

**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. Trousers 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, 1/2 inch by 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>  03-03	<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>  03-05	<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>  <b>03-06</b>	<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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AND PROCEDURE

<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.

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<b>Subject: ELECTRONIC CONTROL DEVICES</b>	<b>Effective Date:</b>
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**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.



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Subject: Promotional Process for Sergeant	<b>Effective Date:</b>
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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.

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Due to recent case law in New Mexico regarding motor vehicle searches, officers encountering a vehicle under these circumstances should consider stopping and detaining the vehicle while a search warrant is obtained.

### Inventory Searches Of Seized Vehicles Or Other Property:

In all instances where a seized vehicle is legally towed by the police department, an inventory search of the vehicle will be conducted. This inventory search will consist of documentation of all personal property contained inside the vehicle, including property inside closed compartments or locked containers within the vehicle.

The purpose of the inventory search is to protect the owner's property; to protect the police department against claims of lost, stolen, or vandalized property; and to guard the police from potential danger.

### Hot Pursuit:

If probable cause exists to believe that a person being pursued committed a crime and is inside a building, officers may enter that building without a warrant to find the suspect. This exception applies to all buildings, including private residences.

### Warrant Arrest of Person Inside A Residence:

In serving an arrest warrant on a person inside their own residence, a search warrant is not required to enter the residence in order to affect the arrest. However, if an officer has probable cause to believe a person for whom the officer has an arrest warrant is inside another person's residence, a search warrant for that residence must be obtained. Other exceptions to the warrant requirement, including consent and hot pursuit, can negate the requirement to obtain a search warrant.

### Evanescent Evidence:

Evanescent evidence is criminal evidence that will change or evaporate in a manner that will destroy its evidentiary value, and as a result, may be seized without a warrant due to exigent circumstances.

<b>SUBJECT: SEARCH AND SEIZURE</b>	<b>PAGE: 5 of 6</b>
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The evanescent exception is most commonly applied in DWI cases in which blood samples are taken without a search warrant; however, this exception has also been applied to other situations, including seizing a defendant's pager after the pager was activated repeatedly during the booking process. Since probable cause existed and the evidence was likely to be erased by the defendant, a search and seizure of the page did not require a search warrant.

**Exigent Circumstances, Involving Public Safety:**

A search can be conducted without a warrant when an officer has probable cause that a crime has been committed and an emergency exists that requires the officer to act immediately. This applies to the search and seizure of both persons and places, including inside private residences.

**Consent Searches:**

In order for a warrant-less search by consent to be valid, the person granting the consent must have authority and capacity to give consent. In determining whether a person has the authority to give consent, officers must reasonably believe that the consenting party has joint access to, and mutual use of, the property to be searched before the officers can act on the person's consent.

In determining whether a person has the capacity to give consent, officers should take into consideration to age and mental capacity of the person giving consent prior to acting on the person's consent.

The consent must also be knowing and voluntary, and not the result of threats, coercion, or promises of benefit to the person giving consent.

A person consenting to a search may explicitly limit consent to a certain area. When the limits of the consent are clearly given, either at the time of the search or afterwards, officers must comply with those limits. When the basis for a warrant-less search is consent, consent may be withdrawn at any time prior to completion of the search.

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**At the Scene Of A Crime:**

Warrant-less crime scene searches may be conducted when the circumstances meet one of the preceding exceptions to the warrant requirement. However, New Mexico law does not contain an exception to the warrant requirement specifically for crime scene searches; therefore, in cases where none of the previously listed exceptions apply, a search warrant should be obtained prior to processing the crime scene.

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NUMBER: 241-02	POLICY NO.	SUPERSEDES	EFFECTIVE DATE February 7, 2009	PAGE NO. 10F12
SUBJECT: Patrol Operations			APPROVED BY: Town Council	
CALEA STANDARDS: 41.1.2,41.2.3,41.2.4,41.2.5,41.3.4,42.1.4, 55.2.7, 81.2.5				

PURPOSE:

To establish guidelines concerning the operational practices of the Patrol Division.

POLICY:

It is the policy of the EDGEWOOD Police Department to establish standards of practice for Patrol Division operations to ensure efficient and effective services to the community.

PROCEDURE:

Objectives:

The following guidelines are designed to furnish patrol personnel with standards of operational practice with the intent of improving productivity and ensuring officer safety. Patrol personnel will adhere to these guidelines during normal operational conditions unless otherwise instructed by specific policy elements or by a supervisor.

