as an accident report, will be completed at the discretion of the superior officer (e.g., depending on severity of damage, whether people are injured).
3. Georgia State Patrol will be notified;
4. The superior officer responding to the call will conduct the investigation and prepare the report using the outline of procedures as in other vehicle accidents;
5. Injured citizens will not be transported to the hospital in police cars.

#### E. PRIVATE PROPERTY

The department does routinely investigate accidents on private property. Units responding to these accidents will work them as would an accident on public property.

This is a courtesy measure and circumstances must be taken into consideration when deciding to investigate the accident (e.g., if serious bodily injury or death has occurred).

#### F. WRECKER SERVICE

The following procedure for obtaining wrecker service shall be followed:

1. The officer requesting service should make the request through the Dispatch Center:
2. Only the list wrecker services approved by the City shall be used by the Department;
3. The investigating officer, not the wrecker driver, is responsible for filling out the impound/inventory slip. An impound/inventory slip will be completed on every police impound. Two copies of the impound/inventory slip will be needed - one copy to the wrecker services and one copy to be turned over to the records office;
4. An officer will remain at the scene until the wrecker has towed the car away.
5. Private use of a wrecker service will require an impound/inventory slip be completed by the officer. The impound/inventory slip shall be marked with the location of the towed vehicle, the signature of the owner and the notation "Private Pull".

6. Accident victims may use the wrecker service of their choice when:
  - a. The victim or driver is not under arrest;
  - b. The vehicle involved is not causing an immediate traffic hazard and will be moved within a reasonable time.

**Note: When a private wrecker is used, the parties involved may be required to make contact with the company themselves;**

7. When a wrecker is going to be needed and the driver is able to communicate, the officer should determine if the driver wants a wrecker for his/her vehicle. (This is a case where there will not be an impound by the investigating officer). The driver should be made aware that the wrecker service cannot be canceled once the wrecker is en route.

**Blank**  
**Page**

## **STANDARD OPERATING PROCEDURE**

**EFFECTIVE February 1, 2012**

### **S.O.P. 16-3 MANAGING DISPUTES**

#### **I INTRODUCTION**

The role of law enforcement officers in non-criminal, civil disputes is that of an impartial keeper of the peace. The role of law enforcement officers in criminal disputes is to restore order, quell disturbances and to make the necessary arrests for violations of law. The purpose of this S.O.P. is to establish guidelines governing the involvement and action of departmental personnel in both civil and criminal disputes.

##### **A. Civil (Non-Criminal) Disputes Defined:**

A civil dispute shall mean non-violent confrontations between two or more persons which does not involve a breach of the peace or the commission of an act. The following procedures will be used for handling non-criminal disputes:

##### **1. Stand-by Situations**

Officers are requested to stand by to prevent assault or breach of the peace while personal articles such as clothing are being removed. When a stand-by situation occurs on private property, the officer shall remain on public property or the roadway unless he is admitted by all occupants or claimants of such property. If there is a violation of the law, the officer can enter the property to take action. When entry into private property and/or the removal of property is denied to a claimant by another who is in possession, the following procedures will be implemented:

- a. The officer shall advise the complainant that claims to personal property will not be enforced by the Department without an order from the court;
- b. If attempts are made to recover personal property over the objection of another, misdemeanor assaults which occur outside the officer's presence will not be cause for a warrantless arrest;
- c. If a confrontation between two or more persons develops into a breach of the peace, both or all disputants will be subject to arrest;
- d. Claimants may not trespass upon the property of another for purposes of removing or recovering property without a court order empowering them to do so.

2. Domestic or Neighborhood Arguments (not involving weapons)

In domestic or neighborhood disputes, an officer shall:

- a. Park in a manner that allows safe approach and an opportunity to evaluate the situation;
- b. Separate and interview disputants in a calm and unbiased manner;
- c. Get disputants to offer or suggest alternatives for resolving the dispute;
- d. Maintain third party neutrality while restoring normal communications between disputants.

3. Orders of the Court

Officers of the Department shall enforce only local and current orders of the court which specifically direct the Sheriff or his/her duly constituted deputies and/or police officers to execute the order of judgment:

- a. After a local order of the court (e.g. restraining order) has been served, violations of the order which occur after the order is served must be reported by the complaint to the court which issued the order;
- b. Enforcement of violations of a local court order must originate from the court with an arrest warrant. Officers shall not make warrantless arrests for violations of civil court orders;
- c. A conditional order of the court which orders the arrest of a person shall not be executed unless the order is current and verification of the order and its provisions can be established at the time of arrest.

B. Criminal Disputes Defined

A criminal dispute is any confrontation between two or more persons which involves breaches of the peace, increased potential for violence, incidents of misdemeanor assaults committed in an officer's presence, as well as related felonies. Procedures for handling criminal disputes (assaults and disturbances) are:

1. In violent or felony disturbances, or when weapons are involved, an assisting uniform patrol unit will be dispatched. When an assisting uniform patrol unit is unavailable for dispatch, a supervisor shall be sent;
2. In violent or felony disturbances, or when weapons are involved, responding uniform patrol units should coordinate a simultaneous arrival;

3. Responding units will park in a manner that allows safe approach to the incident location;
4. Responding officers should attempt to observe disputants and evaluate the nature and extent of the incident before making their presence known;
5. Officers shall separate and calm disputants and attempt to establish normal speaking conversation;
6. Officers should maneuver themselves into a position where disputants are facing away from each other while officers are facing each other. In this position, each officer can then see the front of one disputant, and the back of the disputant who is facing the second officer;
7. Officers shall determine if there is cause for an arrest without a warrant:
  - a. Upon sufficient cause (probable cause for felony, spouse or child abuse, etc; or serious misdemeanors committed in officer's presence), an arrest shall be made;
  - b. Disputants will be notified of procedures for initiating criminal prosecution when there is insufficient cause (or need) for arrest without a warrant;
  - c. In family violence situations the officers will make an arrest for the appropriate charges if warranted by the condition of one or both of the parties.
8. Officers may attempt to bring disputants back together to develop alternatives for conflict resolution, or to obtain further aid or counseling;
9. When a dispute cannot be resolved and the potential for violence continues to exist, officers shall attempt to persuade one of the disputants to leave the premises voluntarily.



