

**ADOPTION OF THE TOWN OF EDGEWOOD  
STANDARD OPERATING PROCEDURES**

**I, Robert Stearley, Mayor, Town of Edgewood hereby adopt  
the Standard Operating Procedures per Resolution No. 2009-  
14.**

  
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**Honorable Robert Stearley, Mayor**

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3. Establish a means to evacuate bystanders and injured persons. The on duty supervisor has the responsibility for the decision to evacuate:
  - a. Bystanders should be evacuated as needed for safety reasons. Officers should take anyone with intelligence information to the staging area and notify the command post of their location;
  - b. Officers should make attempts to evacuate injured persons from the area if possible.
4. Contact the EDGEWOOD Fire Department and request that they stand by at the staging area to provide emergency first aid if needed until the incident is resolved;
5. Establish communication with other agencies as necessary;
6. Gather intelligence information on the barricaded subjects, the hostage(s), and their location. Information about the subject should include, but not limited to, the following:
  - a. Subject's location;
  - b. Physical/clothing description;
  - c. What type of weapons and ammunition the subject possesses;
  - d. Military background and knowledge;
  - e. Prior arrests or convictions;
  - f. Medical/psychiatric history;
  - g. Previous terrorist/hostage activity;
  - h. Social/cultural background;
  - i. Family/friends;
  - j. Use or access to alcohol, drugs or medication.

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Information to be collected about the hostage should include, but not be limited, to the following:

1. Gender;
2. Physical and mental condition;
3. Physical/clothing description;
4. Relationship to the subject (friend, relative, stranger);
5. Location.

Information about the location of the barricaded subject should include the following:

1. Floor plan of the building or house, if possible;
2. Location of all possible escape routes;
3. Location of all telephones;
4. All telephone numbers;
5. Utility connections.

**Command Post:**

The shift supervisor is responsible for ensuring that a command post is established and a safe route to the command post designated. The command post shall be established in a secure location. The command post should be equipped with a telephone, whenever possible.

**Public Information Officer (PIO) New Media:**

The PIO shall be responsible for coordinating new media releases from the command post to the news media in accordance the Department policy.

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Special Response Team (SRT):

Upon arrival of the SRT, field officers will be debriefed regarding any intelligence information they may have obtained.

The SRT Coordinator, or designee, will be in charge of offensive tactics and deployment of the SRT members. The SRT coordinator and the Incident Commander will work together regarding deployment of field officers.

Patrol officers will fire only in exigent circumstances and in accordance with the Use of Force Policy.

Firing of weapons by the SRT will be authorized in accordance with the Department Use of Force Policy, except in those circumstances when it becomes tactically necessary to neutralize a suspect. Deployment of chemical munitions should be done by trained SRT personnel and generally in conjunction with a plan of action. In those instances, authorization will be given by the SRT Coordinator, Chief or Police or designee whenever possible.

Negotiation procedures:

The Negotiation Team will be activated on all hostage and barricaded incidents. The team may also be activated on suicide attempts. Negotiator and other members of the SRT should be notified at the same time. Negotiators will also be included in high-risk warrant services where the SRT is being used.

Whenever possible two negotiators should be utilized. The primary negotiator is responsible for attempting to contact the hostage/barricaded subject and for conducting the negotiations. The secondary negotiator acts as an advisor to the primary negotiator, and is the liaison between the primary negotiator and the SRT Coordinator, Chief of Police or designee.

Negotiations are conducted at a location free from any outside noise or interference, away from the command post but close enough to communicate quickly with the on scene commander.

Negotiators may request outside assistance from other Department personnel as well as private professionals, clergy, parents, etc. Assistance may also be required from other private or public resources, such as Phone Company and utility services.

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Negotiation personnel will obtain as much intelligence information as possible regarding the situation and the persons involved prior to the negotiations commencing, if possible.

Negotiations personnel will attempt to make contact by telephone, drop phone, portable telephone, bullhorn, or in person. Face to face negotiations should only be considered when the safety of the negotiator can be maintained. Efforts should be made to persuade the subject to come out and surrender.

While negotiations are being conducted, SRT will be in position and prepared should offensive tactics become necessary to contain the scene.

Negotiation personnel may be use bargaining tactics in hostage situations.

Non-Negotiable Items:

Specific items, which will not be negotiated, are:

1. Weapons;
2. Replacement hostages (police or civilian);
3. Narcotics.

After action reports:

Department related forms and reports will be completed by officers involved in the incident.

This policy will be reviewed annually.

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NUMBER: 246-04	POLICY NO.	SUPERSEDES	EFFECTIVE DATE	PAGE NO. 10F4
SUBJECT: Bombs/Explosives Devices		APPROVED BY: Town Council		
CALEA STANDARDS: 46.1.6,46.2.1				

PURPOSE:

To establish guidelines for response to incidents involving actual threatened use of bombs/explosive devices.

POLICY:

It shall be the policy of the EDGEWOOD Police Department to respond to reports of actual or threatened use of bombs/explosive devices in an attempt to reduce the risk to persons and property to the extent possible.

PROCEDURES:

Bombs/explosive devices or suspected device disposal:

1. In any incident where an explosive device or suspected explosive device is located, responding officers will not handle, or closely approach the device;
2. The officer should refrain from using communications equipment (including mobile telephone) within 100 yards of the device or location where a bomb threat has been received as electromagnetic energy emitted by the radios may activate the device;
3. Officers will assist with the evacuation of persons who are in the vicinity of the device. It is not possible to know prior to the explosion how large an area must be evacuated. Thus, officers must rely upon common sense judgment in advising evacuated persons where to relocate;
4. Upon discovery of a device or suspected device, the supervisor will respond to the incident location, if not already present;

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5. Upon discovery of a device or suspected device, the shift supervisor will make notification to the Patrol Lieutenant, Deputy Chief and Chief of Police;
6. Upon discovery of a device or suspected device, when some evidence might indicate the presence of an explosive device or after an explosion of a device, one of the following local bomb disposal units will be requested to assist:
  - a. The New Mexico State Police Bomb Disposal Unit:
  - b. The United States Army E.O.D., Ft. Bliss, Texas.
7. While the disposal unit is in route, the on scene Supervisor will be responsible for maintaining a safe perimeter around the device. This perimeter shall be maintained by sworn Police personnel until the disposal units' arrival and the device has been neutralized.
8. During all incidents where bombs/explosive devices or hoax devices are discovered, the Bureau of Alcohol, Tobacco and Firearms will be notified.