Investigations - Preliminary:

Patrol officers are responsible for conducting the preliminary investigation for the majority of incidents or calls for service requiring law enforcement service or attention. In such cases the patrol officer assigned is responsible for the following functions:



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1. Establish control of the crime scene;
2. Provide aid to the injured and obtain additional medical attention of necessary;
3. Assess the assistance required and request additional officers, supervisors, Detectives, Medical Investigators, or other support personnel as needed.
4. Determine if a crime has been committed and if it was committed within the Department's jurisdiction;
5. Locate and identify victims and potential witnesses;
6. Determine the identity of the suspect and effect the arrest of the criminal whenever possible;
7. Furnish other field units with descriptions, method of operation and direction of flight when possible.
8. Conduct initial interviews and interrogation;
9. Process the scene and collect evidence;
10. Completely and accurately report collected information on the appropriate report forms.

In the case of an unusually serious or complex situation immediate notification of a shift supervisor and response of other department personnel may be required. In such cases, the officer will notify the dispatch center who will contact the shift supervisor and the other department or call out the appropriate on-call other department personnel. Cases that would warrant notification and response of other department personnel would include, but not be limited to:

1. Homicide or any violent, unexplained or unattended death other than traffic accidents.
2. Criminal sexual penetration/contact of a minor;
3. Kidnapping

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4. Any violent felony involving serious injury or which may result in death;
5. Arson;
6. Police-involved shootings.
7. Any crime involving extensive or complex crime scene processing;
8. Any incident where the investigation may require the presence of other department personnel in plain clothes during the initial investigation;
9. Any incident where the shift supervisor determines that other department personnel should become immediately involved.

The assigned patrol officer is responsible for preliminary crime scene functions and to assist other department and other support personnel as requested, unless relieved of those duties by a supervisor or the responding Detective Division personnel.

Investigations - Follow-Up:

Patrol officers are responsible for conducting the follow-up investigation for the majority of incidents or calls for service. The following conditions will serve as guidelines when a case should be referred to the other department for follow-up.

1. The case cannot be concluded during the shift.
2. The investigation requires prolonged contact with an outside agency;
3. The crime appears to be one in a pattern or involves an on-going other department investigation;
4. The duration or location of the investigation extensively interferes with officers primary patrol duties;
5. Instructed by the Shift Supervisor.

Shift supervisors may waive the above mentioned guidelines and allow patrol officers to conduct extensive follow-up investigations if manpower resources and the assigned officer's knowledge and experience permit.

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**Field Interviews:**

The field interview is a valuable operational tool that provides officers with basic information identifying persons during investigative contacts and essential in preventing crime and apprehending criminal offenders. Documenting these contacts in cases where no report is written will be accomplished using the Field Interview form.

Field interviews may be conducted whenever an officer stops a person for questioning where the officer has reasonable suspicion that the person may be involved in criminal activity relating to a crime that has been committed, is being committed, or is about to be committed.

Officers will take reasonable measures to protect themselves or others from danger by means of a thorough frisk or pat down of the person stopped to discover weapons.

Field interviews may be conducted in any public place. The interview should be initiated in the vicinity where the stop of the person is made.

Officers may detain the person stopped for a brief, reasonable period of time. Reasonable is determined by the totality of circumstances. Officers should consider the reason for the stop, what amount of time is reasonable to accomplish the stop and the investigation, and what they must do to quickly confirm or dispel their suspicions.

**Use of Informants:**

Patrol officers utilizing the assistance of confidential informants will do so in compliance with the EDGEWOOD Police Department Use of Confidential Informants Policy.

**Information Items:**

Information items are those police hazards, which are defined as any situation, person, property, or place that may induce an incident calling for some law enforcement action. Potential or actual information items may be permanent or temporary and may vary hourly, daily or seasonally.

Any time any Department employee becomes aware of information relating to any type of hazard or activity that could adversely affect officers or the public, the employee documents such information items by means of the following forms of documentation.

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1. Attempt to Locate and Information Item form;
2. Shift Information Sheet form;
3. Officers Request of Close Patrol form;
4. Inter-Office Memorandum;
5. Copies of teletypes, letters from other agencies or organizations, or other similar documents.

These documents are affixed to the Briefing Board. The information is disseminated by the shift supervisor at Patrol Briefing. Information is disseminated to on-duty shift personnel by the dispatcher broadcasting the information over the police radio.