**Blank**  
**Page**

## STANDARD OPERATING PROCEDURE

EFFECTIVE February 1, 2012

### S.O.P. 16-4 INVESTIGATION OF SUSPICIOUS PERSONS/VEHICLES

#### I INTRODUCTION

Officers are unable to predict which persons may react violently when confronted by the police. Failure of the officer to be alert for this potential can have catastrophic results. Therefore, caution must be exercised with each confrontation. To ensure officers approach suspicious persons/vehicles in a consistent manner, the following procedures are to be followed.

##### A. Investigation of Suspicious Pedestrians

1. The officer shall notify the Dispatch Center of the situation including:
  - a. The number of persons, race, sex, and approximate age of the persons, description of clothing, as well as the location of the individuals shall be relayed to the Dispatch Center before the investigation begins;
  - b. If possible, avoid making the investigation in a crowd;
  - c. At night, attempt to direct the car lights on the suspects;
  - d. Each person shall be investigated through the NCIC computer.
2. If an officer notices two or more pedestrians to be investigated, another officer should be called to assist before approaching them:
  - a. The stopping and investigating of the pedestrians should not take place until the assisting officer arrives;
  - b. Each officer should perform a certain part of the investigation:
    - 1). The first officer will guard the suspects;
    - 2). The second officer should perform the actual frisk in accordance with procedures in Chapter 9. If the persons are considered dangerous, use the wall search position.
3. During the interview, officers are to treat the persons in a courteous manner and inform them of the reasons they were stopped and questioned. Officers are never to question any suspect while he/she is inside the police vehicle and the suspect outside. Positioning themselves in this manner, compromises the officer's ability to effectively control the situation.

4. If officers determine the person is to be released, they are to obtain the information necessary to complete the daily log and a Miscellaneous Incident Report (MIR) and Field Interrogation Report (FIR).

B. Vehicle Checks

1. When inspecting vehicles with suspicious occupants, officers (two police units participating) are to conduct the following procedures:
  - a. An officer may receive a call to check a suspicious car, or may observe a suspicious car moving or parked. However, sufficient probable cause is necessary before a car check can be made. The driver's licenses of individuals may be checked on moving vehicles;
  - b. The officer (Number 1) will notify the Dispatch Center that he/she is following a car that he/she desires to check, giving the license number, description of the vehicle, direction of travel and number of occupants;
  - c. The dispatcher is to send a second unit (Number 2) as back-up and make a computer inquiry on the license number;
  - d. Number 1 car will give information on the location and direction of travel as often as possible;
  - e. Upon arrival of the assisting officer, Number 1 car will give the communication officers the radio numbers of both police cars, and the sex, race and number of occupants in the suspect's car, and their location;
  - f. Number 1 car should select a location most favorable to him/her when stopping the suspicious car;
    - 1). If possible, officers should stop the suspicious car in a well lighted area. In addition, officers should avoid stopping the car at an intersection or in a heavily congested area.
    - 2). If the car stops unexpectedly and the occupants exit the vehicle, the officer is to order them to the left side of their car, facing the officer. Until the second officer arrives, the first officer will remain standing behind his/her open door.
  - g. Blue lights and siren are to be used by the Number 1 car only; Number 2 car, blue light and flashers only;

- h. The number 1 car is to stop approximately 12 feet behind the suspect's vehicle with his/her unit centered on the left taillight of suspect's car (when appropriate);
- i. The headlights of the Number 1 car are to be on high beam with the spotlight focused on the interior of the suspect's car until the search is started. Emergency flashers will also be used. The Number 2 car is to stop approximately two feet to the rear and directly behind the Number 1 car. The Number 2 car's headlights should be turned off and the emergency flashers should be turned on. The headlights and spotlight will be used at night only;
- j. While he/she is standing behind his/her open left door, the Number 1 officer is to order suspects from the car on the left side;
- k. The Number 1 officer is to order suspects to line up side to side facing him/her, and to keep their hands away from their pockets and in full view;
- l. The Number 2 officer is to assume a position at the right rear bumper of the Number 1 unit, (being sure not to stand directly between the bumpers of Number 1 and Number 2 police cars). If practical, the Number 2 officer should seek a position to the right of the police vehicles, provided the seeking of this position can be made without severely endangering the officer. The Number 2 officer is to maintain this position until he/she is reasonably sure all occupants are out of the suspect's car. Once the suspects have been removed from the car, the number 2 officer is to conduct a visual inspection of the car. When approaching the suspect's car, the officer should attempt to keep an object between himself/herself and the suspect's car without obstructing his/her view;
- m. After the interior of the suspect's car has been checked, the Number 2 officer is to return back along the right side and rear of the Number 1 police car to the left of the suspects. Once in position, the Number 2 officer is to order them to a wall search position on the suspect's car, provided a wall search is appropriate;
- n. The Number 1 officer is to assume a position even with his/her left front headlight. (An officer should never walk or stand in front of headlights). From this location he/she will guard suspects while Number 2 officer starts the search of suspects. If suspects are going to be arrested, they are to be handcuffed as they are searched;
- o. After the search is completed, the Number 2 officer is to direct the suspects in front of the headlights of the suspect's car. When the suspects are being moved, the Number 1 officer is to maintain a position that allows him/her to watch the suspects closely;
- p. The Number 1 officer is then to move forward to the left side of the Number 2 officer, and guard the suspects. If a vehicle search is

permissible, the Number 2 officer is to start it;