Reporting/Telephone Threats:

Department personnel, usually dispatchers, should attempt to obtain all information that has not yet been obtained by dispatchers according to the following:

1. The exact words of the person making the threat that will assist in identifying the person if he/she has made previous calls. Many times callers repeat words and phrases'
2. Where the device is reported to be located. This information may help in the location of the device or in the planning of an evacuation;
3. When the device is reported to detonate;
4. What type of bomb, i.e.: "dynamite, pip bomb", etc;
5. Description of the device;
6. What is the motive for the bomb threat;



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7. Describe the voice of the caller including speech, rate, style, slang, profanity, characteristics including impediments, accent, etc.;
8. Did the voice sound familiar;
9. Description of background noise;
10. Date and time of the call;
11. Length of the call;
12. Is a recording of the call available.

The Communications Center will immediately notify the EDGEWOOD Fire Department during each response to bomb/explosive device. The Fire Department will be asked to stand by the scene of each incident until it is determined that no device is present.

**Incident Command:**

A perimeter will be established for incidents in which an actual or suspected explosive device is found. A perimeter will encompass the entire area where personal injury seems likely should an explosion occur.

Searches will be conducted at the discretion of the on scene supervisor after considering the existing circumstances. Searches will involve a representative or someone familiar with the location whenever possible. IN general, police searches should be organized with at least two officers to a team, and the location will be searched in a systematic manner. In some threat incidents, representatives of the location may not want an area search conducted. If so, no search will e conducted.

**Evacuation:**

Evacuation as a response to a bomb threat is the decision of the representative of the threat location. If nay suspicious device has been seen, officers will strongly recommend evacuation. Officer will assist, to the extent possible, with evacuation of affected persons.

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Officers shall not forcibly remove persons that appear to be mentally competent. In order to accomplish or assist with evacuations, officers will report resistance to evacuation attempts to their immediate supervisors who will attempt to persuade those persons to evacuate.

A supervisor will establish communications with the Fire Department supervisor as soon as possible.

A detective may respond to assist in the initial investigation and follow-up efforts.

Post Explosion Procedures:

The immediate area of any explosion should not be entered until the threat of further explosion has been reduced and the scene secured by qualified personnel.

When the danger to personnel and citizens has been reduced, the location of an explosion should be treated as a crime scene and processed for evidence.

This plan will be reviewed annually.

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NUMBER: 262-03	POLICY NO.	SUPERSEDES	EFFECTIVE DATE	PAGE NO. 10F2
SUBJECT: Stopping and approaching the Traffic violator, use of emergency equipment			APPROVED BY: Town Council	
CALEA STANDARDS: 62.1.6,62.1.0				

PURPOSE:

To establish guidelines for stopping and approaching traffic violators.

POLICY:

It shall be the policy of the EDGEWOOD Police Department that officers take all precautions necessary to assure the safety and well being of themselves, the violator, and the public during a traffic stop.

PROCEDURES:

Stopping/Approaching Vehicles:

Upon observing a traffic violation, officers will make contact with the violator after taking into consideration the potential danger to the public, the violator, and the officer.

The location selected for stopping the violator should allow for a safe approach to and exit from the violator's vehicle, which avoids potential hazards.

Police Dispatch will be advised of the impending stop, giving the violator's vehicle information including:

1. Location of the stop;
2. License plate or description of vehicle if no license plate information is available;
3. Any other descriptive information pertinent to that stop.

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NUMBER: 264-04	POLICY NO.	SUPERSEDES	EFFECTIVE DATE	PAGE NO. 10F2
SUBJECT: STOPPING AND APPROACHING THE TRAFFIC VIOLATOR, USE OF EMERGENCY EQUIPEMENT			APPROVED BY: Town Council	
CALEA STANDARDS: 62.1.6, 62.1.0				

**Procedures For Stopping The Violator:**

1. Engage the emergency lights. Use of the siren, P. A. system, and hazard lights are authorized when appropriate;
2. The spotlight and/or high beams may be used to illuminate the inside of the vehicle and to provide for a safe approach to the vehicle.
3. Unmarked police units will not be used to stop violators.

**Roadway/Roadside Vehicle Hazards:**

1. Upon observing a vehicle which has become stalled on the roadway, officers will:
  - a. Engage emergency lights;
  - b. Position their vehicles to provide safety for the motorist;
  - c. Ensure removal of the vehicle from the roadway as soon as possible;
  - d. Assist the motorist.

Guidelines for the use of emergency equipment and use of authorized emergency vehicles are found in the State of New Mexico Statutes: 66-1-4.1, 66-3-843,66-7-6,66-7-332.

The high beam headlights, spotlights, alley lights, hazard warning lights, and emergency equipment can be used to the officers advantage on traffic stops, motorist assists, traffic accidents, and area searches. Officer discretion should be used when positioning lights and vehicles to avoid unnecessary interference with homes, businesses, and vehicle traffic while maximizing protection for the officer and persons contacted. Whenever possible, vehicles shall be parked off the traveled portion of the roadway to reduce the potential for accidents.

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NUMBER: 264-04	POLICY NO.	SUPERSEDES	EFFECTIVE DATE	PAGE NO. 10F2
SUBJECT: Emergency Roadblocks			APPROVED BY: Town Council	
CALEA STANDARDS: 64.1.13				

PURPOSE:

To establish guidelines pertaining to emergency roadblocks.

POLICY:

It is the policy of the EDGEWOOD Police Department to only use emergency roadblocks to apprehend an extremely dangerous felon who, if allowed to escape, could create a substantial risk of another person being killed or seriously injured.

PROCEDURE:

Roadblock should to into effect when requested by any law enforcement agency, with approval of the shift supervisor. In the event a roadblock has been declared, the officer will situate himself in a manner not to obstruct traffic or create a hazard, but where all traffic can be viewed. This form of blockage is referred to as an OBSERVATION POINT. If the suspect should pass the point, the officer will call for assistance and initiate felony stop procedures when appropriate.

While positioned at the observation point, license number and descriptions of vehicles that pass should be recorded when possible and then submitted to the Other department upon completion of the assignment. This practice is referred to as maintaining a ROADBLOCK LOG.

When a roadblock is established and apprehension of the fleeing suspect is secondary to the safety of the officers and the motoring public.

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The primary officer is dispatched to the scene of the incident immediately. Additional units will be dispatched as needed, depending on the situation. If the suspects have fled, the first officer on the scene will broadcast the description of suspects, vehicles, weapons, and direction of travel if known. If available, a description of any evidence that might link the suspects to the crime should also be broadcast.

