

# **Alabama Association of Chiefs of Police Accreditation Program**



## **Standards Manual**



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# **Chapter 1**

## **Law Enforcement Role and Authority**

## **Chapter 1 - Law Enforcement Role and Authority**

**100 - Authority** – The agency requires that sworn officers take an oath of office that includes an affirmation to uphold the United States Constitution, Constitution of the State of Alabama, and federal/state/local laws. The affirmation of the oath shall be documented and placed in the officer's personnel file.

**Clarification Statement:** *This standard applies to entry-level law enforcement positions and positions of higher rank.*

**101 - Code of Conduct** – A written directive specifies standards of conduct and acceptable appearance regulations, which are applicable to all agency personnel. Appearance regulations shall apply to uniformed, non-uniformed, and civilian personnel, with exceptions noted. Employees must acknowledge receipt (written or electronic) of such standards of conduct and appearance regulations.

**Clarification Statement:** *This directive, which may be included in the agency's rules and regulations, informs personnel on conduct issues such as prohibited conduct, alcohol and drug use, gratuities, abuse of authority, political activities, etc. The appearance requirement includes grooming and dress requirements. Potential exceptions may include exclusions for undercover work and similar instances when an appearance different from management's expectations is desirable.*

**102 – Jurisdiction** – The agency shall have a description of its jurisdiction that includes areas of concurrent jurisdiction.

**Clarification Statement:** *None. Compliance can be achieved with a written directive explaining the boundaries of the jurisdiction or in the form of a map accessible to all employees.*

**103 – Chief Executive Officer** – A written directive establishes guidelines for the appointment of the chief executive officer of the agency, who is required to exercise the powers and duties of the office as prescribed by state law (**Ala. Code § 15-10-1; Ala. Code § 15-6-1; Ala. Code § 36-22-3**).

**Clarification Statement:** *None.*

**104 – Bias-Based Policing** – A written directive prohibits bias-based policing and at a minimum includes:

- a. A clear definition of bias-based policing.
- b. A requirement that all officers receive initial and annual training in bias-based training and/or cultural diversity.

- c. A requirement that all complaints of bias-based policing shall be thoroughly investigated through the agency's internal affairs process.
- d. Corrective actions if bias-based policing is found to have occurred.
- e. Training agency enforcement personnel annually on bias-based policing including implicit bias and avoiding improper profiling based on the actual or perceived race, ethnicity, national origin, limited English proficiency, religion, gender, gender identity, sexual orientation, or disability of individuals.

**Clarification Statement:** *The discredited practice that is commonly referred to as bias-based policing is a longstanding criminal justice issue that needs to be addressed by every law enforcement agency in every jurisdiction. It is the sworn duty of every law enforcement agency and officer to protect the civil rights of all persons and to safeguard the inalienable right to the equal protection of the laws.*

*If a law enforcement officer relies solely on a person's race, ethnicity, gender, LGBTQIA+ status, proficiency with the English language, or any immutable characteristic when making decisions and exercising law enforcement discretion, the result would be to undermine public confidence in the fairness and integrity of the criminal justice system, alienate significant segments of society, foster disrespect for law enforcement authority and the institutions of government, and ultimately erode public support for law enforcement efforts to investigate and deter crime.*

**105 – Code of Ethics** – The agency shall adopt or promulgate a code of ethics. The code of ethics must be binding on all personnel, sworn and non-sworn. Additionally, a written directive must require that:

- a. All personnel must acknowledge the code of ethics adopted or promulgated by the agency.
- b. The agency must provide all its personnel with ethics training at least once every five years.

**Clarification Statement:** *The code of ethics may be in the form of an agency policy, order, rules, regulations, ordinance, resolution, statute, administrative code, employee manual, or any combination thereof. Agencies may adopt a code of ethics from local, county, state, national law enforcement or government organization or an affiliate.*

**106 – Duty to Disclose Exculpatory Information** - A written directive establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (i.e., Brady information, Giglio information) to a prosecuting attorney. (Information known or possessed that is material to the current prosecution or defense of a criminal defendant.)

**Clarification Statement:** *Such information can be obtained through internal affairs investigations, administrative investigations, and/or criminal investigations. Agencies should consider*

*designating a point of contact between the agency and the local prosecutor's office to coordinate the exchange of such information.*

**107 – USDOJ Data Collection** - A written directive mandates the collection of data regarding officer suicides, officer misconduct, use of force, officers killed and assaulted, crime incidents and deaths in custody. In addition, the agency is submitting or actively working towards its ability to submit data to the following data collection efforts:

- a. FBI's Law Enforcement Suicide Data Collection.
- b. National Law Enforcement Accountability Database (when operational).
- c. FBI's National Use of Force Data Collection.
- d. FBI's Law Enforcement Officers Killed and Assaulted Data Collection.
- e. FBI's National Incident-Based Reporting System, including hate crime data.
- f. Office of Justice Program's Deaths in Custody Reporting Act Data Collection.

**Clarification Statement:** None

## **Chapter 2**

# **Organization and Administration**

## **Chapter 2 - Organization and Administration**

**200 – Organizational Structure and Supervision** – The agency shall maintain a current organizational chart illustrating the organizational components assigned to each functional area of the agency. In addition, a written directive shall:

- a. Describe each functional area of the agency.
- b. Designate a person or position in charge of each functional area.
- c. Establish succession of rank in the form of a chain of command or unity of command structure.
- d. Designate a succession of command in the absence of the chief executive officer.
- e. Designate the person or position in charge of any incident involving different organizational components involved in the same incident with exceptions noted.
- f. Designate a person or position in charge of routine operations.
- g. Require a personnel file on each employee in a secure area, and the file will include any necessary human resources documents, commendations, and disciplinary actions.

**Clarification Statement:** *A current organizational chart and written functional description is necessary for good order of the agency. The organizational chart and written functional description allow agency employees to observe clear lines of authority and the organizational functions for which the agency is responsible. The organizational chart should be posted in the agency whether physically or electronically. The organizational chart does not have to contain the names of individual employees.*

*Essential operational command requires clear lines of authority in the absence of the chief executive officer. Written procedures should include provisions for command in the absence of the person(s) normally responsible for such responsibility. Furthermore, procedures that authorize personnel with specialized skills or abilities to assume command in certain situations should be defined. The term 'same incident' shall be broadly construed.*

**201 – Written Directive System** – A written directive shall describe the agency's written directive system and include at a minimum:

- a. The identity (identities) of the person(s) or position(s) that have the authority to issue, modify, repeal, or approve agency written directives.
- b. Procedures for staff review prior to issuance, if deemed necessary.
- c. Mission statement, and vision or values statement.
- d. A process to acknowledge receipt of written directives.
- e. Methods to archive and store agency written directives.

**Clarification Statement:** *A comprehensive written directive system is essential to effective operations. Specifics of day-to-day law enforcement operations properly belong in agency policies and procedures. Issuing policies and procedures, orders, and other written directives that govern the day-to-day operation of the law enforcement agency is, however, the responsibility of the law enforcement executive. Bullet e – compliance can be **OBSERVED**.*

## 202 – Training

**202.1 – Basic Training** – All sworn law enforcement officers must complete a basic recruit training program certified by A.P.O.S.T.

**Clarification Statement:** None.

**202.2 – Supervised Field Training** – A written directive establishes a field training officer (FTO) program for all new sworn law enforcement officers to include the following:

- a. A selection process for potential field training officers.
- b. A position within the agency to oversee the field training program.
- c. A minimum of 160 hours in the FTO program for new officers.
- d. Initial training of field training officers.
- e. In-service (refresher) training of field training officers at least every five years.
- f. Standardized evaluation guidelines with a defined behavioral criteria and rating scale for use by field training officers.
- g. A listing of required reports, evaluations, and responsibilities.

**Clarification Statement:** *Training in actual field conditions must follow basic training to complement classroom training. Socialization to the agency with an experienced and motivated field-training officer (FTO) facilitates this process. Potential FTOs should demonstrate self-motivation and should exemplify agency values. Initial training of prospective FTOs does not need to be delivered in a police academy or other formal class. The agency should establish reporting mechanisms to document the training and evaluation of new officers.*

*Upper management appointees are not required to take a field-training program. Upper management appointees include but are not limited to, prosecutors, assistant prosecutors, sheriffs, under-sheriffs, chief warrant officers, or other constitutional or statutory positions.*

**202.3 – Initial Agency-Specific Training** – At a minimum, new sworn law enforcement officers shall receive agency-specific training in the following topics before being assigned to unsupervised field duties:

- a. Agency written directives.
- b. Applicable local, state, and federal laws and ordinances.
- c. Constitutional rights (e.g., search and seizure, custodial interrogations, arrests, etc.).
- d. Prohibition of biased-based policing.
- e. Law enforcement force including reporting requirements.
- f. De-escalation techniques.
- g. Handling mentally ill and emotionally disturbed persons
- h. Basic evidence collection, packaging, and submission.
- i. Motor vehicle stops.
- j. Pursuits and forcible stopping.

- k. Incident command.
- l. Hazardous materials awareness.
- m. Agency weapons including lethal and less lethal weapons.
- n. Temporary detention facility including processing and the *Prison Rape Elimination Act* (PREA).
- o. Active shooters / threats.

**Clarification Statement:** *Such training topic can be delivered in a classroom setting, through the field training officer program, or electronically.*

**202.4 – In-Service Training** – A written directive establishes and defines the agency’s in-service training program for all personnel to include:

- a. *The frequency of mandatory in-service training topics.*
- b. *A listing of available or required specialized training, if any.*
- c. *Appointment of a coordinator or coordinators to manage the required training.*

**Clarification Statement:** *The agency should ensure that the mandatory training required by A.P.O.S.T. and the accreditation standards is provided (e.g., use of force, de-escalation, weapons qualifications and proficiency, search and seizure, legal updates, bias-based policing, emotionally disturbed persons, pursuits and forcible stopping, hazardous materials awareness, Prison Rape Elimination Act, etc.) Specialized training can include, but is not limited to, weapons instructor training, DARE training, school resource officer training, telecommunicator refresher, emergency medical dispatch refresher, etc. The training coordinator is responsible for ensuring that mandatory training is scheduled as required. The training coordinator may be a sworn officer, civilian employee, outside vendor, or any combination thereof. Training may be provided by an instructor or through electronic means.*

**202.5 – Supervisory Training** – The agency ensures that all newly promoted personnel are provided with requisite training needed to accomplish new assignments, responsibilities, and tasks.

**Clarification Statement:** *The training can be in-house training or training provided by a training entity. The training should either occur prior to or within the first year following the promotion. Civilian personnel who are promoted to positions when they are responsible for the activities of others shall be included.*

**202.6 – Remedial Training** – A written directive identifies the agency’s practice concerning remedial training and requires that all remedial training is documented.

**Clarification Statement:** *The directive should specify the circumstances and criteria when remedial training is needed to correct performance at all functioning levels of the agency.*

*Remedial training can result from a disciplinary matter or through supervisory observation. The agency should empower its supervisory corps to apply remedial training at the lowest level when practicable. Remedial training can take many forms and need not be formal. Documentation of remedial training is important, even when applied informally. Examples include, but are not limited to, report writing, preliminary criminal investigation, defense driving, etc.*

**202.7 – Law Enforcement Volunteer Training** – Law enforcement volunteers shall receive training in those authorized and assigned duties.

**Clarification Statement:** *Volunteers include but are not limited to domestic violence crisis team volunteers, community emergency response team volunteers (if under the command and control of the law enforcement agency or CEO). Minimally, training should consist of applicable agency personnel policies and procedures, such as harassment in the workplace, workplace violence, etc.*

**202.8 – Training Records** – A written directive requires the agency to record an employee's participation in training programs to ensure that the training records are current and obtainable when needed and to maintain employee training records in accordance applicable records retention schedule.