- q. Officers should make a computer check of the occupants and the vehicle;
  - r. If the car and occupants are to be released, necessary information will be obtained from the subjects and entered on the daily activity sheet and MIR or FIR cards;
    - 1). During the car check the suspects should be advised as to why they were stopped;
    - 2). Individuals shall be treated with courtesy;
    - 3). Officers and suspects should never stand between the police car(s) and the suspect's car.
2. If an officer is going to investigate a suspicious vehicle without assistance, the following procedures are to be followed:
- a. Once an officer identifies a suspicious vehicle that he/she wants to stop, he/she is to notify the Dispatch Center of the vehicle's license number, description, sex/race of the driver, and his/her location;
  - b. The officer is to use his/her blue light and siren to stop the suspect's car;
  - c. When the car pulls over, the officer is to position his/her unit approximately 12 feet behind and centered on the left taillight of the suspect's car (when appropriate);
  - d. As the officer stops his/her unit, he/she is to leave on his/her flashers and focus the spotlight through the rear window of the suspect's car;
  - e. When approaching the suspect's car, the officer is to walk up on the driver's side and visually check its interior. If the car is determined not to have any other persons inside, the officer is to assume a position clear of the door approximately one foot to the rear driver's door. The officer is to order the suspect out on the left side;
  - f. If visual check reveals other occupant(s) in the car, the officer will order every one out of the car in accordance with procedure for more than one occupant;

- g. Once the suspect has been removed from the vehicle, he/she is to be frisked.
- h. If suspect is going to be arrested, he/she is to be handcuffed at the time he/she is frisked. In addition, assistance is to be requested to aid in searching the car and completing the arrest;
- i. If the officer has probable cause to conduct a more thorough search of the suspect's car that cannot be conducted at the scene, he/she shall implement steps for obtaining a search warrant;
- j. Officers shall check the suspect's name and vehicle through the NCIC computer;
  - 1). The suspect should be notified as to why he/she was stopped;
  - 2). The suspect should be treated with courtesy.

### 3. Safety Measures to be Taken by Officers During Car Checks

- a. When practical, the car to be checked will not be stopped until the second police car is in position behind Number 1 police car;
- b. The assisting car will, when possible, avoid arriving head-on to the car to be checked;
- c. If the assisting car must approach head-on, and the suspect's car has stopped or stops suddenly, Number 1 car will not start the car check until Number 2 car is in position;
- d. Officers shall not make a car check without advising the Dispatch Center;
- e. All suspects in the process of being checked should be frisked before they are interviewed;
  - 1). Georgia statutes permit frisks (limited search for weapon) for the protection of the officer before an arrest is made or even if no arrest is made;
  - 2). A valid arrest must precede a search for valid evidence that goes beyond a frisk for dangerous weapons;

- f. Use siren and blue lights when stopping a car;
- g. If at all possible, an officer should not give the suspect too much warning of his/her intention to stop him. The officer should not follow too closely;
- h. Advance notice will allow suspect to plan an attack or alibi or dispose of evidence before an officer approaches his/her car;
- i. Officers must never drive alongside a suspect's car and talk to him/her from the police car. If the person warrants investigating or interviewing, the officer shall conduct the check in the standard manner.

**Blank**  
**Page**



## STANDARD OPERATING PROCEDURE

EFFECTIVE February 1, 2012

### S.O.P. 16-5 BUILDING CHECKS AND SEARCHES

#### I INTRODUCTION

One method of reducing the threat of burglary is through police initiated building inspections. By checking buildings thoroughly, the officer can lessen the probability of an occurrence or quickly determine whether a crime has occurred. If a crime has been committed, a search should collect significant data on the method of operation, the point of entry and exit, the time frame, and other information imperative to the timely reporting of the preliminary investigation.

##### A. Checking Buildings as a Part of Community Services

1. When leaving their vehicle to check a building, officers are to notify the Dispatch Center:
  - a. Of the exact address or location of the building to be checked;
  - b. If it is suspected that a prowler is in the building or in the vicinity. If so, additional officers should be requested.
2. When checking a building, officers should always carry a flashlight:
  - a. When searching the area, the flashlight should be held away from and to the side of the body;
  - b. The flashlight should not be carried in the gun hand;
  - c. Attempt should be made to maintain a continuous beam from the flashlight. Intermittent flashes of light should not be made because it will adversely affect the officer's night vision.
3. All doors and windows should be thoroughly checked by:
  - a. Depressing the latches or turning the knob when checking doors. Padlocks should be inspected for signs of tampering or defects;
  - b. Inspecting the window sills for pry marks and disturbance of dirt particles.
4. Officers should make an effort to be familiar with the normal appearance of the building and inspect for unusual conditions in the structure (e.g., lights not turned on as usual, window shades drawn, and safe or office furniture moved);
5. Check for ladders, barrels, boxes, etc., against wall of building which may indicate possibility of prowlers on roof.

6. Be alert for "lookouts" in vicinity:
    - a. Lookouts are usually in a place where they can observe an officer's movements and be seen by associates on the inside;
    - b. The lookout should be apprehended immediately only if it appears he/she will flee before assistance arrives;
    - c. Be observant for any person with a walkie talkie radio as he/she may be a lookout (use of C.B. radio is not uncommon).
  7. Be alert for unusual noises;
  8. If time permits, officers should check buildings more than once during a shift;
  9. Officers should be conscious not to develop the habit of checking a building at the same time.
- B. Procedure When an Open or Unlocked Door or Window is Discovered
1. In the event an officer discovers an open or unlocked door, he/she is to immediately notify the Dispatch Center of the building's address, what has been detected and request a superior officer and additional assistance, if needed.
  2. An officer shall not enter an unsecured building until the superior officer arrives.
    - a. If a superior officer is not available, request assistance of another car and await the arrival of the second car before entering the building;
    - b. While awaiting for back-up officers to arrive, the officer is to position himself/herself in a location to monitor the most likely avenues for escape;
    - c. When the back-up officer arrives, the officer at the scene should disclose his/her location by radio.
  3. The ranking officer at the scene will be in charge of the building search. If no ranking officer is present, the officer assigned to the area in which the building is located will be in charge. If the officer assigned to this area is not present, the first officer receiving the call or discovering the condition, will be in charge.
  4. Officers will be posted outside the building to prevent possible escape of prowlers before the building is entered by the search party.
    - a. The number and positioning of officers will be made to ensure each exit is visible to officers;