If the district officer is assigned to the crime scene, the Patrol Sergeant will ensure that the observation point in that district is covered.

Manpower limitations restrict the points assigned to those, which would probably be utilized by fleeing felons. Only supervisors will have the authority to put a roadblock plan into effect.

Many factors must be considered, including the number of officers available for assignment to the observation point. The decision to activate a roadblock plan should be based on:

1. The seriousness of the crime;
2. Sufficient information and descriptions of wanted persons and vehicles;
3. The elapsed time between the criminal act and its discovery.

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The Uniform for the EDGEWOOD Police Department is as follows:

1. The dress uniform shirt for Police Officers is black with black buttons.
  - a. Short sleeve or long sleeve shirts may be worn at any time during the year.
  - b. The Chief may designate the long sleeve shirt for special occasions.
2. The EPD uniform will be black worn with the cloth badge and will be purchased by the Town.

The uniform will be worn at all time when on duty.

1. Court attire is full uniform or civilian shirt and tie.
2. Uniform for the range is black EPD's.
3. When working outside community service such as painting, weed control and trash pick-up EPD with polo is optional. All other community service projects will require the dress uniform.
4. When wearing the uniform, it will be complete. Partial uniforms will not be worn to or from work.
5. Jackets and coats will be navy blue, or black leather.

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7. Footwear will be black, smooth, highly shined leather without ornamentation. It may be low quarter or military style laced shoes or boots. Patrol boots will not be sharp-toed or western style. Riding heels will not be worn. Trouser legs will be worn on the outside of the boot
8. Gloves will be black leather, lined or unlined. Employees may be required to wear white cotton gloves on special occasions, e.g., parades, funerals, etc.
9. Department Badge and Patch will be uniform.
10. Sergeant or Corporal chevrons will have a black background with three or two stripes, respectively, of royal blue with white detail, and will be worn on both sleeves of the uniform shirt, centered between the seam of the shoulder and the elbow.
11. Shirt insignia for lieutenants will be a single gold plated bar,  $\frac{1}{2}$ \* inch by  $\frac{1}{2}$ \* inch, centered one-half inch from the outer edge of the collar tap and will lie parallel to the collar edge.
12. Leather gear for officers will be black basket weave design and consist of the following:
  1. Equipment belt - two inches wide with gold buckle. The Velcro Safari Land Model 95 style police equipment belt is optional and may be purchased by officers.
  2. Holster will be black basket weave, low or high-rise, or any other style authorized by the Chief of Police.
  3. Handcuff case will be black basket weave style with concealed snap or Velcro fasteners.
  4. Ammunition carrier will be black basket weave style made for carrying two, minimum ammunition clips for the Department handgun.
  5. Nightstick or side handle baton carrier will be black basket weave style



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6. Mace holder will be black basket weave style.
7. A flashlight holder is optional, but when worn will be black basket weave style.
8. Key holder is optional, but when worn will be black basket weave style.
9. Belt keepers will be one inch wide with concealed snaps or Velcro fasteners. A single, four-inch wide keeper may be worn at the back of the belt, but will be black basket weave style.
10. All issued body armor will be worn at all times while in uniform unless exempted by a doctor's certification of medical reason, and approved by the Chief of Police.
11. All members of the Department will be responsible for equipment issued to them.
12. When a member or employee resigns, is placed on physical layoff, or leaves the service of the Department for any reason, he/she shall surrender all Department-owned property and equipment.
13. Any recommendations/suggestions for uniform/equipment changes will be made through the chain of command. An approval will be accomplished from the Chief of Police, prior to the wearing of anything outside of this policy, to include out of the ordinary ornamentation, pins, and ribbons, etc.

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<b>SUBJECT: RECORDS AND REPORTS</b>	<b>PAGE: 1 of 3</b>
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I. The following reports to include, but not limited to supplements and statements maintained by the EDGEWOOD Police Department are considered public records:

- A. All incident reports.
- B. All accident and traffic offense reports.
- C. All offense reports in which the offenders) are currently in the criminal justice system awaiting disposition.  
Exception: Cases where a child is the victim of neglect and/or abuse, or in need of supervision (CHINS).
- D. Offense reports where the case has resulted in a positive disposition for the State.  
Exception: Cases where a child is a victim of neglect and/or abuse, or in need of supervision.. (CHINS).
- E. Offense reports where a child has died and the case is awaiting disposition in the criminal justice system.
- F. Offense reports that involve a child as a witness or victim of a crime and the case is awaiting disposition in the criminal justice system.  
Exception: All cases where the child is listed as the victim of neglect and/or abuse, or in need of supervision. (CHINS).
- G. All offense reports that are ordered open to the public by a court of competent authority.

II. Records with Limited Public Access

Records maintained by the EDGEWOOD Police Department with limited public access are as follows:

- A. Runaway reports may be released only to the child's parent(s), legal guardian, or their legal representation.
- B. Reports involving a child who is neglected, abused, or in need of supervision (CHINS) may be released only to the child, the child's legal representative, the victim (s) and/or the witnesses legal representative, and the Human Services Department, Social Services Division.

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<b>SUBJECT: RECORDS AND REPORTS</b>	<b>PAGE: 2 of 3</b>
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III. Records Maintained by the EDGEWOOD Police Department, that are considered closed to the public are as follows:

- A. All such offense reports that result in a negative disposition such as "Not Guilty", "Dismissed", "Case Not Prosecuted", Etc. This includes multiple offender cases where at least one offender receives a negative disposition.
- B. All children's cases where a child is listed as the subject of neglect, abuse, or in need of supervision (CHINS).
- C. All reports or records closed to the public by court order.
- D. All medical, psychiatric, or psychological reports.

IV. Records maintained by the EDGEWOOD Police Department shall be provided, when requested to Law Enforcement Agencies or their representatives, Criminal Justice Agencies or their representatives, or other Lawfully Authorized Agencies.

V. Arrest record information may be released to employees of Federal, State, or Local Criminal Justice Agencies and to the person named in the record or to a person Lawfully designated by him.

VI. Personnel of the Department will write reports on:

- A. All felonies, misdemeanors, petty misdemeanors, traffic offenses involving physical arrest, protective custodies, and any incident or warrant service resulting in an arrest.
- B. Suicides or attempted suicides, and death calls.
- C. All Traffic accidents.
- D. Any incident of great magnitude or importance coming to the attention of departmental personnel.
- E. Whenever directed to do so by a superior officer.
- F. All child abuse or neglect incidents.
- G. All domestic incidents.