Required Presence of a Patrol Shift Supervisor:

It is the duty of the shift supervisor to provide the necessary command presence to facilitate the proper completion of selected criminal investigations. This shift supervisor normally responds to the following incidents:

1. Most major in-progress calls involving the threat of physical violence, injury, trauma, use of a deadly weapon, violent or unexpected deaths;
2. All violent felonies;
3. Any incident or crime involving critical injury;
4. Unattended deaths, other than Hospice cases;
5. Traffic or industrial accidents that result in serious injury or death, or involve a vehicle or equipment owned by the Town of EDGEWOOD.
6. Incidents involving barricaded persons or the taking of hostages.
7. Any incident involving the execution of a search warrant;
8. Any incident involving the discharge of a firearm by an officer;

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9. Any incident involving injury to an officer.
10. Any major incident or incident of Domestic Violence involving off duty Department employees;
11. Any incident that supervisor deems their presence may be required due to the expertise of the officer assigned, type of incident or crime described, or at the request of the assigned officer.

The shift supervisor evaluates each incident to determine the length of time they will spend on the scene and if they will take command of the incident.

The shift supervisor evaluates the actions of the officer assigned to the incident and advise, counsel, or relieve them if the actions of the officer are deemed inappropriate or if they are failing in their obligation to properly conduct the investigation or handle the incident satisfactorily.

The officer assigned to the incident is responsible for completion of the assignment until such time that the shift supervisor relieves them, assumes command, or re-assigns another officer.

#### Radio Communications - Portable Radios

All Patrol shift personnel are issued a portable radio and are required to carry it during their tour of duty. Any time an officer leaves the police vehicle they turn on the portable radio and monitor the appropriate channel, unless otherwise instructed such as the case of a bomb threat or officer safety issue. Spare portable radios are available in the patrol equipment locker if the issued portable radio is out of service.

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To enhance operational efficiency and officer safety it is required that officers communicate with the dispatch during the following situations:

1. Acknowledging a dispatch or assignment;
2. Arriving at an incident or assignment scene;
3. Advising on the status of an incident or assignment upon completion;

In addition, officers are required to communicate with the dispatcher under the following circumstances, giving the corresponding information:

1. Prior to conducting a traffic stop, field interview or citizen contact, indicating the location and as detailed of a description of the vehicle or person as possible;
2. Leaving or re-entering the police vehicle, indicating the new location and reason for leaving;
3. Changing previously reported location, indicating the new location.

**Radio Communications - Multiple Officer Response:**

To enhance operational efficiency and officer safety, some calls for service require an initial response of at least two officers.

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These would include any call for service that is life threatening, property threatening or in-progress. Calls for service that meet this criteria include but are not limited to the following:

1. Alarms;
2. Armed robberies;
3. Bank robberies;
4. Disturbance or fights;
5. Bomb threats;
6. Burglary in progress or prowlers;
7. Homicide, suicide or dead bodies;
8. Explosions;
9. Injured subjects;
10. Armed subjects;
11. Rapes;
12. Shots fired;
13. Accident with injuries;
14. Domestic disturbances;
15. Any call that contains circumstance that pose a threat or obvious risk to officer safety;
  
16. Any call involving a potential arrest for a felony or violent misdemeanor, resisting arrest or a fleeing suspect. In situations involving inter-agency communications, officers are required to use clear speech when communicating with agencies.

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This would apply if transmissions are being made on any EDGEWOOD Police Department channels or any other agencies' channels.

**Emergency Notifications:**

Notifications of an emergency nature to persons residing within EDGEWOOD Police Department jurisdiction are accomplished in a prompt, professional and courteous manner using extreme tact and a direct approach. Every effort should be made to ensure the appropriate person is notified, that the information is accurate and that the notification is made in the proper setting or environment. Any possible assistance should be offered.

Emergency notifications that originate outside of EDGEWOOD Police Department jurisdiction are made if the request comes from a law enforcement agency by means of a Teletype message. The request should include specific information facilitating the delivering of the message and callback information.

Notifications of next-of-kin of deceased, seriously injured or seriously ill persons are made in person by the shift supervisor whenever possible. The shift supervisor making the notification should include specific information facilitating the delivery of the message and callback information.

Whenever possible, the clergy, a relative or a close friend should be contacted to ensure that the person notified is not left alone.

The person being notified should not be left alone unless it is determined that they have gained adequate composure and there are no unusual reactions.

**Notifications of Other Agencies:**

Certain emergency or critical situations may require the notification of another agency or organization. In such cases it is essential that notification of the appropriate entity be promptly carried out. The following procedures will serve as guidelines for notification under specific circumstances:

1. **Medical Investigator** - The Medical Investigator is contacted in the case of any violent, unexpected, unexplained or unattended death. The Department employee in charge of the scene notifies dispatch who contacts the on call Medical Investigator;



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2. Street Department/Electric Utilities - The Town of EDGEWOOD Street Department is contacted in the event of any condition that would require emergency repairs to town streets, removal of debris from town streets, placement of barricades or whenever it begins to snow after normal working hours.