**Clarification Statement:** *Employee records may be maintained by an electronic and/or manual filing system.*

**202.9 – Training Materials** – A written directive requires the agency to maintain training materials for any training classes/course it conducts or delivers to minimally include:

- a. The course content or lesson plan.
- b. Names of attendees.
- c. Qualification and/or test results of individual attendees, if administered.

**Clarification Statement:** *The standard governs the agency's training records to include third-party training entities that provide training to employees on behalf of the agency. This standard does not apply to training delivered by a governmental agency (e.g., police academy, A.P.O.S.T., etc.) Training course records must be retained in accordance with applicable records retention schedules.*

**202.10 – Tactical Team Training** – A written directive requires regular training and periodic readiness exercises for any personnel assigned to or participating in any tactical services unit/team, if applicable.

**Clarification Statement:** *The tactical team may be an agency subcomponent or a regional team and may be referred to as ESU, ERT, CERT, SWAT, hostage negotiators, etc. The agency can*

*determine the frequency, delivery, and content of the training and readiness exercises and may account for different tasks and assignments. Training records shall be maintained in accordance with standard 202.8.*

# **Chapter 3**

## **General Operations**

## Chapter 3 – General Operations

**300 – Weapons and Ammunition** – A written directive establishes the agency’s weapons and ammunition requirements. Minimally, the written directive shall include provisions for:

- a. A requirement that the agency’s chief executive officer authorize all weapons and ammunition used in law enforcement responsibilities.
- b. A listing of all agency-approved weapons including on and off-duty weapons, backup weapons, less-lethal weapons, conducted energy device weapons, and specialized weapons.
- c. A listing of the agency-approved ammunition, including less-lethal ammunition, off-duty ammunition, backup ammunition, and ammunition used in specialized weapons (not including munitions listed in bullet d).
- d. A listing of agency-approved munitions, if applicable.
- e. A requirement that a certified weapons instructor or armorer inspect and approve all weapons listed in bullet b.
- f. A procedure to remove unsafe weapons and to provide a replacement if repairs cannot be made, as applicable.
- g. A requirement to maintain a record on each weapon approved by the agency.
- h. Guidelines for the safe storage of agency-authorized firearms and conducted energy device weapons.

**Clarification Statement:** *The chief executive officer must authorize all weapons and ammunition that officers intend to use in their law enforcement responsibilities. Since officers derive their authority to carry a firearm (or other weapon) by virtue of their sworn positions, the chief executive officer can mandate what and what cannot be carried, even in an off-duty capacity.*

*This standard does not require the chief executive officer to authorize weapons and/or ammunition used for recreational purposes such as hunting and target shooting. Instead, the chief executive officer must authorize weapons and ammunition carried by officers because of their law enforcement authority to include on-duty weapons, off-duty handguns, backup handguns (if authorized), less lethal weapons, conducted energy weapons, duty ammunition, off-duty ammunition, backup ammunition (if authorized), less-lethal ammunition/projectiles, munitions, etc.*

*Specialized weapons include, but are not limited to, shotguns, rifles, submachine guns, carbines, scoped rifles, etc.), grenade launchers, etc. Munitions include chemical munitions, distraction devices, and similar products.*

*Law enforcement canines are not subject to this standard.*

*Agencies must maintain a record of all approved weapons and ammunition to ensure accountability and justify budgetary expenditures. Additional records include, but are not limited to, invoices, purchase orders, trade-in receipts, packing slips, etc.*

**301 – Weapons Training and Proficiency** – A written directive requires that only agency personnel who have qualified with or been assessed proficiency in the use of agency-authorized weapons be approved to carry such weapons. All agency personnel authorized to carry weapons are required to receive in-service training in accordance with State law (Ala. Code § 36-21-45; Ala. Admin. Code r. 650-X-12-.03). The written directive shall also include:

- a. Unarmed self-defense tactics every two years, if applicable.
- b. A requirement that qualification, training, or proficiency assessment must be monitored by a certified weapons or tactics instructor.
- c. A requirement that qualification and proficiency assessment must be documented.
- d. A procedure for remedial training for those personnel who are unable to qualify with an authorized weapon.

**Clarification Statement:** *The intent of this standard is to address the carrying and use, both on and off duty, of all weapons, such as handguns, shotguns, chemical sprays, striking weapons, conducted energy devices, less-lethal weapons, and tactical weapons authorized in Standard 300. Proficiency assessment may include achieving minimum qualifying scores on a prescribed course, attaining, and demonstrating a knowledge of the laws concerning the use of authorized weapons and knowledge of agency policy(s) on the use of force, and/or being familiar with recognized safe-handling procedures for the use of these weapons. Instruction and proficiency testing or assessment with all weapons must be provided/monitored by a certified weapons instructor.*

*The agency should establish proficiency levels with input from certified weapons instructors or others in the agency who can validate the criteria. Assessment of proficiency with less-lethal weapons may consist of the same criteria used at entry-level, or the course may be modified to either abbreviate or extend the training based on the agency's experience with the weapon in the field.*

*The intent of bullet (d) is to ensure that remedial measures are provided, and that an employee failing to achieve proficiency with a weapon is not returned to duty with that weapon until such time as proficiency is assessed and documented.*

**301.1 – Firearms Range Operations** – If the agency operates its own firearms practice range, a written directive describes regulations for the use of the agency's firearms range and shall include:

- a. Documented safety procedures and range rules.
- b. Designation of a range supervisor during times the range is in use.
- c. Type of weapons, ammunition, targets, and equipment permitted for use at the range.
- d. Personal safety equipment during use.
- e. Other agency use (If allowed).

**Clarification Statement:** *The intent of this standard is to ensure protocols have been established and are applied for the agency's use of the firearms range. Safety rules and regulations for the range should be conspicuously posted and reviewed with all users of the facility. Some forms of communication should be available during training, such as two-way radio or cell phone. Participants engaged in firearms training should wear protective body armor, as well as ear and eye protection. The designated responsible should be competent regarding range activities and protocols for operational safety. Ranges should meet all state and federal guidelines.*

**302 – Use of Force** – A written directive establishes the agency's use of force policy that complies with all federal, state, and local laws to include at a minimum:

- a. Definitions of applicable terms.
- b. A requirement that officers, and employees authorized to use weapons or force, will use objectively reasonable and proportional force when force is used to accomplish lawful law enforcement objectives.
- c. Law enforcement force should be discontinued when resistance ceases or when the person is under control.
- d. Law enforcement force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, another person, or property damage. In these situations, only the minimal amount of force necessary shall be used to control the situation.
- e. Deadly force can only be used when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in the defense of the officer or another person from the immediate danger of serious physical injury.
- f. If authorized, chokeholds can only be used in deadly force situations.
- g. If authorized, vascular neck restraints, can only be used by trained personnel who receive initial and annual refresher training and except where the use of deadly force is authorized by law;.
- h. Prohibition of warning shots.
- i. De-escalation techniques and tactics should be used when appropriate and safe.
- j. Criteria for use of less lethal ammunition and/or munitions, if applicable.
- k. A requirement to provide appropriate medical aid when someone is injured or complains of pain resulting from law enforcement force.
- l. Annual training in the agency's use of force directive including all federal, state, and local law.
- m. Prohibition of the discharge of firearms from a moving vehicle except in exigent circumstances. In these situations, an officer must have articulable reason for this use of deadly force;
- n. Prohibits the discharge of firearms at a moving vehicle unless:
  1. A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or
  2. The vehicle is operated in a manner that threatens to cause death or serious physical injury to the officer or others, and no other objectively reasonable means of defense appear to exist, which includes moving out of the path of the vehicle.

- o. Prohibits the use of deadly force to prevent the escape of a fleeing suspect unless the suspect poses an imminent danger of death or serious physical injury to the officer or another person.
- p. Prohibits the use of deadly force against persons whose actions are a threat solely to themselves or property unless an individual poses an imminent danger of death or serious physical injury to the officer or others in close proximity.

**Clarification Statement:** *Use of force shall never be considered routine. Clearly defined terms minimize subjective interpretations. Appropriate medical aid does not place the burden on the agency to have each injured person immediately evaluated at a medical facility. Appropriate medical aid may include increased observation to detect obvious changes in condition, flushing chemical agents from the eyes, applying first aid, evaluation by paramedics, or for more serious or life-threatening incidents, immediate aid by medical professionals.*

**302.1 – Use of Force Reporting** – A written directive requires that a written report is submitted whenever an officer and employees authorized to use weapons or force:

- a. Discharges a firearm, conducted energy device, or less-lethal device for other than training or recreational purposes, including unintentional discharges.
- b. Applies deadly force.
- c. Applies force with a less lethal weapon or less lethal device.
- d. Applies weaponless physical force to any degree.

**Clarification Statement:** *This standard requires that agencies institute a mechanism to initiate a report any time force is used. This written report is the basis for the subsequent meaningful review of the use of force incident (see standard 302.2). Prompt and accurate reporting helps establish agency credibility. The agency shall define the reports) required.*

*If physically able, the primary employee involved should be required to verbally report their involvement within a specified time. The verbal report should be committed to writing as soon as practicable thereafter. Written procedures should state by whom, when, and how the report will be submitted. The standard is not intended to require documentation on actions taken to euthanize animals.*

**302.2 – Use of Force Review** – The agency has a written procedure for a documented meaningful review of each use of force incident and any report or incident required by standard 302.1.

**Clarification Statement:** *The use of law enforcement force should never be considered routine. Hence, the use of force review process should not be routine. The intent of the documented review is to determine whether changes to policy, training, or equipment are indicated or whether disciplinary issues need to be addressed. The review can be conducted by a supervisor, commanding officer, review committee, the internal affairs function, or a combination thereof. If a command rank officer uses force, the CEO or the internal affairs function or a review committee*

*should conduct the meaningful review. If the CEO uses force, agencies must contact their local prosecutor's office for guidance.*

**302.3 – Removal from Line Duty Assignment** – A written directive requires that any employee whose actions or use of force in an official capacity result in death or serious physical injury be removed from line-duty assignment, pending a documented review or investigation.

**Clarification Statement:** *The purpose of this standard is to protect the community's interest when employees may have exceeded the scope of their authority in their actions or in their use of force and to protect employees who have not exceeded the scope of their authority from possible confrontations with the community. Agencies should consult with their county prosecutor to determine whether a full investigation will occur before an officer can return to full duty.*

*The agency should consider removing from duty status all employees involved in a critical or traumatic incident, not limited to shootings, and may include incidents such as a fatal motor vehicle crash involving the employee. During the period of administrative leave or reassignment, the agency should consider provisions for post-incident debriefing or counseling for those employees involved. In some critical incidents, the employee's family may also require assistance.*

**302.4 – Annual Analysis of Use of Force** – Agencies shall conduct an annual analysis of law enforcement use of force incidents. The analysis should include the number of law enforcement force incidents and trends relating to race, ethnicity, sex, type of force used, call type, injuries, and any other trends noted. Recommendations for any training needs should be made when applicable. The analysis will be reviewed by the agency's CEO.

**Clarification Statement:** *None*

**303 - Duty to Intervene** – A written directive requires employees to intervene within the scope of their authority and training and notify a supervisor if they observe another agency employee or public safety associate engage in any unreasonable use of force or if they become aware of any violation of departmental policy, state or federal law, or local ordinance. This directive shall include intervention procedures.