VII. Review and Rejection Reports.

Reports will be reviewed by a supervisor before being submitted. In cases where a report is illegible, or fails to provide adequate information, the supervisor will reject the reports.

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VIII. Timeliness of Reports.

All Initial reports must be submitted at or before the end of the shift, except at the direction of a supervisor.

- A. Only original reports or documents which are intended to be part of the file, will be turned in for processing.
- B. The only photocopies that will be turned in are those documents generated outside the department, e.g. hospital records, bank records, etc. The only exception to this will be photocopies from the State or County Identification units which are intended to be included as part of the case file

IX. Alteration of Original Reports.

Original offense reports and accident reports cannot be altered after their acceptance by the Police Secretary/Administrative Supervisor. Changes and/or corrections must be made by supplemental reports.

X. Arrest Information via Telephone:

Telephone inquiries for arrest information will be honored only when the department member or employee clearly recognizes the party calling to be a person authorized to receive arrest record information.

XI. Police Radio Log/Police Radio Tape Recording.

The police Radio Log, whether retained manually, on digital terminal or tape recorded is considered strictly confidential. Information contained in the radio logs will not be released except under order from a court of competent authority (a written court order). Police Department personnel may obtain information from the radio logs only on a need to know basis.

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<b>SUBJECT: OFFICER DUTIES</b>  03-04	<b>PAGE: 1 OF 2</b>
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**SUPERVISOR:**

- A. Supervisors are those assigned, regardless of named rank, to any shift or event.
- B. Supervisors are responsible for good order, conduct and discipline of their subordinates; for their compliance with department policies and procedures; and for enforcement of all rules, regulations and orders of the department.
- C. Supervisors who observe or are informed of neglect of duty or misconduct shall immediately take whatever action is necessary and bring the matter to the attention of the supervisor of personnel concerned. They shall make an impartial written report to their commanding officer in every case of serious misconduct, incompetence, neglect of duty or violation of the rules, regulations or department orders on the part of a subordinate.

**OFFICER:**

- A. Shall carry their badge, firearm and identification card on their person while on duty, except when impractical or dangerous to their safety or to an investigation.
- B. Shall furnish their name and employee number to any person requesting that information when they are on duty or while acting in an official capacity, except when the withholding of such information is necessary for the performance of police duties or is authorized by proper authority.
- C. Shall furnish **EPD** business cards to victims and/or witnesses of crimes, unless the officer's assignment and good judgment dictates identity should not be revealed.
- D. Shall carry and use weapons in a careful and prudent manner in accordance with the laws and departmental procedures.
- E. Shall make only those arrests, searches and seizures which they know or should know are legal and in accord with the departmental procedures.
- F. Shall familiarize themselves with and have working knowledge of all laws of the State of New Mexico and the ordinances of the Town of EDGEWOOD.

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- G. Shall be equally responsible for the enforcement of laws, ordinances and police regulations. The delegation of the enforcement of certain laws and ordinances to other members of the department does not relieve members from taking prompt police action for violations coming to their attention whether on or off duty. All officers shall promptly obey and support all directives and policies established by the Chief of Police.
- H. Shall be acquainted with the first aid procedures in order that they may be prepared to apply first aid promptly and properly in any case coming to their attention.
- I. Shall make themselves familiar with the Town of EDGEWOOD including the location of streets, public buildings, hospitals, courts, transportation offices and depots, highways and the boundaries of the city. They shall further familiarize themselves with the location of the Town, County and State and Federal Agencies and Departments in order to enable them to render intelligent and helpful information and assistance when requested.
- J. Shall cooperate with all agencies engaged in the administration of Criminal Justice, Public Agencies, and other Departments within the Sandoval County Structure and shall give to each all the aid and information that it is entitled to receive.
- K. Under normal circumstances, when it becomes necessary to officially communicate with a supervisor, personnel will use the proper chain of command. During an emergency, personnel may bypass their immediate supervisor, but will notify him as soon as possible.
- L. Shall not photograph for personal use by videotape, motion picture, or still film process any crime scene or police-related investigation.
- M. Shall not release any documents of the EDGEWOOD Police Department for use in any hearing or court unless a Judicial Subpoena as been issued or the release has been approved by the Town Attorney or Town Council.

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PURPOSE:

The purpose of this operating procedure is to clearly define the requirement of personnel employed by this agency in regard to procedures and responsibilities of assigned vehicle maintenance.

POLICY:

The policy of this department is that every available measure will be taken to ensure the proper care of equipment. Employees assigned equipment will follow every requirement set forth in this policy to maximize the life and usage of equipment, as well as safety to the individual employee.

REQUIREMENTS AND PROCEDURES:

- A. All Police Officers will have a vehicle assigned to them by number.
- B. the vehicle (unit) assigned to the officer is the responsibility of that officer.
- C. All officers assigned a vehicle shall be responsible for minor maintenance on the respective vehicle. Minor maintenance will be considered as the following:
  1. Tune-Ups: to be conducted every 30,000 miles.
  2. Oil changes: To be conducted every 3,000 to 5,000 miles.
  3. All belts (fan, air conditioner, alternator, and power steering) will be checked at each fuel fill up.
  4. All fluid levels will be checked daily.
  5. Air pressure and tread wear of all tires will be checked daily.
  6. The engines of all assigned vehicles will be cleaned every 6 months.

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<b>SUBJECT: VEHICLE MAINTENANCE</b>	<b>PAGE: 2 OF 2</b>
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- D. Bi-Monthly Fuel/Maintenance Logs will be kept by each officer assigned a vehicle, and turned into the Chief at the completion of each pay period.
- E. Officers will maintain a clean appearance of the interior and exterior of all assigned vehicles at all times.
- F. Random inspections of the interior and exterior of assigned patrol and investigation vehicles may be conducted.
- G. Department's Secretary-Receptionist will maintain all records, relative to supplies, repairs, purchase orders, compliance notification to the Chief and advise of issues surrounding compliance.



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<b>SUBJECT: BODY ARMOR</b>  03-06	<b>PAGE: 1 OF 2</b>
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PURPOSE:

The purpose of this policy is to provide officers of this law enforcement agency with guidelines for the proper use and care of body armor.

POLICY:

It is the policy of this law enforcement agency to maximize officer safety through the use of body armor in conjunction with the practice of prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for sound safety procedures.

A. Issuance of Body Armor

1. all body armor issued by this agency will comply with the current minimum protective standards prescribed by the National Institute of Justice.
2. All law enforcement officers of this agency will be issued body armor.
3. Body armor that is worn or damaged in the line of duty shall be replaced by this agency. Body armor that must be replaced as a result of misuse or abuse by an officer shall be paid for by the officer.