- b. Each officer shall remain at his/her assigned position until the search is completed.
- 5. When going through doorways officers should slowly open the door about one inch, stand away from the door and listen for a moment. Then, the officer should open the door cautiously and enter;
- 6. Buildings with two or more floors will be searched from the bottom up. Elevators and stairways should be secured and controlled;
- 7. In the event that a security guard may be working in the building, the officer must be careful not to mistake him/her for a prowler;
- 8. When the search of the building is complete, the investigating officer will notify Dispatch Center by phone, if possible. The Dispatcher is to call the owner to notify him/her that a door was found open and ask him/her to go to the scene. Once the owner has been notified, the investigating officer is to be informed if the owner is coming to the building;
- 9. One officer will remain at the scene until the owner or representative arrives. If the dispatcher is unable to contact the owner or representative, the building is to be secured as well as possible;
- 10. Once complete, the necessary reports will be prepared by the investigating officer;
- 11. If the dispatcher does not have a listing of persons to call in the event of an emergency, the investigating officer is to obtain one from the owner or representative. If owner or representative does not come to the scene after he/she has been called, the officer is to make proper notification to the appropriate superior officer.

**BLANK**  
**PAGE**

## STANDARD OPERATING PROCEDURE

EFFECTIVE February 1, 2012

### S.O.P. 16-6 MANAGING OF MENTALLY ILL OR INTOXICATED PERSONS

#### I INTRODUCTION

Most law enforcement officers will have some experience with one or more persons who behave abnormally. When confronted with this situation, an officer should endeavor to gain as much background information about the individual as possible.

- A. Signs to Help in the Recognition of Mental Illness in a Person:
1. Significant changes in behavior -
    - a. Others will say that an abnormal person is not "himself/herself";
    - b. He/she may behave in a way dangerous to himself/herself or to others;
    - c. He/she may withdraw into himself/herself, talking only to himself/herself.
  2. He/she may have sensations that are not based on reality -
    - a. Visions, strange odors, peculiar tastes or voices -- all or any one of these sensations may be experienced by the abnormal person;
    - b. He/she may have sensations about himself/herself that are not realistic.
  3. The abnormal person may have unrealistic ideas about himself/herself:
    - a. He/she may believe that he/she has a grand position;
    - b. He/she may believe that he/she is worthless (e.g., extreme depression);
    - c. He/she may have delusions (e.g., unrealistic ideas) about the world;
    - d. He/she may exaggerate events that occur;
    - e. He/she may believe the world is more unfriendly than it is;
    - f. He/she may have strange losses of memory or not know the time, or where he/she is, or who he/she is.
- B. When an officer encounters someone who is exhibiting symptoms of a mentally ill person he should:
1. Take time to evaluate the situation;

2. Not abuse or threaten the person;
  3. Avoid unnecessary excitement;
  4. Not become overly excited or emotional;
  5. Not lie to him/her.
- C. The types of abnormal behavior that are most dangerous are the violent, depressed/suicidal, or where physical illness or loss of memory is involved;
- D. Abnormal behaviors seen most often by law enforcement officers include:
1. The psychopathic personality;
  2. The alcoholic;
  3. The drug addict;
  4. The sex offender;
  5. The mentally retarded;
  6. The mental disorders of old age.

E. Handling Intoxicated Persons -

When a complaint is received from a person in such an intoxicated condition, ("mere drinking is not sufficient"), that any information from him/her is doubtful or unfounded, without witnesses and/or physical evidence, the officer shall:

1. Make a miscellaneous incident report noting the condition of the complainant;
2. Advise the complainant that a report will be taken by the police if he/she calls back after he/she is sober;
3. If the complainant is arrested, his/her complaint will be noted in the narrative section of the Incident Report.
4. Exceptions:
  - a. There is visible injury to the complainant or another;
  - b. The offense was witnessed by a sober person;
  - c. It is obvious that a crime has occurred.

5. If there is continued harassment (numerous unfounded calls by the complainant) the officer should initiate steps to have the person provided treatment or place criminal charges against him/her for the appropriate offenses.
6. Procedure for Transporting Mental Patients
  - a. Any peace officer (peace officer is defined as being any federal, city, or county police officer, and any officer of the Georgia State Patrol, or any sheriff or deputy sheriff) within 72 hours after receiving a physician's certificate stating that a person appears to be mentally ill and in need of involuntary treatment must make a diligent effort to take the person, named in the certificate, into custody and deliver him or her to the nearest available emergency receiving facility serving the county for an examination **OCGA 37-3-41(a)**.
  - b. A court (probate, or juvenile if person is under 17 years of age) may issue an order requiring any peace officer to take a person into custody and deliver that person for examination to the nearest available receiving facility or to a physician who has agreed to examine the individual for the purpose of deciding if he or she is mentally ill and in need of involuntary treatment. The court order must be based either on a timely physician's certificate or on the affidavits of two persons attesting that they have seen the person within the past 48 hours, and based on their observations, they have reason to believe that such person is mentally ill and in need of involuntary treatment **OCGA 37-3-41(b)**.
  - c. Any peace officer may take any person to a physician or directly to an emergency receiving facility for an examination, if the person is committing a penal offense and the officer has probable cause for believing that the person is mentally ill and in need of involuntary treatment. The officer need not formally tender charges against the individual prior to taking him or her in for an examination **OCGA 37-3-42(a)**. Whenever a person is taken into custody for the purpose of transport to a physician or a medical facility for an examination, the officer must complete a written report detailing the circumstances under which such person was taken into custody **OCGA 37-3-41; 37-3-42**.
  - d. The governing authority of the county of the patient's residence is responsible for arranging all required transportation of mental patients. The type vehicle used shall be in the discretion of the governing authority, but whenever possible, marked vehicles normally used to transport criminals or those accused of crimes should not be used for the transport of mental patients (**OCGA 37-3-101**).