**Clarification Statement:** *Employees have an affirmative responsibility to take appropriate action in circumstances that involve fellow employees, as well as other public safety associates whose actions are criminal, unconstitutional, or inappropriate and will harm the reputation of the agency or the law enforcement profession.*

*When encountering unlawful or unreasonable actions or other employees or public safety/criminal justice associates that could result in injury, death, or violations of constitutional or civil rights, intervention must be immediate.*

*This standard does not require non-sworn personnel to intervene in use of force situations as they are not trained or required by oath of office or law to take such actions.*

**304 – Law Enforcement Canines (if applicable)** – A written directive regulates all agency-owned or controlled canine, and includes the following provision for each canine:

- a. Authorization and limitations for the use of law enforcement canines.
- b. Selection criteria for law enforcement canine handlers.
- c. Selection criteria and evaluation of law enforcement canines.
- d. Initial and in-service training requirements for each law enforcement canine team as defined by the agency.
- e. Annual evaluation/certification of each police canine team.
- f. Documentation requirements for all training.
- g. Procedures for the 24-hour care and maintenance for the police canines.
- h. Required equipment that handlers maintain.

**Clarification Statement:** Specific procedures should be established for each applicable area of canine operations, including searching for and apprehending suspects, missing person searches, narcotics/explosives detection, comfort/therapy use, or any other purpose.

The agency should develop comprehensive criteria for the handler position including minimum qualifications, knowledge, skills, and abilities.

The agency shall determine the frequency of in-service training for canine teams, but monthly training is recommended. Training for comfort/therapy canines may vary.

Canine teams should be evaluated/certified on an annual basis, preferably by a recognized national, regional, or state organization (e.g., International Police Work Dog Association, North American Police Work Dog Association, United States Police Canine Association, or similar organization) to independently validate the team's operational readiness and effectiveness.

Provisions for veterinary care, both routine and emergency should also be outlined in the directive.

**305 – Domestic Violence** – A written directive establishes guidelines to deter, prevent, and reduce domestic violence, specifically addressing the commitment to take enforcement action when appropriate, to assist victims, and to guide officers in the investigation of domestic violence. The written directive shall also include additional procedures when investigating domestic violence incidents involving law enforcement officers, specifically compliance with 18 USCA § 922 et seq., *Lautenberg Law*.

**Clarification Statement:** *None*

**306 – Emergency/Non-Emergency Vehicle Response** – A written directive establishes guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

**Clarification Statement:** *The agency is free to classify its response modes. Terms such as emergency response, priority response, urgent response, routine response and/or any combination of such terminology should include guidelines for using emergency lights and sirens. Agencies can restrict certain classifications of vehicles from certain types of responses, e.g., SUVs, truck chassis vehicles, all-terrain vehicles, etc.*

**307 – Foot Pursuits** – A written directive establishes guidelines to assist officers in deciding to initiate or continue a foot pursuit, continuously balancing the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

**Clarification Statement:** *None*

**308 – Media Relations** – A written directive establishes the public information function of the agency and minimally includes:

- a. A designated point of contact (public information officer/media officer).
- b. Control of media access to areas or locations where uncontrolled access could interfere with law enforcement operations.
- c. A process for issuing press releases.

**Clarification Statement:** *The guidelines for media access should address that media representatives have the right to move about in public environments that are not restricted by law enforcement, and nothing within the directive should preclude or prohibit that right. A public information officer/media relation officer (sworn or non-sworn) should be designated as a single point of contact to minimize the unauthorized release of sensitive or privileged information*

**309 - Naloxone (NARCAN) Issue and Usage** – A written directive establishes guidelines for trained officers to administer Naloxone (Narcan) in accordance with state law, guidelines, and oversight (Code of Alabama 20-2-280 (b) (2), (d), and 20-2-282).

**Clarification Statement:** *None*

**310 – Officer Involved Shootings and Deaths** – A written directive establishes policy and procedures for the investigation of an incident in which a person is injured or dies as the result of officer-involved force or dies because of another action of an officer. The written directive should include but not limited to:

- a. Delineation of the agency responsible for the investigation of the incident.
- b. Responsibilities of involved officers.
- c. Responsibilities of uninvolved officers.
- d. Responsibilities of supervisors.
- e. Responsibilities of administrators.
- f. Media relations.
- g. Critical incident stress debriefing.

**Clarification Statement:** *None*

**311 – Reserve Officers** – If the agency uses reserve officers, a written directive establishes guidelines for agency reserve officers to supplement and assist regular full-time police officers in their duties. It shall ensure that reserve officers are appointed, trained, supervised, and that they maintain the appropriate certifications and readiness to carry out their assigned duties. (APOSTC Admin Code - 650-X-10, Code of Ala. 1975 Title 11-43-210).

**Clarification Statement:** *None*

**312 – Conducted Energy Device/Weapon (CED/W)** – A written directive that provides guidelines for the issuance and use of the conducted energy device/weapon (CED/W). The written directive shall have included in it, but not limited to:

- a. Special Deployment Considerations
- b. Targeting Considerations
- c. Multiple Applications of the CE/W
- d. Actions Following Deployments
- e. Use on Animals
- f. Documentation
- g. Medical Treatment
- h. Training

**Clarification Statement:** *None*

# **Chapter 4**

## **Patrol Operations**

## Chapter 4 - Patrol Operations

**400 – Active Shooter/Threat Rapid Response and Deployment** – A written directive establishes procedures to respond to active shooters / active threats that meet the contemporary trends in training and provides officers with a plan of response

**Clarification Statement:** *None*

**401 – Body Worn Cameras and Mobile Video Recorders** – If an agency uses body worn cameras or mobile video recorders, a written directive governs the use of these devices and should include the following:

- a. Types of incidents to record.
- b. Officer responsibilities.
- c. Procedures to preserve recordings of evidentiary value.
- d. Storage and retention of recordings.
- e. Circumstances in which the videos will be reviewed.

**Clarification Statement:** Electronic recording systems include video and audio recording systems. Such systems may be vehicle-mounted or body-worn cameras. Field personnel need direction when using mobile electronic recording systems. Electronic recordings are invaluable in providing real-time documentation of events.

**402 – Crisis Intervention Incidents (Dealing with Mentally Ill)** – A written directive establishes protocols for dealing with emotionally disturbed persons, persons suffering mental disturbances or emotional crises to minimally include:

- a. Recognizing the potential symptoms.
- b. Tactics and procedures for dealing with such persons in field and custodial encounters.
- c. Procedures for voluntary referral to available mental health resources (government and/or non-governmental entities).
- d. Criteria and procedures for taking a person who has a mental illness or emotional crisis into involuntary custody.
- e. Initial training of sworn agency personnel (see Standard 204.3).
- f. Annual refresher training for sworn personnel.

**Clarification Statement:** *None.*

**403 – Vehicle Pursuits** – A written directive establishes procedures governing vehicle pursuits. The following considerations must be included in the directive.

- a. Authorization to pursue.
- b. Evaluating the circumstances.
- c. Warning equipment required for pursuing vehicles (e.g., emergency lights, sirens, etc.).

- d. Role of the initiating officer.
- e. Role of any secondary unit(s).
- f. Establishing pursuit restrictions.
- g. Role of communications to include:
  - 1. The seriousness of the offense/reason shall be given.
  - 2. Traffic conditions shall be communicated
  - 3. Weather conditions shall be communicated
  - 4. Road conditions shall be communicated
  - 5. If known, the identity of the offender shall be given
- h. Role of the supervisor or officer-in-charge.
- i. When to terminate a pursuit.
- j. Engaging in inter and intra-jurisdictional pursuits.
- k. Requiring all personnel involved in a pursuit to file a formal report as defined by the agency.
- l. Requiring a meaningful supervisory or command review of each pursuit.

**Clarification Statement:** *Terms used in the written directive need to be clearly defined. Concerning bullet f, agencies can consider restricting certain types of vehicles from pursuit driving, such as unmarked vehicles, motorcycles, vehicles with a high potential to overturn (e.g., SUVs, pickup trucks, all-terrain vehicles, Segways, etc.). Restrictions should also account for traffic patterns unique to the agency, such as school zones, traffic volume, etc. Inter-jurisdictional pursuits are typically defined as agency vehicles pursuing in other jurisdictions. Intra-jurisdictional pursuits are typically defined as other law enforcement agencies pursuing within the agency's geographic boundaries.*

**403.1 – Forcible Stopping, Roadblocks, Tire Deflation Devices** – A written directive establishes procedures for using forcible stopping techniques, roadblocks, and/or tire deflation devices to minimally include:

- a. Criteria for the use of such tactics or devices.
- b. Procedures for such tactics.
- c. Establishing post-stop procedures or guidelines.
- d. Requiring supervisory approval for such tactics, with exceptions noted.
- e. Requiring written documentation of each incident on a form/report defined by the agency.
- f. Requiring a supervisory or command review of each incident.
- g. Requiring annual training in the use such tactics or devices.

**Clarification Statement:** *Agencies shall establish procedures or guidelines to follow for when a vehicle is stopped using these tactics or if tire deflation devices are used to immobilize an already stopped or parked vehicle. All such tactics should only be used with the utmost level of care and caution. Such tactics may constitute the use of deadly force in the apprehension of the violator based on contemporary court decisions.*

*Agencies can reference any high-risk stop procedures required by Standard 500. This standard does not require a separate reporting or review mechanism from the reporting/review requirements in Standards 405k and 405l if the tactics used resulted from a pursuit.*

*If tire deflation devices are authorized, training must include documented practical hands-on training.*

**404 – Next-of-Kin Notifications** – A written directive establishes procedures for notifying next-of-kin when a member of the public suffers death or serious bodily injury, and the agency needs to make such notification.

**Clarification Statement:** *Agencies should establish protocols to maximize the responding officer's compassionate notification to a decedent's next-of-kin. The written directive should consider whether such notification should be made by one officer, a team of officers, religious/spiritual leaders, or specialized personnel.*

# **Chapter 5**

## **Traffic Operations**

## Chapter 5 - Traffic Operations

**500 – Vehicle Stops** – A written directive establishing procedures for:

- a. Stopping vehicles.
- b. Approaching stopped vehicles.
- c. Conducting high risk/felony vehicle stops.

**Clarification Statement:** *None.*

**501 – Traffic Enforcement** – A written directive establishes procedures for taking enforcement actions incidental to traffic law violations, to include:

- a. Physical arrest.
- b. Uniform traffic summonses.
- c. Verbal or written warnings.
- d. Notification of charges to violator to include court appearance and prepayment information.
- e. Juvenile operators.
- f. Government officials.
- g. Foreign diplomats or consular officials.
- h. Personnel of the United States Armed Forces or reserve component.

**Clarification Statement:** *Agencies are free to establish specific procedures to comply with local, county, or regional court requirements related to court appearance and prepayment requirements in accordance with appropriate court rules. Refer to US Department of State Publication 10969, 'Consular Notification and Access' for requirements if foreign diplomats or consular officials are detained longer than required for a normal traffic stop. Refer to US Department of State Publication 'Diplomatic and Consular Immunity: Guidance for Law Enforcement and Judicial Authorities' for immunity guidelines.*

**502 – Traffic Crash Response and Investigation** – A written directive establishes the agency's response, responsibilities, and investigation requirements for vehicle crashes as applicable, to include:

- a. Death or injury.
- b. Property damage.
- c. Hit and run.
- d. Impairment due to alcohol or drugs.
- e. Private property crashes (if applicable).

**Clarification Statement:** *None.*

**503 – Towing of Vehicles** - A written directive establishes guidelines for when vehicles will be towed. The directive will include officer responsibility for reporting towing a vehicle to include the following in a report as defined by the agency:

- a. Basic vehicle information.
- b. Date/time of the tow.
- c. Inventory of contents of vehicle.
- d. Reason for tow (e.g., evidence, arrest, abandoned, road hazard, etc.).
- e. Release requirements (e.g., proof of insurance, proof of ownership, etc.)