B. Use of Body Armor

1. Body armor shall be worn on duty and in field training.
2. Both law enforcement officers that are assigned to uniformed functions and non-uniformed sworn officers are required to wear body armor while engaged in field activities while on duty unless exempted as follows:
  - a. When an agency-approved physician determines that an officer has a medical condition that would preclude use of body armor.
  - b. When the officer is involved in an undercover or plainclothes capacity that his supervisor determines would be compromised by the use of body armor.

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<b>SUBJECT: BODY ARMOR</b>  03-06	<b>PAGE: 2 OF 2</b>
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- c. When the officer is assigned to an administrative function; or
  - d. When the department determines that circumstances make it inappropriate to mandate body armor.
- C. Inspections of Body Armor
  - 1. Supervisors shall be responsible for ensuring that body armor is worn and maintained as required by this policy.
  - 2. There shall be random inspections of all body armor for fit, cleanliness, and signs of damage, abuse and wear.
- D. Care and Maintenance of Body Armor
  - 1. Each law enforcement officer of this agency is responsible for the proper storage of body armor in accordance with manufacturer's instructions and daily inspection for signs of damage and general cleanliness.
  - 2. As dirt and perspiration may erode ballistic panels, each officer is responsible for cleaning his body armor in accordance with the manufacturer's instructions.
  - 3. Officers of this agency are responsible for reporting any damage or wear to the ballistic panels or cover to a supervisor.

**EDGEWOOD POLICE DEPARTMENT  
POLICY AND PROCEDURE**

**SUBJECT: COMPENSATORY, VACATION AND SICK**

1. REFER TO THE TOWN OF EDGEWOOD PERSONNEL ORDINANCE

<b>EDGEWOOD Police Department Policy</b>	<b>Number:</b>
<b>Subject:</b> <b>ELECTRONIC CONTROL DEVICES</b>	<b>Effective Date:</b>
<b>Reference: Replaces</b>	<b>Page NO. 1 of 5</b>
<b>Approved By:</b>	

**J. GENERAL STANDARD**

The Department authorizes officers to use electronic control devices (ECD) as a less than lethal force alternative to reduce the risk of injury to the officers or another while in the performance of the officer's duties. The Department expects that officer's act consistent with the Use of Force Continuum. The circumstances dictating the use of an ECD should be similar to those when an officer believes the use of chemical agents is appropriate.

The purpose of this policy is to provide officer with guidance and direction on the use of electronic control devices.

***II. Definition:***

**Electronic Control Device (ECD):** Devices designed to disrupt a subject's central nervous system by means of deploying batter powered electrical energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses.

**Aphids:** Confetti-like pieces of paper that are expelled from the cartridge of the Taser when fired. Each aphid contains an alphanumeric identifier unique to the specific cartridge used

***III. Applicability:***

The policy is applicable to all commissioned officers in the EDGEWOOD Police Department.

<b>EDGEWOOD Police Department Policy</b>	<b>Number:</b>
<b>Subject: ELECTRONIC CONTROL DEVICES</b>	<b>Effective Date:</b>
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<b>Approved By:</b>	

***IV. Policy* STANDARDS AND PROCEDURES**

A. Only officers who have satisfactorily completed the Department's approved ECD training course shall be authorized to carry ECD's.

B. ECD's will be carried in an approved holster on the opposite side of the body from the officer's firearm.

C. ECD's shall be carried fully armed with the safety on in preparation for immediate use when authorized.

D. Officers authorized to use ECDs shall be issued a minimum of one spare cartridge as a back-up in case of cartridge failure, the need for deployment, or in case the first cartridge's leads break during engagement. The spare cartridge shall be stored and carried in a manner consistent with training. Cartridges shall be replaced consistent with the manufacturer's expiration requirements.

E. Only the agency approved battery power sources shall be used in the ECD.

<b>EDGEWOOD Police Department Policy</b>	<b>Number:</b>
<b>Subject: ELECTRONIC CONTROL DEVICES</b>	<b>Effective Date:</b> <b>02-01-2006</b>
<b>Reference:</b>	<b>Page NO. 3 of 5</b>
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**F. Deployment**

1. The ECD is similar to chemical agents on the Use of Force Continuum, and decisions to use an ECD involve the same basic justification. As such, the device is prohibited from being used:

- a. In a punitive or coercive manner.
- b. On a handcuffed/secured prisoner unless exigent circumstances exist and its use is reasonable.
- c. On any suspect who does not demonstrate their overt intention to use violence or force against another person, the officer, themselves, or to flee in order to resist/avoid detention or arrest.
- d. In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present, such as chemical agents with volatile propellant, gasoline, natural gas, or propane.
- e. In any environment where the subject's fall could reasonably result in death, such as in a swimming pool or on an elevated structure.

G. Consideration should be given when deploying the ECD on women that are visually pregnant and persons who are very young or very old, to reduce the likelihood of secondary injuries due to involuntary loss of motor responses.

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<b>Subject: ELECTRONIC CONTROL DEVICES</b>	<b>Effective Date:</b> <b>02-01-2006</b>
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H. In preparation for firing, the ECD shall be pointed in a safe direction taken off safe, and then aimed. Center mass of the subject's back should be the primary target when possible; center mass of the chest or the legs are the secondary targets.

I. Fixed sights should be used as the primary aiming device and the laser dots as the secondary aiming device.

J. Upon firing the ECD, the officer shall energize the subject the least number of times and no longer than necessary. The subject should be secured as soon as practical while disabled by ECD power to minimize the number of deployment cycles.

K. The ECD may be used in certain circumstance by direct contact with the body. This involves removing the cartridge and pressing the unit against an appropriate area of the body. It is important to note that when the device is used in this matter it is:

1. Primarily a pain compliance tool due to lack of probe spread,
2. Minimally effective when compared to conventional cartridge type deployment,
3. More likely to leave marks on the subject's skin, and
4. Subject to the same deployment (use) guidelines and restrictions set forth in section F of this policy.

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L. Aftercare

1. The ECD darts shall be removed from the subject after being restrained. Removal shall follow procedures consistent with Department training.

2. If darts are deployed from the ECD, officers should take photographs before and after the darts are removed.

3. Medical evaluations and clearance shall be consistent with Department training.

4. When the device has been deployed operationally, the officer will collect the cartridge, wire leads, darts, and aphids as evidence.