- e. Upon request of the county board of health, the probate court, or juvenile court if the individual is under 17 years of age; **OCGA 37-3-1(4)** must order the sheriff to transport the mental patient to a state owned or operated facility in such manner as the patient's condition demands. No female patient shall be transported at any time without another female in attendance who is not a patient, unless such female patient is accompanied by her husband, father, adult brother, or adult son **OCGA 37-3-101**.



**BLANK**  
**PAGE**

## **STANDARD OPERATING PROCEDURE**

**EFFECTIVE February 1, 2012**

### **S.O.P. 16-7 FAMILY VIOLENCE INCIDENTS**

#### **I. PURPOSE**

It is the policy of the Lyons Police Department to fully investigate and accurately report family violence complaints brought to the attention of the Lyons Police Department, to arrest offenders where lawful and appropriate, to provide protection and assistance to victims of family violence, and to inform involved parties of the various services that may be available to them within the criminal justice system, from social service agencies and other community resources.

#### **II. DEFINITION**

The use of the term "family violence" in this SOP will be defined in **CCGA 19-13-1**.

#### **III. RESPONDING TO A FAMILY VIOLENCE INCIDENT**

##### **A. Communication**

1. Upon receipt of a call for service, the dispatcher should determine as quickly as possible whether or not the call concerns an incident of family violence. If so, the dispatcher should get as much information as possible from the complainant (e.g., injuries, weapons involved, whether minor children are present/involved, the exact location, whereabouts of perpetrator and other relevant information).

NOTE: If a call for service is received by someone other than law enforcement and then transferred to the Lyons Police Department or if an untimely report is received by the Lyons Police Department, the officer receiving the call should immediately contact his/her supervisor. The supervisor shall then cause an investigation as described below to be conducted.

2. Once the information has been received, the dispatcher shall immediately designate one primary unit and whenever possible, a backup unit. The responding officers shall be provided with all available information by the dispatcher upon initial dispatch. Each officer shall approach family complaints with caution and discretion.
3. The dispatcher shall notify a supervisor whenever the incoming call involves violence or a threat to life and/or bodily harm (i.e., weapon involved). The officer will call a supervisor to the scene if after arriving, the officer(s) find these conditions. When possible, supervisors should monitor the radio traffic involving the family violence complaint and proceed to the scene of the incident to assist the officer(s) as necessary.

B. Patrol

1. When dispatched, officers should respond immediately to the location. If the officer finds the disturbance to be in progress, he/she should notify the dispatcher about the following: location of the problem, nature of the disturbance, and the necessity of a back-up unit and/or supervisor. If the disturbance is not in progress, the officer should immediately attempt to contact the complainant and proceed with the investigation.
2. Officers responding to family violence complaints will coordinate their arrival at the scene without delaying the response time. Upon arrival at the scene of family violence, the responding officers will advise the dispatcher of the location of the complainant if different from the original dispatch location. Officers should park their vehicles in a readily accessible position. The vehicles should be locked and secured.
3. If the disturbance is at a private residence, the officers should attempt to contact the complainant before proceeding further. Officers should not enter a private residence except on the direct invitation of the owner or resident, unless probable cause exists to make an arrest or a confrontation is in progress.

**NOTE: Officers should make every effort to speak to every occupant of the residence before leaving.**

4. Once the officer(s) has entered the residence, they should prudently attempt to separate the parties in conflict and calmly listen to each person to determine the cause of the conflict and to gather additional information (e.g., who was the primary aggressor).
5. Officer(s) should avoid "taking sides" with either party in the dispute. These family violence complaints should be handled as criminal incidents. Reconciliation or divorce should never be suggested or discussed with the parties involved. Officers should be prepared to offer referrals to the victim concerning the location of shelters, victim witness assistance programs, counseling, etc.

**NOTE: The existence of probable cause and the elements of a crime shall be the sole factors that determine the proper method of handling the incident. Factors that should not influence the officer's course of action in family violence include: the relationship or marital status of the suspect and the victim; sexual orientation; speculation that the complainant may not follow through with the criminal justice process or that the arrest may not lead to a conviction; the complainant's history or prior complaint; whether or not the suspect lives on the premises with the complainant; the complainant's emotional state; injuries that are not visible; verbal assurances that the violence will cease; the location of the incident, (i.e., public or private); the potential financial consequence of arrest; or the lack of a temporary restraining order or other protective orders.**

6. An arrest should be made in the event there is probable cause to believe that a felony has occurred. All suspects arrested should be taken into custody. If an officer has probable cause to believe that a felony has occurred, an arrest should be made.
7. Suspects should be arrested in the event that a misdemeanor family violence incident occurs in the officer's presence, or if the officer has probable cause to believe that an act of family violence has been committed. Such situations include, but are not limited to: an officer who witnesses an act of family violence, a violation of a restraining order, or illegal possession of a weapon.
8. In the event the officer does not have the probable cause or necessary evidence to make an arrest, he/she shall make a good faith effort to inform the complainant of his/her rights to appear before a magistrate to seek a warrant for arrest. When possible, such discussion should be held out of the presence of the suspect. An officer should not encourage nor dissuade complainants from attempting to obtain a warrant from a magistrate.

C. Investigation of Family Violence Cases

Officers arriving at a family violence scene should conduct a thorough investigation and submit objective reports of all incidents of violence and all crimes related to family violence. The Family Violence Reporting form should be completed and processed in accordance with **OCGA 17-4-20.1**.

1. Arrival at Scene
  - a. Determine location and condition of victim and suspect;
  - b. Determine if any weapon(s) are involved or within the home;
  - c. Provide appropriate level of aid to injured parties;
  - d. Separate suspect, victim and witness (victim should be out of suspect's view); and
  - e. Take photographs of the victim, suspect, and scene.