**Clarification Statement:** *None.*

**504 – Traffic Direction and Control Devices** – A written directive establishes procedures for traffic direction and/or control, minimally to include:

- a. At the scenes of traffic collisions.
- b. At the scene of fires, utility emergencies, or other events.
- c. During weather emergencies, road collapses, etc.
- d. When manually operating traffic control signals, if authorized.
- e. When using flares, cones, barricades, or other temporary traffic control devices.
- f. A requirement that all personnel directing or controlling traffic must wear reflective clothing or reflective vests (23 CFR 655.601).

**Clarification Statement:** *None.*

**505 – Employee-Involved Crashes** – A written directive establishes procedures for the documented administrative investigation and/or review of employee-involved motor vehicle crashes involving agency vehicles to minimally include:

- a. At scene involved officer/employee responsibilities.
- b. Supervisory responsibilities.
- c. Designating forms and reports to complete.
- d. Designating a person or position to administratively investigate and/or meaningfully review all police-related motor vehicle crashes.
- e. Recommendations to implement findings of the administrative investigation and/or meaningful review (policy changes, training, equipment enhancements, and/or discipline).

**Clarification Statement:** *The intent of this standard is to require the administrative investigation and review of all employee-related vehicle crashes involving agency vehicles. This administrative investigation and review process is in addition to the standard crash investigation conducted under this State's laws. Agencies can designate a person, position, or review board to conduct such administrative investigations and reviews.*

*The administrative investigation and review process looks to prevent future crashes by agency personnel to minimize and mitigate future risk. The person, position, or review board responsible*

*for the administrative investigation and meaningful review should avoid excusing and rationalizing poor vehicle operation.*

*The administrative investigation and review process looks at whether policy changes are necessary, whether training is indicated, whether equipment should be changed, altered, or procured, and whether discipline is indicated.*

*If such crashes are serious or fatal, the administrative investigation and review can wait until the local county prosecutor's office, or the State Bureau of Investigation completes its investigation. See Standard 302.3 for additional requirements involving fatal crashes*

# **Chapter 6**

## **Investigation Operations**

## Chapter 6 - Investigation Operations

**600 – Crime Scene / Crash Scene Investigators** – The agency has access to qualified personnel capable of processing a crime scene and/or traffic crash scene on a 24-hour basis.

**Clarification Statement:** *If a crime/traffic crash scene requires the collection of physical evidence, the agency must be able to ensure the prompt collection and preservation of evidence on a 24-hour basis. Qualified personnel shall mean the person(s) responsible for collecting and preserving evidence has the skills to accomplish the task. Agencies may have skilled personnel on-call or may have the ability to acquire such personnel from another agency.*

**601 – Investigation Management** – A written directive establishes a case management system for the criminal investigation function, to include:

- a. A case screening system.
- b. A system for managing case status by using case designations/classifications.
- c. Types of records or exemplars to be maintained in criminal case files.
- d. Restricting access to active case information/files.

**Clarification Statement:** *Case screening helps determine what cases require a follow-up investigation and what cases are subject to early case closure. A management system for cases should specify information that should be recorded for each case to allow the supervisor to monitor the progress with each case and determine case status. The types and format of records maintained whether electronic or paper format, shall be established. Access to the case files or information should be protected through a computer password or restricting access to files/information to operationally necessary personnel. Closed cases should also be restricted and be maintained in central records. If the agency uses a paper system, working copies should be used in the case files and all originals stored in records. Criminal intelligence records are not addressed in this standard.*

**602 – Interviews and Interrogations** – A written directive establishes procedures to assure compliance with all contemporary criminal procedural requirements related to:

- a. Investigative detention interviews (field interviews).
- b. Interrogations and the right to silence and legal counsel.
- c. Additional requirements for juvenile interrogations, if any.
- d. Weapons security in the interrogation room.
- e. Designating the maximum number of personnel permitted in the interrogation room during a custodial interrogation.
- f. How to summon assistance, if needed.
- g. Access to comfort breaks, if needed.

**Clarification Statement:** *U.S. and Alabama Supreme Court decisions govern the required procedures and criteria for conducting interviews and interrogations. Written directives should*

*be crafted to account for any judicial requirements unique to Alabama law enforcement. This standard does not apply to crime victims. The agency shall establish a safe environment for law enforcement officers conducting the interview/interrogation.*

**603 – Out-of-Court Identifications** – A written directive establishes guidelines for the use of out-of-court identification techniques to minimally include:

- a. An *Admonishment Form* should be used prior to administering a lineup or show up.
- b. The admonishment should include the statement that the suspect may not be in the lineup or show up and the investigation will continue regardless of whether an identification is made.
- c. Image lineups should be administered by an officer/detective who does not know which picture may be the suspect.

**Clarification Statement:** Out-of-court identification (i.e., eyewitness identification) must be strictly regulated to minimize misidentification. The *Admonishment Form* can be paper or electronic equivalent. Admonishments in the field for show up identification should be electronically recorded on the officers BWC or MVR.

**604 – Investigative Resources** – A written directive establishes guidelines and restrictions when using the following during a criminal investigation:

- a. Audio/video recordings.
- b. Electronic evidence.
- c. Use of social media and Internet sources.

**Clarification Statement:** None

**605 - Missing Adults and Juveniles** – A written directive establishes guidelines for investigating missing adults and juveniles to minimally include:

- a. A requirement to accept missing person complaints without any waiting period.
- b. Circumstances when to notify a supervisor.
- c. Obtaining an initial description of the missing person.
- d. Obtaining information related to possible reason(s), abductor(s), destination(s), etc.
- e. Immediate entry or without delay of the information in NCIC.
- f. Clear or cancellation of located missing persons through NCIC.
- g. Procedures for follow-up investigations.
- h. Search procedures, when applicable.
- i. Criteria and procedures for activation of AMBER Alert, SILVER Alert, and other community alert systems.
- j. Use of media resources.

**Clarification Statement:** None

**606 – Unidentified Person Investigations** – A written directive establishes procedures for investigating unidentified persons, adult and/or juvenile, alive or dead.

**Clarification Statement:** *None*

**607 – Warrantless Searches and Seizures** – A written directive establishes criteria for warrantless searches in accordance with Alabama criminal procedural requirements.

**Clarification Statement:** *None.*

**608 – Strip and Body Cavity Searches** – A written directive establishes procedures for strip and body cavity searches. The procedures shall include:

- a. Qualifying criteria and supervisory approval for conducting strip searches and body cavity searches.
- b. A requirement that strip and body searches are conducted in private by a person of the same sex/gender, with exceptions noted.
- c. Additional requirements or restrictions involving strip and/or body cavity searches of juveniles.
- d. Reports and other documentation required.

**Clarification Statement:** *None.*

**609 – Announced / Unannounced Entries** – A written directive describes the safe execution of announced entries and limits the use of unannounced entries, often referred to as ‘no knock entries’ obtained through judicial authorization or if exigent circumstances arise at the scene such that knocking and announcing the officer's presence would create an imminent threat of physical violence to the officer and/or another person. Such written directive shall establish records maintenance protocols for such entries.

**Clarification Statement:** *The term ‘entry’ and ‘entries’ include entries for arrests and searches.*

**610 – Arrests** – A written directive specifies the procedures for adult arrests in accordance with Alabama laws and includes criteria for:

- a. Arrests made with a warrant.
- b. Arrests made without a warrant.
- c. The reports required by the arrest.
- d. Fingerprinting requirements.
- e. Photographing (mug shot) requirements.

**Clarification Statement:** *Agencies should consider informing their personnel of diplomatic and*

*consular immunities in arrest or custody situations. Reporting mechanisms should be broadly construed to account for electronic reporting systems and any reports required by county prosecutor's offices.*

**611 – Juvenile Custody** – A written directive establishes procedures for taking juveniles into custody for delinquency or a warrant to include, at a minimum:

- a. Fingerprint and photograph requirements.
- b. Use of holding or temporary detention.
- c. Ensuring that the juvenile's constitutional rights are protected.
- d. Bringing the juvenile directly to processing or other approved location.
- e. Notifying their parents or guardians.
- f. Custodial time limits.
- g. Reporting requirements.

**Clarification Statement:** *Juvenile interviews and interrogations are addressed in Standard 602.*

# **Chapter 7**

## **Law Enforcement Equipment**

## Chapter 7 – Law Enforcement Equipment

**700 – Take Home Vehicles** – If the agency permits the use of take-home vehicles, a written directive establishes guidelines for the assignment and use of such take-home vehicles.

**Clarification Statement:** *None*

**701 – Body Armor** - A written directive establishing establishes the agency's body armor program to minimally include:

- a. Body armor shall meet or exceed the standards of the National Institute of Justice.
- b. A requirement that the agency provide or make body armor available to all sworn personnel or require officers to purchase body armor as a condition of their employment.
- c. Guidelines for the use, care, maintenance, and retirement of body armor.
- d. A requirement that sworn personnel engaged in pre-planned high-risk operations must wear body armor while engaged in such operations.

**Clarification Statement:** *Agencies should consider a mandatory wearing policy for personnel involved in field duties (bullet c). Reserve officers assigned field duties must be included in this requirement if their duties expose them to risks like regular full-time sworn personnel. Body armor can be obtained through a variety of sources, including but not limited to agency budgets, private donations, endowments, grants, foundations, unions, etc.*

**702 - Unmanned Aerial Systems** – If the agency uses unmanned aerial systems (i.e., drones), a written directive establishes guidelines for the training/certification and use of an unmanned aerial system (UAS), guidelines for the storage, retrieval, and dissemination of images and data captured by the UAS.

**Clarification Statement:** *None*

# **Chapter 8**

## **Support Services**

## Chapter 8 - Support Services

**800 - Evidence Collection, Control, and Storage** – A written directive establishes guidelines for the lawful processing, storage, security, and disposition of evidence and other property. This provides for the protection of the chain of custody and identifies those persons authorized to remove and/or dispose of such property.

- a. Sworn personnel will receive at basic training in collecting and securing evidence no later than the completion of the field training program.
- b. Chain of custody will be documented for all evidence.
- c. The agency must have a secure location with limited access for the securing of evidence and recovered property.
- d. Requiring documentation explaining how the evidence/property came into the officer's/agency's possession.
- e. Requiring guidelines for packaging and labeling evidence/property prior to submission to the property/evidence control function for storage.
- f. Requiring extra precautionary/verification measures for handling exceptional, valuable, or sensitive evidence/property items.
- g. Notifying the rightful owner that the agency has custody of the evidence/property.
- h. All items of evidence must be held in a secure temporary storage location or the secure evidence storage by the completion of the officer's shift.
- i. An annual audit of 100 items (full inventory if less than 100 items stored) from the secure evidence storage should be conducted by a person outside the evidence custodian's chain of command.
- j. An audit of the evidence storage locations is required with the change of an evidence custodian. The sample size of the audit will be based on the recommendations of the state accrediting body based on the number of items secured. The outgoing and incoming custodian should be present when practical.

**Clarification Statement:** *Packaging procedures may be in accordance with the USDOJ Evidence Manual or other similar publication on the subject. Extra precautionary measures can include, but are not limited to, refrigeration of perishable evidence, safeguards for handling firearm evidence, safeguards for handling evidence with the potential for contamination (blood and other body fluids, etc.), supervisory or secondary employee verification of cash/currency evidence, supervisory or secondary employee verification of jewelry and precious metals evidence/property, etc. This standard does not apply to arrestee, detainee, or prisoner property.*

**801 – Central Records Management** – A written directive ensures the security of the agency's central records function including:

- a. Controlling access to agency criminal and quasi-criminal records.
- b. Authorization for after-hours access, if applicable.
- c. Extra security measures for juvenile and confidential records.
- d. Extra security measures for non-public personnel records.
- e. Procedures and criteria for release of agency records.