4. The deploying officer shall notify their supervisor as soon as practical after using the device, and complete the appropriate Use of Force Report.

M. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures



<b>EDGEWOOD Police Department Policy</b>	<b>Number:</b>
<b>Subject: Hollow Spike Belt and Stop Stick</b>	<b>Effective Date:</b>
<b>Reference:</b>	<b>PageNO. 1 of 1</b>
<b>Approved 1</b>	

***I. Purpose:***

It is the purpose of this policy to establish specific guidelines for the use of the Hollow Spike Belt and Stop Stick.

***II. Definition:***

Hollow Spike Belt and Stop Stick- are enforcement devices that quickly puncture and deflate tires of fleeing vehicles. They are designed to be laid across the roadway. When a vehicle passes over them the hollow spikes penetrate the tire and brake loose from the device of the Stop Stick housing unit. In this way the tires are deflated at a controlled rate, resulting in the safe and effective immobilization of the vehicle.

Fleeing Suspect/Vehicle - A vehicle driven by an individual whose obvious intent, based on driver actions, is to avoid apprehension by a law enforcement officer who is in lawful pursuit.

***III. Applicability:***

The policy is applicable to all commissioned officers in the EDGEWOOD Police Department.

***IV. Policy***

It is the policy of the EDGEWOOD Police Department to insure that the use of any force when dealing with fleeing vehicles is minimized to a level where the fleeing motorist, other motorists, and law enforcement officials are safeguarded against undue risk. To achieve that end, the proper use of the Hollow Spike Belt and Stop Stick will provide officers a readily accessible method of effectively and quickly immobilizing fleeing vehicles, without the dangers normally associated with an obstruction type roadblock.

<b>EDGEWOOD Police Department Policy</b>	<b>Page NO. 1of5</b>
<b>Subject: Hollow Spike Belt and Stop Stick</b>	<b>Number:</b>
<b>Reference:</b>	

**Summary of Police Procedure:**

The purpose of the Hollow Spike Belt and Stop Stick is to provide an effective method to immobilize a fleeing vehicle. The Hollow Spike Belt or Stop Stick may be used in any fleeing vehicle situation to prevent possible harm to the fleeing motorist, law enforcement officials and the general public. The established procedures will be followed as closely as practicable, depending upon the circumstances and the judgment of the officer.

**Procedure:**

Responsible Staff

Procedure Steps

**Primary Pursuit Officer**

*Supervisor*

*Officers Assigned*

1. Make reasonable attempts to obtain approval from a supervisor.
2. Determine and assign available officers to respond and support the operation.
3. Determine an intercept location that will allow sufficient time for the arrival of support officers, and the positioning of the Hollow Spike Belt or Stop Stick.
4. Coordinate transportation of Hollow Spike Belt to the intercept location (the stop Stick should be available in every unit).
5. Position the Hollow Spike Belt or Stop Stick in a location that allows a clear view of approaching traffic including physical barriers such as bridges or guardrails. Notify the pursuing officer of the location where the deflating device has been positioned.

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<b>Subject: Hollow Spike Belt and Stop Stick</b>	<b>Effective Date:</b>
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**Officers Assigned Cont.**

- a. If possible allow for a one-mile line of sight(in both directions), which should give adequate time to observe the suspect vehicle (a mile is traveled in approximately 36 seconds by a vehicle traveling 100 mph).
  - b. If physical barriers are present, position officer(s) and unit(s) at the roadblock location in accordance with the diagram on page S.
  - c. If physical barriers are not present, position two patrol units, one on each side of the roadway (not necessary with the Stop Stick, but preferable), to guide the suspect vehicle over the desired route. (See illustration on page 5)
  - d. Use an additional unit, when available, to take a position one mile down road in order to stop oncoming traffic and to serve as the apprehending unit.
  - e. In the event that only one officer is available to establish the roadblock and deploy the Hollow Spike Belt or Stop Stick, the pursuing officer will serve as the apprehending unit
  - f. Every effort should be made to avoid deploying the Hollow Spike Belt or Stop Stick in a manner that could damage the tires of a vehicle other than the fleeing suspects vehicle.
6. Position patrol vehicles alongside the roadway at a 45 degree angle facing away from the approaching suspect vehicle.

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**Assigned Officers Cont.**

**7. HOLLOW SPIKE BELT ONLY:**

- a. Prepare the Hollow Spike Belt for deployment off the roadway. This entails removing it from the case and stretching the device out in a readiness position at the side of the roadway. The spike angle should be aimed in the direction of the approaching suspect vehicle.
- b. A rope is provided to drag the Hollow Spike Belt across the roadway and into position (do not wrap the rope around any part of body when deploying the deflated device). Relying on observation and communication between the officers involved, rapidly deploy the device across the roadway, once it has been determined that there is little chance other vehicles will be affected by the operation.

**8. STOP STICK ONLY:**

- a. The 3-foot Stop Stick may be placed into the fabric sleeve, or the connected interlocking joints (9 foot total), when used to cover a lane of traffic. The pull cord should be used when possible. Do not wrap the cord around any part of the body when deploying the deflating device.
- b. A Stop Stick joint may be used individually when time does not permit an officer to join the Stop Sticks together. The officer may toss the Stop Stick in front of the path of the fleeing suspect vehicle.
- c. A Stop Stick joint may be placed in front of a parked suspect vehicle's tire to disable the vehicle in case it attempts to flee.

<b>EDGEWOOD Police Department Policy</b>	<b>Number:</b>
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**Assigned Officers Cont**

Hollow Spike Belts and Stop Sticks shall not be used on a motorcycle unless the elements of deadly force exists at the time of deployment.

10. The Hollow Spike Belt and Stop Stick may be used on any road surface but they are most effective on a paved surface.

**Primary Pursuit Officer**

11. Prepare to reduce speed or stop prior to reaching the deployment point in order to allow the assigned officer an opportunity to remove the Hollow Spike Belt or Stop Stick from the roadway.
12. Complete a Pursuit Recap Form if the Hollow Spike Belt or Stop Stick was deployed. (See OPR:08:00)

**Assigned Officer**

13. Remove the Hollow Spike Belt or Stop Stick once the subject vehicle has crossed.

**Apprehending Officer**

14. Immediately approach the disabled subject vehicle in a manner associated with a felony stop.

<b>Subject: Promotional Process for Sergeant</b>	<b>Effective Date:</b>
<b>Reference:</b>	<b>Page NO. 1 of 4</b>
<b>Approved By:</b>	

**I. Purpose:**

To establish procedures for the identification, selection, testing and appointment of officers to position of Sergeant with the Town of EDGEWOOD Police Department.