**NOTE: When possible, follow-up photographs should be made for injuries that will become more noticeable over time (i.e., bruises).**

## 2. Preliminary Investigation

- a. Interview everyone separately - victim, suspect, children, other witnesses;
- b. Ask victim and suspect if they have pain even if there are no visible injuries;
- c. Document victim's and suspect's condition. For example, torn clothing, disheveled appearance, evidence of injury, and disarray in house;
- d. Document size relation of victim and suspect, keeping in mind that larger is not always stronger;
- e. Determine which of the parties involved was the primary aggressor, by investigating the following:
  - 1) Did one of the parties appear to be in actual fear of the other?
  - 2) Did one party escalate the level of violence (e.g., did a man react to a slap by striking the woman several times?).
  - 3) Was a party physically larger and/or stronger than the other? (See item d. above.)
  - 4) Does relevant documented history include the following?
    - physical violence;
    - sexual violence;
    - destruction of personal property;
    - harm to pet; and
    - violence against others.
  - 5) Which of the parties has been documented as the aggressor in previous situations?
  - 6) Did any injuries appear to be defense wounds?
- f. If victim has a restraining order or temporary protective order against suspect, obtain a copy of the order and valid proof of service. If not, inform victim how to get an order.

- g. If victim has a restraining order or other protective order that has not yet been served on suspect, inform the suspect of the order and note in the report that this was done. The officer should also enforce the applicable provisions of the order (e.g., "stay away" provisions). If victim has an extra copy of the order and the suspect has not been served with a copy of the order, the officer should serve the extra copy on the suspect and fill out proof of service.
  
- h. If a suspect is taken into custody:
  - 1) Advise suspect of Miranda rights;
  - 2) Take statements if and when Miranda is waived;
  - 3) Document spontaneous voluntary statements; and
  - 4) Prevent communications between suspect and victim / witnesses.
  
- i. Evidence gathering should include:
  - 1) Document condition of crime scene (disarray of physical surroundings);
  - 2) Photograph crime scene, if applicable;
  - 3) Ensure that victim's/suspect's injuries are photographed; and
  - 4) Impound and/or photograph weapons and other evidence of the crime.
  
- j. Medical treatment investigation should include:
  - 1) Obtain authorization for release of medical records from victim, if possible;
  - 2) Document extent of injuries/treatment if known;
  - 3) Obtain names, addresses and phone numbers of fire, ambulance or paramedic personnel treating the victim.

- k. In making a permanent record of the incident and subsequent investigation, the following should be included as part of the reporting procedure:
  - 1) Maintain objectivity in reporting - avoid personal opinions regarding comments from victim/suspect;
  - 2) Ensure that elements of all involved crimes are included in the report;
  - 3) Document any injuries victim/suspect have sustained;
  - 4) Document past history of violence;
  - 5) Document statements of victim, suspect and all witness;
  - 6) Document physical evidence obtained; and
  - 7) Document probation/parole status.
  
- l. Officers should not advise victims of family violence that they can "press" charges or "drop" charges. If a victim spontaneously states that prosecution is not desired, the victim should be told that the decision to prosecute is made by the District Attorney or Solicitor. Again, victims should be given information regarding the availability and location of shelters, victim/witness assistance programs, etc.

**NOTE: Officers should refrain from giving opinions and use discretion regarding the information and statements made to or about victims.**

D. Follow-up Investigation

- 1. All family violence reports prepared by officers should be reviewed and given follow-up investigation as needed. Whenever possible, review should be conducted by officers with family violence training.
- 2. Follow-up investigations should be geared to the requirements of the prosecuting office's family violence unit or the particular prosecutor handling the case.

## **STANDARD OPERATING PROCEDURE**

**EFFECTIVE February 1, 2012**

### **S.O.P. 16-8 RACIAL PROFILING**

#### **I. POLICY**

The purpose of this policy is to unequivocally state that racial and ethnic profiling in law enforcement are totally unacceptable, to provide guidelines for officers to prevent such occurrences, and to protect our officers when they act within the dictates of the law and policy from unwarranted accusations.

#### **II. DISCUSSION**

A fundamental right guaranteed by the Constitution of the United States to all who live in this nation is to equal protection under the law. Along with this right to equal protection is the fundamental right to be free from unreasonable searches and seizures by government agents. Citizens are free to walk and drive our streets, highways, and other public places without police interference so long as they obey the law. They also are entitled to be free from crime, and from the depredations of criminals, and to drive and walk our public ways safe from the actions of reckless and careless drivers.

The Lyons Police Department is charged with protecting these rights, for all, regardless of race, color, ethnicity, sex, sexual orientation, physical handicap, religion or other belief system.

Because of the nature of their business, law enforcement officers are required to be observant, to identify unusual occurrences and law violations, and to act upon them. It is this proactive enforcement that keeps our citizens free from crime, our streets and highways safe to drive upon, and that detects and apprehends criminals.

This policy is intended to assist law enforcement in accomplishing this total mission in a way that respects the dignity of all persons and yet sends a strong deterrent message to actual and potential lawbreakers that if they break the law, they are likely to encounter the police.

#### **III. POLICY**

It is the policy of this department to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce the motor vehicle laws, while insisting that citizens will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or are about to commit, an infraction of the law.



#### IV. DEFINITIONS

**Racial profiling:** The detention, interdiction, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.

**Reasonable suspicion:** Also known as articulable suspicion. Suspicion that is more than a mere hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that an infraction of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on the observations of a police officer combined with his or her training and experience, and/or reliable information received from credible outside sources.

#### V. PROCEDURE

- A. The department's efforts will be directed toward assigning officers to those areas where there is the highest likelihood that crashes will be reduced and/or crimes prevented through proactive patrol.
- B. Officers will receive initial and ongoing training in proactive enforcement tactics, including training in officer safety, courtesy, cultural diversity, the laws governing search and seizure, and interpersonal communications skills.
- C. Training programs will emphasize the need to respect the rights of all citizens to be free from unreasonable government intrusion or police action.
- D. Traffic enforcement will be accompanied by consistent, ongoing supervisory oversight to ensure that officers do not go beyond the parameters of reasonableness in conducting such activities.
- E. Motorists and pedestrians shall only be subjected to stops, seizures or detentions upon reasonable suspicion that they have committed, are committing, or are about to commit an infraction. Each time a motorist is stopped, the officer shall radio to the dispatcher the location of the stop, the description of the person or vehicle being detained, and the statute number violated or other reason for the stop, and this information shall be logged.
- F. The department recognizes that with experience, individual officers may develop individualized approaches that they find work best for them in minimizing conflict during officer/violator contacts. Given some better approach, the following is recommended, in the order specified below:

Give a greeting, such as "Good morning, ma'am", "Good evening, sir", etc.