- f. Procedures for expungement of criminal records.
- g. Records retention and disposal requirements in accordance with law and administrative code

**Clarification Statement:** *The security and integrity of an agency's central records function is critical to its mission. There should be clear guidelines on who may access the records, when, and how the access is documented. When the central records function is secure after normal working hours there needs to be control of access and permissions set to ensure the continued integrity. Security of electronic records should be maintained, especially for sensitive data (e.g., Megan's law registry, criminal intelligence, confidential informants, etc.). Release of records must be made in accordance with the applicable court rules and laws pertaining to discovery, open public records requests, and common law requests for records. Internal affairs records are not included in this standard.*

**802 – Electronic Information Security** – A written directive establishes procedures to protect its electronic central records system and applicable shared databases, including mobile data, ACJIC/NCIC information security requirements, and:

- a. Data backup and storage.
- b. System security access or authorized personnel only.
- c. Password protection.
- d. Cybersecurity processes.
- e. Annual security audit of agency's electronic records system.
- f. Immediate audit of the agency's electronic records system if a breach of security is discovered.
- g. Password audit of applicable shared databases annually or in compliance with State requirements.

**Clarification Statement:** *None.*

**803 - School Resource Officers (SROs)** – If the agency has a school resource officer program, a written directive establishes guidelines to ensure the safety of school campuses throughout its jurisdiction. The agency will work closely with the school to ensure best practices. These guidelines should include but are not limited to:

- a. Officer qualifications.
- b. Officer's duties.
- c. Chain of command.
- d. Officer's attire.
- e. Reporting requirements.

**Clarification Statement:** *The primary mission of the SRO shall be the safety of all students and staff. The purpose of a successful SRO program is to bridge the gap between law enforcement and youth while facilitating a safe learning environment.*

**804 – Communications - Radio** – The agency maintains a two-way radio system (or equivalent) to communicate with field personnel.

**Clarification Statement:** *Agencies may utilize a traditional two-way radio system or push-to-talk (PTT) wireless telephones, cellular telephones, or electronic communications devices. Compliance may be OBSERVED.*

**804.1 – Communications – Tracking Calls for Service** – The agency has a method for tracking its calls for service, officer self-initiated activity, or other law enforcement activity.

**Clarification Statement:** *Many law enforcement agencies utilize a computer-aided dispatch (CAD) system. Non-police law enforcement agencies, such as prosecutor's offices and sheriff's offices might not be dispatched to assignments through a CAD system. Regardless of the system, the agency needs to establish and maintain a system for tracking its calls for service, officer self-initiated activity, and related law enforcement activity.*

**804.2 – Communications – Protocols** – A written directive establishes communications protocols concerning:

- a. Methods to identify field personnel.
- b. Procedures for interagency communications.
- c. Circumstances requiring additional field personnel in response to an incident.
- d. Circumstances requiring the notification or response of a supervisor.
- e. Procedures for responding to field personnel emergency assistance calls (officer needs assistance, etc.).
- f. Procedures for handling misdirected or abandoned 9-1-1 or emergency calls.

**Clarification Statement:** *Communications between field personnel and other field personnel and telecommunications operators are essential for day-to-day operations as well as emergency situations. Clear procedures should be promulgated to facilitate circumstances requiring communications and procedures to respond to emergency calls for assistance.*

# **Chapter 9**

## **Custody**

## Chapter 9 – Custody

**900 – Arrest Transports** – A written directive establishes procedures for transporting arrestees, detainees, and/or prisoners to minimally include:

- a. All patrol vehicles used for arrestee, detainee, prisoner transportation must be searched at the beginning of each shift.
- b. Prior to and following transportation of arrestees, detainees, and prisoners, the rear seat must be inspected.
- c. The arrestee, detainee, prisoner must be searched before being transported, with exceptions noted
- d. The arrestee, detainee, prisoner must be secured in handcuffs or other restraining device during transportation, with exceptions noted.
- e. Personnel should monitor the wellbeing of the person transported and provide or obtain appropriate medical aid when necessary.
- f. Personnel should notify the receiving official of any medical conditions, injuries, and/or mental health concerns.
- g. Identification and authorization of restraining devices other than standard handcuffs used during transportation.

**Clarification Statement:** *Prosecutors' offices, and other law enforcement agencies without a patrol function are exempt from the requirements of bullet a.*

**901 - Handcuffing and Restraints** - A written directive establishes guidelines for the use of handcuffs and other restraints during detentions and arrests.

**Clarification Statement:** *Agencies should consider providing guidelines for the use of handcuffs in other than arrest situations (e.g., investigative detentions, emotionally disturbed persons, etc.). If the agency authorizes disposable handcuffs (e.g., nylon zip ties, etc.), it should require readily available cutting devices if the detainee suffers a medical condition requiring immediate removal of such devices.*

**902 – Processing / Booking** – A written directive establishes procedures for processing arrestees, including:

- a. Designation of a processing area/room.
- b. Supervision of arrestees in the processing environment.
- c. Control of weapons in the processing environment.
- d. Restraining detainees to fixed objects in the processing environment, if authorized.
- e. Equipment or items authorized in the processing area/room.
- f. Storage of communications devices during breath testing, when applicable.
- g. Processing environment escape prevention control measures.
- h. Evacuation procedures.
- i. Fire prevention and fire suppression.

**Clarification Statement:** *This standard does not apply to agencies that do not have processing rooms or areas. Processing areas should contain only those items of equipment and consumable supplies necessary to process an arrestee.*

**903 – Prison Rape Elimination Act Compliance** – A written directive requires agencies to adhere to the *Federal Prison Rape Elimination Act of 2003*, 42 U.S.C. 15602 et seq. in all interactions with detainees, arrestees, and prisoners.

**Clarification Statement:** The Federal Prison Rape Elimination Act of 2003, 42 U.S.C. 15602 et seq., requires that all law enforcement agencies affirmatively protect all persons detained, arrested, or lawfully confined within the agency from personal abuse, corporal punishment, personal injury, disease, property damage, and harassment. Agency personnel shall supervise and care for all detainees, provide security, medical care, dispense medications (when permitted), suicide prevention and control, sanitation, and safeguard detainee property. Active monitoring and periodic staff training will reinforce these measures.

The agency shall maintain a position of zero-tolerance for any incidence of sexual abuse/misconduct and undertake measures toward the prevention, detection, monitoring, and response of any incident/alleged incident of sexual abuse/misconduct. Any reported incidents shall be referred to the agency's internal affairs official, county prosecutor's office and the county jail administrator, as applicable.

Appropriate disciplinary action shall be taken against officers or civilian employees who engage in abusive behavior, and these cases will be referred to the county prosecutor's office.

**904 - Temporary Detention** – If the agency maintains a temporary detention facility/cell/room, a written directive establishing guidelines for temporary detention cell where detainees are held pending arraignment, hearing, or trial (court appearance) remanded to jail by the courts, or for arrest processing (fingerprinting, testing, etc.) and minimally includes:

- a. Designation of specific rooms, locations, cells, and/or areas for temporary detention.
- b. Control of weapons in the temporary detention environment.
- c. Search and inventory of detainees' property prior to confinement.
- d. Restraining detainees to fixed objects in a holding room or cell, if authorized.
- e. A requirement that detainees of different genders shall be separated from each other.
- f. Recording the person's name, sex, reason for custody, date, and time in and out of temporary detention, date, and time of each face-to-face check with checking staff member's signature or ID, and any meals provided.
- g. Retention of temporary detention records.
- h. Evacuation procedures.
- i. Escape prevention control measures.
- j. Fire prevention and fire suppression.

**Clarification Statement:** *This standard, does not apply if the agency has no authorized temporary detention rooms, areas, or locations. A temporary detention room or area is defined as a location where detainees are locked in and left unattended. Gender means the gender with which the detainee self-identifies. Temporary detention records shall be maintained in accordance with applicable Alabama records retention schedules.*

**905 – Jail/Corrections Management** – If the agency maintains a jail/corrections facility, a written directive establishes procedures for its use that minimally include:

- a. Responsibilities of administrators.
- b. Responsibilities of supervisors.
- c. Responsibilities of sworn officers.
- d. Responsibilities of communications.
- e. Control of weapons in the jail environment.
- f. Intake and housing requirements.
- g. Approved inmate property, if allowed.
- h. Inspections and maintenance.
- i. Health and safety of the inmate population.
- j. Feeding the inmate population.
- k. Mail and telephone privileges, if allowed.
- l. Visitation privileges, if allowed.
- m. Federal prisoners, if allowed.
- n. Other municipal prisoners, if allowed.
- o. Release requirements.
- p. Evacuation plan.
- q. Escape prevention control measures.
- r. Fire prevention and fire suppression.

**Clarification Statement:** *This standard does not apply to agencies that do not maintain a jail/corrections facility. All procedures in the jail/corrections environment must comply with Alabama and federal laws. Inspections should include documented daily sanitation and documented weekly security inspections. Agencies can exceed this requirement. Such documentation can be paper-based or electronic equivalent.*

# **Chapter 10**

## **Personnel Management**

## Chapter 10 – Personnel Management

**1000 – Recruitment** – A written directive establishes a recruitment plan. The recruitment plan shall minimally:

- a. Contain a statement that the agency is committed to equal employment opportunity and will make a good faith effort to meet specific goals for recruiting a diverse workforce in terms of people of color and gender diversity representative of the community the agency serves.
- b. Define goals and objectives.
- c. Establish activities to achieve stated goals and objectives.
- d. Require an annual review of the recruitment plan.
- e. Establish a process to revise the plan when necessary.

**Clarification Statement:** *The recruitment plan should be developed and implemented with the overall goal to increase sworn representation that reasonably reflects the demographics of the service area the agency serves if applicable laws and collective bargaining agreements allow. The annual review should include an explanation of progress, if any, made towards achieving the stated objectives and an explanation of any changes required to the recruitment plan. Agencies under a United States Department of Justice Consent Decree must contact the Alabama Accreditation Program Manager.*

**1001 – Selection Process** – A written directive describes the process for selection of new full-time personnel. The agency shall comply with all state laws and standards for certification established by the Alabama Peace Officers Standards and Training Commission, including fitness and educational standards.

**Clarification Statement:** *The selection process should describe any testing, interview, résumé, and application process used to screen prospective personnel. The CEO or appropriate authority should ensure that the selection process elements are evaluated and scored in a consistent manner.*

**1002 – Background Investigations** – A written directive requires that a background investigation shall be conducted on all candidates (sworn and non-sworn) prior to appointment. The background investigation shall include, at a minimum:

- a. A fingerprint query for disqualifying criminal record.
- b. A query of the applicant's driving history if driving is a requirement of the position.
- c. A review of the candidate's application to confirm/verify meeting eligibility requirements for the position for which applied including verification of qualifying credentials.
- d. Verification of educational requirements, if applicable.
- e. Verification of employment history.
- f. Verification of at least three personal and/or professional references.
- g. Consistent with the First Amendment and all applicable laws, a query of publicly available

Internet and information sharing sites to identify activity that promotes or supports unlawful violence or unlawful bias against persons based on race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, or disability.

- h. If the candidate(s) is a current, or former law enforcement officer, the candidate(s) internal affairs file from the current or former employer(s) will be reviewed for any disqualifiers prior to appointment including national or state decertification records, if available.
- i. The applicant is free of dishonorable discharge from the armed forces.