**II. Eligibility:**

Only police officers employed by the Town of EDGEWOOD Police Department, who meet the following requirements, are eligible to compete for the position of Sergeant.

- A. Officers must have a minimum of five (5) years service as a certified Police Officer at the time of examination (service time is not restricted to BPD). This requirement can be waived by the Chief of Police, and
- B. Must be certified law enforcement officer in the State of New Mexico, per New Mexico Statutes, annotated 1978, and
- C. Must have an overall satisfactory work record, based on Town of EDGEWOOD Police Department Personnel Performance Evaluations, and
- D. Must not be under investigation for violation of Department Rules and Regulations; must not have any type of disciplinary action pending against the officer.

**III. Evaluation Phase - Weigh 50%**

- A. Each officer competing for promotion will be evaluated by the Chief of Police and supervisor(s) to determine their fitness, performance, attitude, experience, and knowledge for the position of Sergeant with this Department.
- B. Each competitor will be ranked according to the evaluation phase and provide the results prior to the testing phase.

<b>EDGEWOOD Police Department Policy</b>	<b>Number:</b>
Subject: Promotional Process for Sergeant	Effective Date:
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**IV. Testing Phase - Weight 25%**

- A. Each candidate who competes in the promotion process will be required to complete a written test, covering the following areas
1. Criminal Law
  2. Traffic Law
  3. Department Rules and Regulation
  4. Patrol Operations
  5. Completion and Review of Written Reports and Forms
  6. Radio Communication
  7. Department Policy Manual
  8. Other areas directly relating to the position of Field Supervision within this Department.
- B. The written test will consist of multiple choice, true/false and completion type questions. All materials in the test should be in the officer's possession and if not, a memorandum stating what materials the officer is lacking should be forwarded to the Chief of Police.
- C. The test will be graded and all officers given their results prior to the next phase.

**V. Oral Interview Phase - Weight 25%**

- A. Each competitor will be required to sit before an oral board interview committee to be evaluated in the following areas.
1. Leadership Potential
  2. Professional Goals
  3. Knowledge of Job
  4. Character

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- B. The committee will consist of one (1) civilian, and three (3) high-ranking police officers. No Department personnel will participate in the oral interview board, although this Department will provide the selection criteria to the committee.
- C. The committee will rate each officer on a scale of: 1-lowest rating, to 10-highest rating for each above described area.
- D. The evaluation results will be turned over to the Chief of Police for final tabulation.
- E. Further information will be given to each candidate prior to this phase.

**VI Selection:**

- A. The Chief of Police will compile the results of all three phases of the promotional process and publish the results in a personnel order; and, the position of the candidates in a ranking format.
- B. The personnel order will be posted and will be in effect for one year from the date of publication.
- C. The top three candidates on the promotional list will be considered for promotion when vacancies for the position exist.
- D. When a candidate's name is selected for promotion, the name will be forwarded through appropriate channels to the Town Council for final approval.

**VII. Waiver Request:**

- A. Officers desiring to have their time of service waived to compete in the promotional process, and meeting all other eligibility requirements, will forward a letter of intent through channels to the Chief of Police.



<b>EDGEWOOD Police Department Policy</b>	<b>Number:</b>
Subject: Promotional Process for Sergeant	<b>Effective Date:</b>
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Approved By:	

B. All officers desiring to compete in the promotional process are required to notify the Chief of Police by means of the Letter of Intent.

C. Officers will be advised of the deadline for their Letter of Intent prior to each promotional process.

**VIII. Promotional Process Criteria:**

A. A promotional process is subject to review and revision on an annual basis. Input from those competing is welcome but should be submitted only after completion of all phases of the current process.

**EDGEWOOD POLICE  
DEPARTMENT  
POLICIES & PROCEDURES**

Effective Date:	Title: <b>DWI Enforcement      ^ Check Points"</b>	GENERAL ORDER
Review Date:	Approved:  _____	

*NOTE: This rule or regulation is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department and then only in a non-judicial administrative setting.*

**INDEX WORDS**

- Advance notice to Public, DWI Enforcement Checkpoints
- Betancourt rule
- Discretion, DWI Enforcement Checkpoints
- Documentation, DWI Enforcement Checkpoints
- DWI Enforcement Checkpoint
- Operational Plan, DWI Enforcement Checkpoints
- Safety Conditions, DWI Enforcement Checkpoints

**I. PURPOSE:**

It is the purpose of this policy to provide officers with guidelines for DWI enforcement checkpoints to insure consistency and compliance with the City of Las Cruces vs. Elizabeth Bentancourt (Court of Appeals of New Mexico 735P.2d 1161, 105 N.M. 655, filing date March 5, 1987).

**II. POLICY:**

DWI enforcement checkpoints may be established for the purpose of detecting persons operating motor vehicles while under the influence of intoxicating liquor or drugs. DWI enforcement checkpoints shall only be established when authorized by Chief of Police, or his designee. Authorization will only be granted after an operational plan is submitted which meets all of the requirements set for in this policy.

**III. PROCEDURES**

**A. Advance Notice to the Public:**

1. Advance notice of the DWI checkpoint shall be given to the newspaper and/or other media with the intention to notify the public. The advance notice should serve as a deterrent to DWI and help reduce the fear, surprise, and anxiety experienced by the public at the checkpoint.
2. The exact location, time and duration of the checkpoint are not required in the advanced notice.

**B. Location:**

1. Roadway conditions such as width, grade, composition, curves, and view obstructions shall be considered when selecting a checkpoint location to insure safety for assigned officers and motorists.
2. Officers shall also consider the following criteria for the purposed area when selecting a checkpoint site:
  - a. The number of fatal crashes;
  - b. The number of D WI arrests;
  - c. The number of alcohol and related crashes; and
  - d. The number of drinking establishments.
3. Officers shall not select a location with the specific intent of targeting a particular ethnic group.

**C. Time and Duration:**

1. The checkpoint plan shall include starting and ending times, which may be altered only by the checkpoint supervisor for safety reasons.
2. The time of the checkpoints shall be based on the following:
  - a. The closing hours of local drinking establishments;
  - b. Peak hours of DWI offenders; or
  - c. Hours that would not cause unreasonable delay to motorists.