Identify yourself. Ex: "I am Officer Smith of the Lyons Police Department.

State the reason why the person is being stopped or detained. Ex: "I stopped you because I saw your vehicle come through the stop sign at that last intersection without coming to a complete stop." (Describing the actions of the vehicle rather than personalizing the action to the driver tends to reduce tension.)

It may defuse tension to ask a motorist if there was some reason for the violation. This gives them the opportunity to "have their say", often leads to an admission that the violator realized they were in violation, and precludes a defendant from offering a different excuse at trial. If you choose not to ask but the motorist wishes to give a reason or excuse, listen politely and give them ample opportunity to tell their story.

Politely ask for identification and any required documents. Ex: "May I please see your license, registration, and proof of insurance?"

After completing any necessary paperwork, inform the driver or pedestrian as to what action is being taken and what, if any, the person must do as a result, such as how to pay any fine involved, obtain a traffic court hearing, etc.

Give an appropriate closing. For example, if the motorist was cooperative, "Thank you for your cooperation" may be in order. Do not use the trite expression, "Have a nice day", which would be inappropriate in these circumstances. "Please drive carefully, your safety is important to us" is more appropriate.

Make sure the driver is able to merge safely back into the traffic stream.

- G. Appropriate enforcement action should always be completed, generally in the form of a warning, citation or arrest. The proper form must be filled out by the officer, and shall include the gender, race or ethnicity of the person stopped, if this information can reasonably be ascertained by physical appearance or from the driver's license or other documents provided by the individual.
- H. No motorist, once cited or warned, shall be detained beyond the point where there exists no reasonable suspicion of further criminal activity, and no person or vehicle shall be searched in the absence of a warrant, a legally recognized exception to the warrant requirement, or the person's voluntary consent. In each case where a search is conducted, this information shall be recorded, including the legal basis for the search, and the results thereof. It is strongly recommended that consent searches only be conducted with written consent, using the proper department form. If the individual indicates that they will consent to a search but are refusing to sign the form, fill out the form anyway and indicate "consented to search but refused to sign", inserting initials and the signature of any witness in the signature block.
- I. If the unit is equipped with a video camera, the video and sound shall be activated prior to the stop, to record the behavior of the vehicle or person, and shall remain activated until the person is released and resume their journey.

- J. In the absence of a specific, credible report containing a physical description, a person's race, ethnicity, gender or sexual orientation or any combination of these shall not be a factor in determining probable cause for an arrest or reasonable suspicion for a stop.
- K. The deliberate recording of any misleading information related to the actual or perceived race, ethnicity, gender, or sexual orientation of a person stopped for investigative or enforcement purposes is prohibited and a cause for disciplinary action, up to and including dismissal.

## **VI. COMPLAINTS OF RACIAL/ETHNIC PROFILING**

- A. Any person may file a complaint with the department if they feel they have been stopped or searched based on racial, ethnic, or gender-based profiling, and no person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.
- B. Any officer contacted by a person who wishes to file such a complaint, shall provide the citizen with a copy of a citizen complaint form which may be mailed or delivered in person to headquarters, and shall record the person's name, address, and telephone number, and report the contact to the officer's supervisor prior to the end of the shift.
- C. Supervisor receiving such a report shall forward it to the internal affairs section and all such complaints shall be reviewed, the complaint acknowledged to the -complainant in writing, and the complainant shall be informed of the results of the department's review within a reasonable period of time. The report and the reviewer's conclusion shall be filed with the Chief Executive Officer of the department, and shall contain findings and any suggestions for disciplinary action or changes in policy, training, or tactics.
- D. On an annual basis, the department shall make public a statistical summary of all profiling complaints for the year, including the findings as to whether they were sustained, not sustained, or exonerated.
- E. Supervisors shall review profiling complaints, periodically review a sampling of in-car video tapes of stops, reports filed on stops by officers, and respond at random to back up officers on vehicle stops, and shall take appropriate action whenever it appears that this policy is being violated, being particularly alert to any pattern or practice of possible discriminatory treatment by individual officers or squads.
- F. The Data Processing Unit shall inform the Commanding Officer of the departmental unit with responsibility patrol what data is available on the race of persons stopped, and after consultation with this Captain, produce periodic reports on traffic stops by race and gender.

## **STANDARD OPERATING PROCEDURE**

**EFFECTIVE: February 1, 2012**

### **S.O.P. 16-9 MISSING PERSONS**

#### **A. PURPOSE**

To Establish missing person procedures for the Lyons Police Department.

#### **B. RULES AND REGULATIONS**

##### **1. INITIAL INVESTIGATION**

Upon receiving a report that an individual cannot be located, the responding officer will gather an initial physical description of the individual, any leads as to the possible location (destination, mode of travel, routes, etc.), the identity and location where the person was last seen, names and phone numbers of relatives and friends, and any other information which may assist in locating the person. The responding officer will initiate an immediate investigation in an attempt to locate the missing person. This investigation will include at a minimum, all of the following actions to be taken immediately:

- a. A broadcast made over the patrol frequency with a description of the missing person and any known circumstances. Officers will also disseminate information to adjacent agencies, and to the law enforcement agencies in the jurisdiction of any known or suspected destinations.
- b. Interviews with the reporting person, a spouse, parents, siblings, friends, employers, co-workers or any other persons who may have knowledge of the whereabouts of the missing person. These interviews may be made by telephone or in person, but all interviews and attempts to interview will always be documented.
- c. Obtaining a photograph, if possible of the missing individual.
- d. Initiating an incident report, with a narrative summary of all actions taken by the police, and any related actions known to have been taken by others. The report will contain at a minimum, the following information:
  1. Height, weight, color of hair and eyes;
  2. Use of eyeglasses or contacts;
  3. Skin color;
  4. Physical or mental handicap;
  5. Scars, marks or tattoos;

6. Date / place of birth;
7. Detailed description of clothing;
8. Photographs;
9. Social security number, driver's license number if applicable;
10. Names and addresses of parents / relatives;
11. Nicknames;
12. Names and addresses of friends;
13. Dental records (if readily available); and
14. Fingerprint of the child (if readily available).