**Clarification Statement:** *Comprehensive background investigations are essential in determining the qualifications of the candidate for the position under consideration. For all candidates for a sworn position, a check of criminal history with particular attention to any acts of domestic violence, sexual abuse, stalking, elder or child abuse is essential in determining fitness for the position. For sworn and non-sworn candidates with ACJIS access, a criminal history query is essential in complying with FBI Security policies.*

*The National Law Enforcement Accountability Database (when operational) will be used as a part of the hiring process (Bullet h).*

**1003 – Medical, Psychological, Substance Screening** – *A medical examination, psychological evaluation, and substance screening must be performed prior to appointment for all sworn positions to establish fitness for the position, following a conditional offer of employment.*

**Clarification Statement:** None.

**1004 – Working Test Period / Probation** – *Newly hired full-time employees shall have a one-year probationary period when not prohibited by an existing personnel board rule, collective bargaining agreement, or similar regulation.*

**Clarification Statement:** None.

**1005 – Fitness for Duty** – *A written directive describes the process to reevaluate an employee's physical, mental, or psychological fitness to verify that they can perform the essential functions of their positions.*

**Clarification Statement:** *Agencies should have job descriptions for each position that list the qualifications and requirements of each job title within the agency. These job descriptions serve to identify the essential functions of each position. When questions arise concerning an employee's fitness for their position, these job descriptions are vital in determining fitness. The written directive should require supervisors to thoroughly document their observations for upper management to consider such reevaluation.*

**1006 – Substance Free Workplace** – A written directive establishes a policy creating a substance-free workplace. The program should include substance testing of public safety-sensitive employees based on reasonable suspicion, post-collision, or on a random basis. The policy should cover the use of and prohibition of at least the following:

- a. The use of any illegal substance or other non-prescribed controlled substance is prohibited on duty, off duty, and while on agency property. This includes the unlawful use, possession, distribution, sale, purchase, trade, manufacture, sale, buy, or reporting to work under the influence of intoxicants or illegal drugs.
- b. The use of prescription medications or over-the-counter narcotics or drugs when such use prevents employees from performing their jobs or poses a risk to the safety of the employee, other persons, property, or to the public is prohibited. Employees taking a prescribed or over-the-counter drug should notify their supervisor.
- c. The use of alcohol and/or cannabis products is prohibited during work hours or while on duty. On-call employees are prohibited from using alcohol and/or cannabis products for the specific on-call hours of that employee subject to collective bargaining agreement provisions.
- d. Specific procedures for recommending and/or ordering such substance testing based on reasonable suspicion, vehicle collisions, and random screening.

**Clarification Statement:** *Pre-employment substance screening is addressed in Standard 1003. Agencies shall address reasonable suspicion substance screening, post-collision substance screening, and/or random substance screening in compliance with contemporary criminal procedures.*

**1007 - Employment Discrimination** - A written directive prohibits discriminatory harassment, including sexual harassment and retaliation. Nothing in this standard is intended to create a legal or employment right or duty that is not created by law. The written directive shall also require:

- a. A reporting mechanism to the next level in the complainant's chain of command.
- b. An alternate reporting mechanism if the offender-complainant relationship creates a conflict of interest if the offender is in the complaint's chain of command.
- c. A requirement to investigate complaints of unlawful workplace harassment consistent with the agency's internal affairs guidelines.

**Clarification Statement:** *This written directive may be a local ordinance, city/county policy, agency policy, or a combination thereof.*

**1008 – Officer Wellness Program** – A written directive describes the agency's officer wellness program. This includes support for officers experiencing substance use disorders, mental health issues, or trauma from their duties, as well as suicide prevention.

**Clarification Statement:** *Agencies can establish their own wellness program or can participate in*

*a multi-agency program, regional program, state program, federal program, or a program managed by a private entity. Such a program can also include an employee assistance program to provide professional support or referral to professional support for a variety of personal issues that officers encounter.*

*Agencies should consider 24/7 anonymous access to subject matter expert-vetted wellness resources. Wellness resources must be specifically designed, vetted, and customized for law enforcement utilization. Wellness resources must be able to connect with peer support trained personnel and certified according to best practices (e.g., in accordance with IACP policies and recommendations, Alabama Attorney General recommendations, etc.). Such resources should have the ability to connect with therapists certified to work with law enforcement (certification coursework approved by the American Psychological Association is strongly recommended). Wellness content and resources should be continually updated to reflect evolving scientific research, standards, and best practices; wellness resources for law enforcement families and retired personnel are also recommended*

**1009 - Off Duty/Extra Duty Employment** – A written directive establishes guidelines for working off duty and extra duty employment. Provisions for the approval of such employment shall include the following:

- a. The written directive shall include the type(s) of off duty and extra duty that are prohibited.
- b. Personnel must receive CEO authorization to engage in off duty and/or extra duty employment.
- c. Personnel assigned to extra duty must be considered on duty.
- d. Personnel shall adhere to agency written directives while engaged in off duty and/or extra duty employment.
- e. Personnel are subject to suspension or revocation from off duty and/or extra-duty privileges for violations of written directives, if permitted by applicable collective bargaining agreement or other competent authority.
- f. The agency shall address restrictions and limitations on how many off duty and/or extra duty hours may be worked, if any.

**Clarification Statement:** *See Glossary of Terms for definitions of off duty employment and extra duty employment.*

**1010 – Performance Evaluations** – A written directive establishes the agency's performance evaluation system and must:

- a. Establish and define behavioral criteria for evaluation including an employee's adherence to agency written directives.
- b. Establish rating scale (scores).
- c. For supervisors, an assessment of supervisory ability, and effectiveness in addressing misconduct of employees of whom they supervise.

- d. Require that employees be provided with a copy of the completed evaluation if they so want.
- e. Establish a redress process for contested evaluations.
- f. Establish evaluator responsibilities, to include procedures for use of forms.
- g. Require that performance evaluations are maintained according to applicable records retention schedules.
- h. Provide training for evaluators.

**Clarification Statement:** *A performance evaluation system is critical to identifying performance deficiencies in personnel and providing strategies for improvement. Agencies must clearly establish the purpose of such a system. Some agencies may use such performance evaluations solely to improve performance while others may utilize such a system in determining promotional potential or determining suitability for specialized assignments. Agencies must clearly inform their personnel in what manner such a system will be used. Performance evaluations must be nondiscriminatory and based on job-related factors specific to the employee's position, without regard to actual or perceived protected class as defined by law.*

*Performance evaluations must be maintained in accordance with applicable records retention schedules. Training should include initial training and refresher training at intervals defined by the agency.*

**1010.1 – Performance Evaluations – Frequency** – A written directive mandates that all full-time employees (sworn and non-sworn) receive documented annual performance evaluations described in Standard 1010. The agency can mandate more frequent performance evaluations. The chief executive officer/official and employees exempted by law or collective bargaining agreement are exempt from this requirement.

**Clarification Statement:** *Agencies should consider more frequent performance evaluations for probationary employees to provide a basis for any decisions to terminate for incapacity. Employees exempted by law or by a valid collective bargaining agreement are not subject to performance evaluations.*

**1011 – Grievance Procedure** – In the absence of controlling contractual language or agency/city/county employee manual describing the grievance process, a written directive describes the grievance process to include:

- a. Description of what is subject to a grievance.
- b. Establishment of time limitations.
- c. The procedures or steps that must be followed to meet the mandates of the directive.
- d. Description of levels of appeal.
- e. Identification of an agency grievance coordinator to ensure timely and organized response.

**Clarification Statement:** *To the extent possible, the written directive shall align with any contractual or agency employee manual language that speaks to a formalized grievance process.*

**1012 – Discipline and Accountability** – A written directive establishes the agency’s disciplinary process and potential corrective actions for all personnel, to include:

- a. Mechanisms for holding employees accountable for violating written directives related to use of force, which includes timely and consistent discipline, if warranted.
- b. Procedures, criteria, and authority to apply training in lieu of punitive discipline.
- c. Procedures, criteria, and authority to apply counseling in lieu of punitive discipline.
- d. Procedures, criteria, and authority to apply punitive disciplinary action.
- e. A requirement that all training and counseling resulting from a performance issue are documented and forwarded to the CEO or designee.
- f. A requirement that punitive actions applied because of discipline are documented and forwarded to the CEO or designee.
- g. Establishment of an appeal or grievance procedure or process in matters of discipline or corrective action.
- h. Require the utilization of these disciplinary actions in progressive discipline. Progressive discipline is not necessary in situations involving serious offenses/violations of policy or in matters of incapacity.

**Clarification Statement:** *The agency’s written directive shall identify the forms of corrective and punitive action. The severity of the behavior or performance will determine the best course of action. Punitive disciplinary action includes dismissal, demotion, suspension, fines (when permitted), and reprimands (oral or written).*

*Procedures, criteria, and authority should include clear instructions to all levels of supervision and management concerning what level of supervision/management can apply what level of corrective actions. Examples: first-line supervisors might only be permitted to apply training and counseling but must recommend punitive discipline. First-line supervisors might only be permitted to apply counseling or training subject to approval of higher-ranking authority.*

*Appeal and/or grievance procedures must comply with applicable collective bargaining agreements. This standard does not imply that the right to appeal is granted in certain corrective actions unless specified in the agency’s collective bargaining agreement(s).*

**1013 – Early Warning System** – A written directive establishes procedures for an early warning system to review employee performance when there are indicators of declining performance concerns. Minimally, the written directive shall delineate

- a. The actions or behaviors that should be monitored and documented.
- b. Automatic triggers for immediate supervisory or command review.
- c. Supervisory responsibilities.
- d. Middle management’s responsibilities.

- e. Supervisory or command intervention to correct behavior.

**Clarification Statement:** *Agencies need to identify potential problems prior to an internal affairs review or implementation of disciplinary action. Agencies should establish criteria for invoking a review. Such criteria may include but are not limited to absenteeism, tardiness, use of force incidents, on-the-job injuries, vehicle collisions, unexplained dismissal of court cases, etc.*

*When thresholds are not met, a supervisor should make a recommendation for early intervention review when they have reasonable suspicion of a potential issue. Indicators of declining performance concerns include but are not limited to the potential for excessive force, personal habits that may exacerbate public contacts, or the employee has the potential for or engages in over-aggressive tactics.*

*Agencies should consider including positive indications of performance to gather a more complete synopsis of an employee's patterns of behavior. A personnel early warning system can be paper-based, electronic, or any combination of the two.*

**1014 – Electronic Social Media** – A written directive establishes the agency's position regarding the use of electronic social media and networking. Minimally, the written directive shall address:

- a. The agency's use of electronic social media to support its mission and objectives.
- b. The personal use of electronic social media/networking by its employees.

**Clarification Statement:** *Electronic social media is an effective way for agencies to support its mission, goals, and objectives. The use of such media, including but not limited to Facebook, Instagram, X (formerly Twitter), Nixle, etc., can reach many people in a brief time. Agencies should consider appointing one or more coordinators to manage these sites.*

*Equally important is the agency's regulation of its employees' personal electronic social media and networking sites. Agencies need to consider the employees' 1<sup>st</sup> Amendment rights and be careful to not unduly restrict protected speech. Agencies should consider restricting networking with judiciary or court personnel to avoid potential conflicts of interest in prosecuting criminal cases.*

**1015 – Line of Duty Death and Serious Injuries** – A written directive establishes procedures for the agency's line of duty death and serious injury program.