**D. Safety Conditions:**

1. Warning devices such as flares, traffic pylons, signs and barriers shall be placed proceeding the checkpoint to afford motorists sufficient time and distance to slow down and stop. A sign signifying that a checkpoint is ahead shall be displayed before the checkpoint stop area.
2. Officers shall be in uniform and wear a traffic vest.
3. Officers shall carry a flashlight during night-time checkpoints.
4. Marked police vehicles shall be present at the checkpoint
5. The checkpoint area shall be appropriately illuminated.
6. The checkpoint area shall have an adequate shoulder or other area to stop vehicles and perform field sobriety testing.
7. Sufficient officers shall be assigned to safely handle the traffic volume. In case of excessive traffic delays, the checkpoint supervisor shall authorize the "waving through" of all vehicles necessary to clear the back-up and resume checkpoint operations.

**E. Length of Detention:**

1. Initially, motorists should be detained long enough for an officer to inform them of the purpose of the stop, identify signs of intoxication, and/or obtain appropriate

documents.

2. Officers shall not unreasonable detain motorists.

3. Officer who experience uncooperative drivers at the checkpoint should order them to the interview area to avoid any unnecessary delay to other motorists.
4. The supervisor in charge of the checkpoint shall be responsible for insuring a sufficient number of officers are assigned to the checkpoint to minimize the length of detention.

F. Discretion:

1. Officers shall be limited in the amount of discretion they can exercise. The supervisor in charge  
of the checkpoint shall brief assigned officers on:
  - a. Checkpoint operations and procedures;
  - b. The pattern in which vehicles shall be stopped to avoid randomness;
  - c. Examples of statements to be made to detained motorists; and
  - d. Initial and secondary enforcement action.

G. Documentation:

- I. The checkpoint supervisor shall be responsible for documenting and reporting the following:
  - a. The average length time a motorist is delayed when required to stop at the checkpoint.
  - b. The average length of time a motorist is detained for field sobriety testing.
  - c. The percentage of motorists requested to perform field sobriety tests and the percentage arrested.
  - d. The number of vehicles stopped at the checkpoint
  - e. The number of vehicles traveling through the  
checkpoint.

H. Deviation from Procedures:

Any deviation from this general order indicating procedures to be followed may be subject to disciplinary action.

**This general order is to be used in conjunction with department policies and procedures, rules and regulations, general orders, directives and the Town of EDGEWOOD Police Department Personnel Policies and Procedures.**

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NUMBER: 101-10	POLICY NO.	SUPERSEDES	EFFECTIVE DATE February 7, 2009	PAGE NO. 10F6
SUBJECT: Search and Seizure		APPROVED BY: Town Council		
CALEA STANDARDS: 1.2.3,1.2.4				

PURPOSE:

To provide general guidelines and procedures for agency law enforcement personnel to follow in conducting searches that have not been reviewed and authorized by judicial personnel.

POLICY:

It is the policy of the EDGEWOOD Police Department to have procedures which govern search and seizure without a warrant by agency personnel.

PROCEDURE

The general rule of the Fourth Amendment is that law enforcement must obtain a warrant from a magistrate before conducting a search and seizure. When circumstances allow, it is preferable to conduct searches with a warrant. However, the scope of the Fourth Amendment is limited and does not apply in all circumstances. Exceptions to the warrant requirement include the following:

## Stop and Frisk:

A stop and frisk is a brief investigatory stop in which an officer confronts a suspicious person to ask questions and to conduct a pat down of the individual for weapons. The stop must be based on a reasonable, articulable, and particularized suspicion that the individual has committed, is committing, or is about to commit a crime, and there must also be reasonable suspicion at the time the frisk commences that the person to be frisked is armed with a dangerous weapon.

<b>SUBJECT: SEARCH AND SEIZURE</b>	<b>PAGE: 2 of 6</b>
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If the pat down reveals the presence of what the officer believes to be a weapon, the officer then has the right to remove the object from the individual's clothing to determine what the object is. If the object is in fact a weapon, or if the object turns out to be contraband, then the officer may seize the item as evidence.

If a pat down for weapons reveals an object that by feel is immediately recognizable as contraband, the item may also be seized as evidence.

A stop and frisk may also apply to the inside of a vehicle during a traffic stop. When officers are confronted with a potentially dangerous situation during a vehicle stop, they may search the passenger area and its unlocked containers for weapons if this search limited to those areas in which a weapon could be placed or hidden, and if the officers reasonably believe that the occupants of the vehicle are dangerous and may gain immediate control of weapons.

#### Search Incident To Arrest:

When an individual is placed under arrest, the areas immediately accessible to this individual may be searched without a warrant as long as the search occurs at the same time as the arrest. The sole purposes of a search incident to arrest are to prevent the officers from being assaulted with weapons and to prevent the suspect from destroying contraband or evidence of a crime.

The scope of a search incident to the arrest of an occupant of a vehicle extends to the passenger area and unlocked containers found inside the vehicle. The trunk on a vehicle cannot be opened under this exception, unless it can be demonstrated that this location is readily accessible to the defendant at the time of arrest.

When an individual is placed under arrest inside a residence or other building, officers may make a protective sweep of all areas immediately adjoining the site of the arrest. For areas inside the residence or building not immediately adjoining the site of the arrest, officers must have reasonable suspicion that there is an individual on the premises who may do harm to the officers in order to conduct a warrant-less search in the form of a protective sweep.

<b>SUBJECT: SEARCH AND SEIZURE</b>	<b>PAGE: 3 of 6</b>
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**Plain View:**

Under the plain view exception to the warrant requirement, an item may be seized as evidence if at the time of the item is discovered the item is in plain view, the officers has a legal right to be in the location where the item is observed from, and the officer has probable cause to believe the item is contraband or evidence of a crime.

The fact that the item is contraband or evidence of a crime must be immediately apparent to the officer prior to the seizure of the item. For example, officers should not move or manipulate an item marker unless it is immediately apparent that the item is contraband or evidence of a crime. If the serial number of an item is in plain view, then that serial number can be used to determine if the item is evidence of a crime.

When contraband or evidence of a crime is located under the plain view doctrine, officers should give consideration to obtaining a search warrant for additional, related contraband that may be concealed within the location where the contraband was found.

**Motor Vehicle Searches Under Movable Vehicle Exception:**

In order to search a motor vehicle without a search warrant, there must be probable cause to believe a crime has been or is being committed, and particular evidence of that crime exists in the vehicle. The vehicle must also be movable and in a public or semipublic place, and there must be a likelihood that the vehicle will be unavailable by the time a warrant is acquired due to exigent circumstances.

If these requirements are met, then a warrant-less search of the vehicle may be conducted, including all compartments, packages, containers, and areas of the vehicle where evidence being searched for could be concealed.