## 2. ADULTS

An adult will not be considered missing until after 24 hours have elapsed, unless it is determined by the officer at the scene or their supervisor that foul play or the possibility of same has occurred. Also, if it is determined that the missing adult is elderly, confused, depressed, or mentally retarded the 24 hour rule will not apply. The officer will also summon assistance and organize a search of the area if the missing adult is elderly, confused, depressed, or mentally retarded.

In any case, a missing persons report will be completed after 24 hours if the adult has not returned home.

## 3. SPECIAL HANDLING OF MISSING CHILDREN

For the purposes of this procedure, a missing child is defined as any person under the age of seventeen (17) whose location is not known, including any child who may have run away from home, who may have been taken away by their non-custodial parent, or whose whereabouts is otherwise uncertain. Certain specific actions, in addition to those listed above, must be taken immediately by the responding officer. These actions include:

- a. Notifying the officer's supervisor and initiating a thorough and detailed physical search of any area where there are reasonable grounds to believe that the child could be located.

- b. The officer will cause an immediate entry into the NCIC/GCIC computer system. This entry will be removed if the individual is located. The reporting officer must notify the parents or legal guardian when the report is entered into NCIC / GCIC, and note on report.
- c. Notifying the County's Department of Family and Children Services (DFACS). The officer should request access to any relevant information on the missing child, including: whether or not there is an active case; the name of any case worker; any previous missing incidents; any previous reported abuse cases; and any other information which would lead to the whereabouts of the child.
- d. Providing the parent(s) or legal guardian with the 24 hour State of Georgia Clearinghouse for Missing and Exploited Children at 1-800-282-6564 for assistance to be used by parents.

The National Center for Missing and Exploited Children (NCMEC) will cooperate with local law enforcement in missing child cases in the following ways:

For stranger abducted children, call NCMEC at 1-800-THE LOST, and NCMEC will tape a public service announcement with the child's photo and facts of the case, and will transmit the announcement via satellite to local television stations.

Project Alert assigns a specially trained volunteer consultant from NCMEC to provide expert assistance upon the request of the law enforcement agency. The volunteer will maintain daily contact with NCMEC and submit written reports concerning the progress of the case investigation. Case consultations will focus on two (2) categories of cases:

- \* cases requiring emergency response and specialized consultation / advice to the investigating agency; and,
- \* review of long-term cases to evaluate and make suggestions as to what new approaches may help to locate and bring children home.

#### 4. CRITICAL MISSING PERSON / FOUL PLAY INDICATED

A critical missing person is any person who meets any of the following criteria: any child age 12 or under; any adult over age 70; any person in poor physical, or questionable mental health; any missing person where there is an indication of foul play (Foul play is indicated if the occurrence is grossly out of character for the person missing or the reporting party has sufficient reason to believe foul play has occurred.); and, any person missing under circumstances which lead a reasonable person to conclude that there is danger if the missing person is not located immediately (i.e., person missing outdoors in extremely harsh weather, person who requires medication, etc.)

- a. Whenever a responding officer has a critical missing person, the officer should immediately initiate both a physical search and an investigation.
- b. When a small child is involved, there should always be a physical search, especially of the home and property where the child lives. This physical search should be made even if the parent has already conducted a search. Officers should be advised that small children may hide and refuse to answer people calling their name. The physical search should start with the home of the missing person, and spiral outward.
- c. A regional look-out broadcast shall be made immediately with a description of the missing and the reason for the critical classification.
- d. Mobilize all resources available which could be of help in locating the subject. Resources to consider include:
  1. notifying the news media and asking for a camera crew and/or reporter;
  2. requesting assistance from the City Fire Department, Public Works Department and other City/County resources to aid in a search;
  3. requesting assistance from other law enforcement agencies;
  4. requesting a law enforcement canine unit, when appropriate;
  5. requesting law enforcement air support to assist in a search; and
  6. request search assistance from volunteer groups.

## 5. NOTIFICATIONS

As soon as possible after receiving a critical missing person report, the Chief of Police will be notified through the chain-of-command.

Request that a supervisor notify the Detective on call.

## 6. FOLLOW-UP INVESTIGATION

If a missing child is not immediately located (within 8 hours for an adult, within 2 hours for missing children or other critical missing cases), the commander of the Criminal Investigation Division (CID) will be notified to conduct a follow-up investigation.

- a. Personnel assigned to the follow-up investigation must remain in contact with the person making the report, to keep them apprised of the progress of the investigation.
- b. The investigation officer shall continue to make reasonable efforts to acquire additional and ongoing information about the missing child following transmittal of the initial information available, and promptly integrate any additional information acquired into the Georgia Crime Information Center (GCIC) / National Crime Information Center (NCIC) computer systems.
- c. When a missing child has not been located within thirty (30) days after the date in which the report was filed, the reporting officer shall request from the missing child's parents or guardians, the dental records of the missing child. The dental records shall be entered into the GCIC / NCIC.

7. REMOVAL OF INFORMATION FROM CRIMINAL JUSTICE SYSTEM

When the missing child has returned to the home of, or to the care, custody, and control of his/her parents, or legal guardian, and this agency has received the notification that the minor is no longer a missing child, the officer receiving the notification will have the information removed immediately from GCIC / NCIC. In addition, CID personnel will be notified.