**Clarification Statement:** *Preplanned procedures to inform the family of an employee suffering a line of duty death or serious injury are paramount to effectively responding to the incident. A line of duty death or serious injury can cause the agency to enter a state of crisis without proper preparation and procedures. Providing the employee's family with emotional and follow-up support is the agency's duty. Outside agencies such as the local PBA, FOP, Concerns of Police*

*Survivors® , or mental health crisis response team should be consulted for assistance.*

**1016 – Communicable Diseases** – A written directive that provides general guidelines to assist in minimizing the risk of department members exposure, contracting and/or spreading communicable diseases.

**Clarification Statement:** None

# **APPENDIX A**

## **GLOSSARY of TERMS**

## A

**ALL HAZARD PLAN:** Also known as an *Emergency Operations Plan* (EOP), is a written plan containing general objectives reflecting the overall strategy for responding to and managing critical incidents. The plan defines the scope of preparedness and incident management activity required of the agency, and is flexible enough for use in all emergencies.

**ANALYSIS:** A systematic, structured process for dissecting an event into its basic parts to identify any patterns or trends. Analysis should reveal patterns or trends that could be predictive or could indicate program effectiveness, training needs, equipment upgrade needs and/or policy modification needs.

**ANNUAL:** A twelve (12) month period. Annual does not necessarily mean a calendar year.

**ARREST:** To deprive a person of his/her liberty by legal authority; (see Custody; Full-Custody Arrest; Physical Arrest.)

**ASSESSED PROFICIENCY:** Attaining and assessing someone's knowledge of the laws concerning the use of authorized weapons and knowledge of agency written directive(s) on the use of force and deadly force; and being familiar with recognized safe-handling procedures for the use of these weapons. A certified weapons instructor or armorer shall provide instruction in and qualification with all weapon systems. Assessed proficiency for firearms includes qualifying on a prescribed course. Assessed proficiency for conductive energy devices includes successfully loading, unloading, deploying, and discharging the prongs of the device. Assessed proficiency with less lethal weapons may be satisfied with following the manufacturer's guidelines or training program, or by following any guidelines or training program(s) conducted or approved by APOST or other legitimate law enforcement entity. Synonymous terms include: demonstrated proficiency, proficiency testing, assessment, etc.)

**ASSESSMENT:** The evaluation or estimation of the nature, quality, or ability of someone or something.

**AUDIT:** A sampling and review of financial or agency records and/or practices that conform to generally accepted standards as prescribed by law or local legislation.

**AVAILABLE WORKFORCE:** The largest potential group or number of individuals eligible, qualified, and capable of assuming specific activities and responsibilities.

## B

**BIAS BASED POLICING:** The selection of an individual(s) for enforcement action based solely on race, color, gender, creed, national origin, ethnicity, ancestry, religious beliefs, age, marital status, sexual orientation, gender identify, gender expression, LGBTQIA+ status, limited English proficiency, liability for service in the armed forces, physical or mental disability. Synonymous terms include, racially influenced policing, discriminatory profiling, racial profiling, etc.

**BOOKING:** A procedure for admitting to a temporary holding facility a person charged with an offense; includes searching, fingerprinting, photographing, medical screening, collecting personal

history data, and inventorying and storing a person's property.

**BOOKING ROOM:** Also known as a processing room or processing area is the location within a law enforcement agency where arrestees, detainees, and prisoners are fingerprinted, photographs, tested, etc. as part of the arrest process.

## C

**CHAIN OF COMMAND:** Formal lines of communication within the organizational hierarchy through each successive level of command.

**CHIEF EXECUTIVE OFFICER (CEO):** The head of a law enforcement agency including, but not limited to chiefs of police, sheriffs, public safety directors, commanders, etc.

**CIVILIAN:** A non-sworn employee having no arrest or law enforcement authority. Civilians may be employed or affiliated with a law enforcement agency in a variety of supporting roles and may be uniformed but lack the authority to make a full-custody arrest or issue criminal process.

**CLARIFICATION STATEMENT:** The clarification statement supports the standard statement, but is not binding. The clarification statement can serve as guidance to clarify the intent of the standard, or as an example of *one* possible way to comply with the standard.

**COMMUNICABLE DISEASE:** A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

**CONSTANT SUPERVISION:** The direct, personal supervision and control of a detainee by the attending officer who can immediately intervene on behalf of the agency or the detainee.

**CONTRABAND:** Any item that is illegal to possess, to include items that are not permitted within a holding facility because of their possible use to disrupt security measures within the facility.

**CORRECTIONS:** See Jail

**COUNSELING:** The giving of advice; advising; discussions between the rated employee and rater leading to advice to the former concerning performance or career development.

**CRASH REVIEW BOARD:** A committee that reviews employee-involved crash investigations. The chief executive officer shall appoint committee members at his/her discretion. The crash review board should represent various levels of the agency to include command rank supervisors, crash investigation specialists, internal affairs investigators, and union representatives subject to any collective bargaining agreements.

**CRITICAL INCIDENT:** An occurrence or event, natural or human-caused, which requires an emergency response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, land and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, war-related disasters, public health and medical emergencies, and other occurrences

requiring an emergency response, such as major planned events and law enforcement incidents.

**CUSTODY:** Legal or physical control of a person in an area or facility or while in transit; legal, supervisory, or physical responsibility for a person; (see Arrest; Full-Custody Arrest; Physical Arrest.)

## D

**DETAINEE:** A person in the custody of agency personnel and whose freedom of movement is at the will of agency personnel.

**DISTRACTION DEVICE:** Also known as a 'flash-bang' produces a loud bang with a brilliant light that is intended to cause confusion and distraction to provide a tactical team with a few seconds of advantage. The use of such devices entails some potential hazards for suspects, innocent bystanders, and the police. Detonation also produces a lot of smoke that may be noxious after exposure for more than a few minutes.

## E

**EMOTIONAL STABILITY/PSYCHOLOGICAL FITNESS EXAMINATION:** Professional screening designed to identify candidate behavior patterns and/or personality traits that may prove either deleterious or advantageous to successful job performance.

**EMPLOYEE:** means all employees of an agency including sworn and non-sworn, full time and part time.

**EMPLOYEE ASSISTANCE PROGRAM (EAP):** A formal program designed to assist in the identification and resolution of concerns or problems (personal or job related), which may adversely affect an employee's personal or professional well-being or job performance. These personal concerns may include, but are not limited to, health, marital status, family, financial, substance abuse, emotional/stress, and other personal matters.

**EQUAL EMPLOYMENT OPPORTUNITY:** The provision of equitable opportunities for employment and conditions of employment to all employees regardless of race, creed, color, age, sex, religion, national origin, or physical impairment. Where a recruitment plan focuses on additional recruitment steps to be taken to increase the likelihood of hiring a member of an underrepresented group, EEO focuses on ensuring that applicants are treated fairly in the selection process (and in other personnel activities) by giving them the same opportunities for employment. The role of equal opportunity is to create a "level playing field" for all applicants and employees. An equal employment opportunity plan is a document that is designed to state the steps the agency intends to take to ensure that there are no artificial barriers that would prevent members of a protected group from a fair and equitable opportunity to be hired, promoted, or to otherwise take advantage of employment opportunities.

**EVALUATION:** A careful appraisal and study to determine the significance and/or worth or

condition, and to draw conclusions pertaining to an item, project, or undertaking.

**EXTRA-DUTY EMPLOYMENT:** Law enforcement-related employment not performed during normal duty hours and is conditioned on the actual or potential use of law enforcement powers by a law enforcement officer. Extra-duty employment is also referred to as special duty or side jobs. Extra duty employment should be managed through the agency.

## F

**FIELD TRAINING:** A structured and closely supervised program provided to new/recruit officers to facilitate the application of skills and knowledge obtained in the academy/classroom to actual performance in on-the-job situations.

**FIELD TRAINING OFFICER (FTO):** An officer who has been selected and trained to deliver the field training program to new/recruit officers.

**FOLLOW-UP INVESTIGATION:** An extension of the preliminary investigation. The purpose is to provide additional investigation in order to close a case, arrest an offender, and/or recover stolen property. Synonymous terms include: latent investigation, subsequent investigations, etc.

**FULL-CUSTODY ARREST:** Arrest authority, with or without a warrant, which includes the legal authority to physically remove a person from their location, taking that person to a place of confinement or judicial authority.

**FUNCTION:** A general term for the required or expected activity of a person or an organizational component, e.g., patrol function, communications function, the planning function, the crime analysis function.

## G

**GOAL:** A relatively broad statement of the end or result that one intends ultimately to achieve. A goal usually requires a relatively longer timespan to achieve and, whenever possible, should be stated in a way that permits measurement of its achievement.

## I

**INCIDENT:** An event that requires law enforcement action, documentation, or the dispatching of agency personnel in response to citizen requests for law enforcement services. This includes any incident, whether criminal or non-criminal, which involves a response to the scene, an investigation, or the preparation of an oral or written report.

**INCIDENT COMMAND SYSTEM (ICS):** A system for command, control, and coordination of a response that provides a means to coordinate the efforts of individual persons and agencies as they work toward the common goal of stabilizing an incident while protecting life, property and the environment. There are five major components: command, planning, operation, logistics, and finance/administration.

**IN CUSTODY:** Being under the full control of a law enforcement officer; (See Full-Custody Arrest.)

**IN-SERVICE TRAINING:** Training in addition to recruit training, which may include periodic retraining or refresher training, specialized training, career development, promotional training, advanced training, and shift briefing training.

**IN WRITING:** Can be accomplished through paper reports or electronic messaging or electronic databases.

## J

**JAIL:** A confinement facility where detainees are housed more than 24 hours.

**JOB DESCRIPTION:** An official written statement setting forth the duties and responsibilities of a job, and the skills, knowledge, and abilities necessary to perform it.

**JOB RELATED:** A procedure, test, or requirement either predictive of job performance or indicative of the work behavior expected or necessary in the position.

## L

**LATERAL ENTRY:** The hiring of new employees at advanced ranks or salary based on prior experience elsewhere and/or other job credentials.

**LEGAL PROCESS:** Any item of civil or criminal process, whether original, intermediate, or final that is valid on its face and is to be served or executed by the law enforcement agency.

**LESS-LETHAL AMMUNITION:** Such ammunition is intended to cause pain or discomfort but not death. Such ammunition includes, but is not limited to, foam projectiles, bean bag projectiles, rubber, foam, or plastic bullets, etc. Less-lethal ammunition does not include chemical munitions, smoke, or distraction devices.

**LESS-LETHAL DEVICE:** See less lethal weapons

**LESS-LETHAL FORCE:** Less-lethal force is a term that describes any use of force that's not intended to be deadly but is intended to restrain, control, or overcome resistance. Less-lethal force can include weapons, tactics, or physical holds that are designed to incapacitate or immobilize someone without causing serious injury or death. The goal is to neutralize a threat without resorting to deadly force

**LESS-LETHAL WEAPONS:** This class of weapons is intended to not cause death but could under certain circumstances. Such weapons include, but are not limited to aerosol spray devices, oleoresin capsicum, pepper spray, tactical batons, grenade launchers, conducted energy devices, etc. Less-lethal weapons do not include chemical munitions, smoke, or distraction devices.

**LESSON PLAN:** A detailed guide from which an instructor teaches. The plan includes the goals, specific subject matter, performance objectives, references, resources, and method of evaluating or testing students.

## M

**MEMORANDUM:** An informal, written document that may or may not convey an order; it is generally used to clarify, inform, or inquire.

**MENTAL ILLNESS:** Any condition characterized by impairment of an individual's normal cognitive, emotional, or behavioral functioning, and caused by social, psychological, biochemical, genetic, or other factors, such as infection or head trauma.

**MUNITIONS:** Include tear gas, CS, CN, smoke, Pava powder, pepper ball projectiles, etc.

## N

**NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS):** A system for incident management that provides a consistent nationwide approach for federal, state, local and non-governmental organizations to work effectively and efficiently to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity.

## O

**OBJECTIVE:** An objective is an end or result that one intends to attain in order to achieve partial fulfillment of a goal. An objective is a means to attain a goal, and therefore, requires a shorter time to accomplish than does a goal. Objectives should be simple, reasonable, attainable, measureable, and time restricted.

**OFF DUTY EMPLOYMENT:** Non-law enforcement related work for which compensation is received for services rendered. This type of work includes, but is not limited to, retail sales, any trades (e.g., roofer, plumber, mechanic, electrician, etc.), consulting, other professions (e.g., accountant, teacher, etc.), or in any self-employed capacity.

**ORGANIZATIONAL COMPONENT:** A subdivision of the agency, such as a bureau, division, section, unit, or position that is established to provide a specific function.

## P

**PERSONNEL EARLY WARNING SYSTEM:** A system for the early identification of agency employees who may need some type of corrective action or intervention and a procedure for collecting and evaluating materials required for implementing such corrective action.

**PERSONAL EQUIPMENT:** Equipment items issued and/or approved by the agency for employee use, e.g., badge, baton and holder, belts, cartridge carrier, departmental and rank insignia, flashlight, handcuffs and case, notebook, raincoat and cap cover, side arm and holster, tear gas canister, and whistle.

**PHYSICAL ARREST:** Any enforcement action that consists of taking persons into custody for the purpose of holding or detaining them to answer a charge of law violation before the court; (see Arrest; Custody; Full Custody Arrest.)

**PLAN:** Documented identification of methods to achieve desirable goals or conditions.

**POLICY:** A written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as may or should and usually do not establish fixed rules or set procedures for conduct of a particular activity but rather provide a framework for development of procedures and rules and regulations.

**PRELIMINARY INVESTIGATION:** Generally, the activity that begins when personnel arrive at the scene of an incident. The activity should continue until such time as a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation. Synonymous terms include: initial investigation, first office investigations, etc.

**PROCEDURE:** A written directive that is a guideline for carrying out agency activities. A procedure may be made mandatory in tone through the use of shall rather than should, or must rather than may. Procedures sometimes allow some latitude and discretion in carrying out an activity.

**PROCESSING:** Includes booking activities involving detainees in custody, after which detainees may either be released from custody by one of several means or be escorted to a holding facility, at which time they would be booked.

**PROCESSING ROOM:** A room or area where a detainee is fingerprinted, photographed, or tested such as drug recognition expert examinations and alcohol breath detection instrument tests.

**PROPERTY AND EVIDENCE CUSTODIAN:** The person who holds authority for the day-to-day supervision and operation of the property and evidence function.

## R

**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.

**RECRUITMENT ACTIVITIES:** A systematic method of seeking potentially qualified job applicants.

**RECRUITMENT LITERATURE:** Written materials or brochures (tangible or electronic) designed to attract qualified applicants for jobs.

**RECRUITMENT PLAN:** A written plan for actively recruiting underrepresented minorities and women. A recruitment plan assumes the agency is doing more than just fairly implementing their selection procedures and instruments, e.g., providing equal opportunity. Proactive recruitment requires additional steps, where necessary, to increase the likelihood of attracting qualified applicants of protected groups that are insufficiently represented in the agency's sworn ranks.

**REMEDIAL TRAINING:** Personalized training to correct a specific deficiency, which is usually identified by either testing or other evaluation during training or supervisory evaluation during routine job performance.

**RESERVE OFFICER:** Defined in the Code of Ala. 1975, Title 11-43-210(a) and their functions shall be confined to those functions as set forth in the Code of Ala. 1975, Title 11-43-210(c). (1) Title 11-43-210(d). No reserve officer shall have authority to exercise any power of arrest unless he or she has completed the training requirements of the Alabama Peace Officers Standards and Training Commission as set out in Article 3, Chapter 21, Title 36. (2) Title 11-43-210(e). No reserve law enforcement officer shall carry any firearm unless he/she has obtained a properly issued permit for such firearm and the appointing authority has approved his/her use of such firearm. Reserve law enforcement officers may use such firearms only to the extent permitted by properly promulgated regulations of the appointing authority.

**RESTRAINING DEVICES:** Equipment used to restrain the movement of the prisoner, such as handcuffs, flex-cuffs, waist chains, ankle chains, restraining straps, straight jackets, or tie-down stretchers.

**RETALIATION:** EEO laws prohibit punishing job applicants or employees for asserting their rights to be free from employment discrimination including harassment. Asserting these EEO rights is called protected activity, and it can take many forms. For example, it is unlawful to retaliate against applicants or employees for:

- Filing or being a witness in an EEO charge, complaint, investigation, or lawsuit
- Communicating with a supervisor or manager about employment discrimination, including harassment
- Answering questions during an employer investigation of alleged harassment
- Refusing to follow orders that would result in discrimination
- Resisting sexual advances, or intervening to protect others
- Requesting accommodation of a disability or for a religious practice
- Asking managers or co-workers about salary information to uncover potentially discriminatory wages.

Participating in a complaint process is protected from retaliation under all circumstances. Other acts to oppose discrimination are protected if the employee was acting on a reasonable belief that

something in the workplace may violate EEO laws, even if he or she did not use legal terminology to describe it.

Engaging in EEO activity, however, does not shield an employee from all discipline or discharge. Employers are free to discipline or terminate workers if motivated by *non-retaliatory and non-discriminatory* reasons that would otherwise result in such consequences. However, an employer is not allowed to do anything in response to EEO activity that would discourage someone from resisting or complaining about future discrimination.

For example, depending on the facts, it could be retaliation if an employer acts because of the employee's EEO activity to:

- Reprimand the employee or give a performance evaluation that is lower than it should be.
- Transfer the employee to a less desirable position.
- Engage in verbal or physical abuse.
- Threaten to make reports to authorities (such as reporting immigration status or contacting law enforcement).
- Increase scrutiny.
- Spread false rumors, treat a family member negatively (for example, cancel a contract with the person's spouse).
- Make the person's work more difficult (for example, punishing an employee for an EEO complaint by purposefully changing his work schedule to conflict with family responsibilities).

**REVIEW:** A documented review of an incident or occurrence, regardless of the outcome, prepared by or for the CEO or his/her designee. The review should indicate whether policy, training, equipment, or disciplinary issues should be addressed. Synonymous terms include administrative review, command review, meaningful command review, critical review, etc.

**ROADBLOCK:** A restriction, obstruction, or device used or intended for the purpose of preventing free passage of motor vehicles on a roadway to effectuate the apprehension of a suspect.

**RULES AND REGULATIONS:** A set of specific guidelines to which all employees must adhere.

## S

**SEARCH AND RESCUE:** A coordinated effort to locate individuals missing in wilderness areas, in large bodies of water, or elsewhere. Search and rescue missions usually involve use of aircraft, boats, or other special purpose vehicles and specialized personnel such as scuba divers, mountain climbers, or spelunkers.

**SECURITY HAZARD:** Any threat to the security of a detainee, to the facility in which he or she is held, or to others with whom the prisoner may come into contact. Estimations of the degree of security hazard will govern the means of transport, the kinds of restraining devices to be used, and other actions to be taken by the escort officer to provide proper protection for and security of the prisoner.

**SECURITY SURVEY:** An on-site examination and analysis of security needs that determines the

nature and degree of the threat, the exact kind and degree of protective measures used, and the precise kinds of security measures that are required and recommends the appropriate policies, procedures, and equipment needed for the security function.

**SELECTION CRITERIA:** Rules, standards, procedures, or directives upon which a judgment or decision concerning employment can be based.

**SELECTION MATERIALS:** All written tests, test scores, answer sheets, study materials, evaluations, ratings, questionnaires, reports, and forms used in the selection process that have a bearing upon the employment decision.

**SELECTION PROCEDURE:** Any established method or combination of methods used in any way as the basis for an employment decision.

**SELECTION PROCESS:** The combined effect of components and procedures leading to the final employment decision, including minimum qualifications, e.g., education, experience, physical attributes, citizenship, residency-written tests, performance tests, oral exams, interviews, background investigations, medical exams, polygraph tests, police academy ratings, probationary period ratings, personality inventories, interest inventories, psychiatric evaluations, veteran's preference, cut-off scores, and ranking procedures.

**SEXUAL HARASSMENT:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

**SKILLS, KNOWLEDGE, AND ABILITIES:** Skills are the proficiency with which an individual performs. Knowledge is a body of information or the understanding gained through learning, education, experience, or associations. Abilities are processes required to perform the various job responsibilities.

**SPECIAL EVENT:** An activity, such as a parade, athletic contest, or public demonstration, that results in the need for control of traffic, crowds, or crimes.

**SPECIALIZED ASSIGNMENT:** An assignment often characterized by increased levels of responsibility and specialized training, but within a given position classification; a specialized assignment may involve higher pay or additional benefits.

**SPECIALIZED TRAINING:** Training to enhance skills, knowledge, and abilities taught in either recruit or other in-service programs. Specialized training may address supervisory, management, and/or executive development training, or it may include technical and job-specific subjects, e.g., homicide investigation, fingerprint examination, juvenile investigation.

**SWORN OFFICER:** A person who is granted those general peace officer powers prescribed by constitution, statute, or ordinance in the jurisdiction, including those persons who possess authority to make a full-custody arrest for limited or specific violations of law within the same jurisdiction.

## T

**TACTICAL TEAM:** A group of officers who are specially selected, trained, and equipped to handle high-risk incidents, such as those involving snipers, barricaded persons, hostage-takers, selected warrant services, and other situations or activities as deemed necessary by command leadership. Synonymous terms include Special Weapons and Tactics (SWAT), Emergency Response Team (ERT), Emergency Services Unit (ESU), Sheriff's Emergency Response Team (SERT), etc.

**TASK:** A unit of work performed by an individual to accomplish the goal of a job.

**TASK FORCE:** Any combination of resources assembled to support a specific mission or operational need. All resource elements within a Task Force must have common communications and a designated leader.

**TEMPORARY DETENTION:** Temporary detention is measured in hours and does not involve housing or feeding detainees except in extenuating circumstances.

**TRANSPORT VEHICLE:** The vehicle used for transporting a prisoner from one point to another. The transport vehicle may be the patrol vehicle, such as in the case of transporting a prisoner after an arrest; a vehicle of a correction facility designated for prisoner transport but also used for other purposes; or a specially designed prisoner transport vehicle, such as a bus or van. This term does not refer to commercial vehicles, such as buses, trains, or airplanes that may be used for prisoner transport.

**TRANSPORTING OFFICER:** A person who is responsible for transporting a prisoner from one point to another. This may be the arresting officer or another agency employee who is assigned to the responsibility for transport.

## U

**UNITY OF COMMAND:** The concept that each individual in the organization has one, and only one, immediate supervisor.

**UNIFIED COMMAND:** Unified command allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability.

**UNLAWFUL HARASSMENT:** Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

## V

**VICTIM:** A person who suffers physical, financial, or emotional harm as the direct result of a specified crime committed upon his or her person or property.

**VOLUNTEER:** A non-sworn, unarmed, uniformed or non-uniformed, affiliate whose duties contribute to the mission of the agency in a support capacity. Included are law enforcement cadets, law enforcement explorers, senior citizen groups, and other volunteers. Excluded are part-time paid employees of the agency and reserve officers.

## W

**WRITTEN DIRECTIVE:** Any written document used to guide or affect the performance or conduct of agency employees. The term includes policies, procedures, rules, regulations, general orders, special orders, personnel orders, memoranda, Alabama Attorney General policies, guidelines, directives, local county prosecutor's policies, guidelines, or directives, and instructional material.

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