Central New Mexico Electricity is notified in the event of any emergency situation involving electric utility power, including a down or damaged utility pole or a power outage or in the case of any down utility lines.

The officer assigned or the shift supervisor notifies the emergency dispatcher, who notifies the appropriate utility during normal working hours.

3. Public Utilities - Public utility agencies are contacted in the event of any emergency situation involving the respective utilities, such as telephone, cable television, natural gas or water and sewer. The officer assigned or the shift supervisor notifies the appropriate agency;
4. News Media - The news media is contacted in compliance with the Public Information Policy.

The shift supervisor is responsible for determining when the news media should be notified.

Information to be released includes the type of hazard or condition, the location and any instructions or directions the public is recommended to follow.

**Patrol Vehicles - Officer's Responsibilities:**

Officers are fully responsible for the care and maintenance of their assigned vehicles in compliance with the Vehicle Fleet System policy. In addition, all officers inspect their

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Assigned vehicle prior to going in service at the beginning of each tour of duty, and are responsible for the following:

1. Ensuring that all the emergency equipment is available and operational;
2. Condition of all vehicle equipment and accessories such as horn, lights, windshield wiper, gauges, and heating/air conditioning system;
3. Reporting any new or previously unreported damage;
4. Checking the interior, including under the seats, for contraband or weapons.

Ignition keys are removed from all patrol vehicles and the vehicle locked whenever it is left unattended and the officer is not within the immediate proximity. The officer is responsible for ensuring the security of the vehicle when going out of service at the end of shift by turning off the radio transceiver and removing the shotgun from the rack, if so equipped.

It is the responsibility of the shift supervisor to conduct inspections of all Patrol vehicles assigned to their shift to ensure all the above-mentioned conditions are adhered to.

**Patrol Vehicles - Seat Belt Usage:**

In compliance with New Mexico State Statutes and the Town of EDGEWOOD Safety Policy, seat belts are worn by drivers and passengers of all Patrol vehicles at all times the vehicle is in motion. Officers are exempt only in cases of emergency where such use would endanger officer safety.

**Missing Persons:**

Patrol personnel who respond to a missing person call will:

1. Obtain an initial description and information in order to broadcast over the radio an "attempt to locate" information broadcast;
2. Enter the information into the appropriate criminal justice information system, such as N.D.I.C. for adult or juvenile, contact interacting agencies to exchange information or to request assistance;

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3. Contact the on duty supervisor to discuss if a search is needed. The supervisor will determine the scope and duration of any search and will obtain needed assistance.
4. Conduct a follow-up interview with the reporting party to determine the status of the person, if the person is found the officer will see that the person is taken out of any criminal justice information system that the person was previously entered into.

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- A. Violent Felony - For the purposes of this policy: Homicide, criminal sexual penetration, armed robbery, kidnapping/false imprisonment, felony aggravated battery inflicting great bodily harm, and aggravated assault with a firearm or motor vehicle.
- B. Clear and Immediate Serious Threat - For the purpose of this policy: A threat which is present prior to the pursuit and which presents a willful disregard by the occupants of the vehicle of the rights and safety of others which reasonably places the public in imminent danger of great bodily harm or death.

Guidelines and Considerations:

Pursuit must be considered as a potentially dangerous act, for the officer, the suspect and the general public. When a police officer initiates pursuit of a fleeing vehicle, he may have a tendency to consider only themselves and the occupants of the fleeing vehicle. This is not adequate.

It must be remembered that other citizens using public highways do not expect their travel to be interrupted by a high-speed chase and may become involved in an accident due to over-reaction. Also, children playing on the side of a street are likely to be drawn toward a police vehicle with the emergency lights and siren activated.

In order to diminish the likelihood of a pursuit, officers intending to stop a vehicle should, whenever possible, be within close proximity to the violator's vehicle before activating the police vehicle's emergency lights to initiate a traffic stop. This practice is intended to reduce the violator's temptation to elude police contact.

EDGEWOOD POLICE DEPARTMENT POLICY  
AND PROCEDURE

NUMBER: 241-03	POLICY NO.	SUPERSEDES	EFFECTIVE DATE	PAGE NO. 1OF10
SUBJECT: Motor Vehicle Pursuit Policy			APPROVED BY: Town Council	
CALEA STANDARDS: 41.2.2,				

PURPOSE:

To establish written guidelines governing the pursuit of motor vehicles.

POLICY:

It is the policy of the EDGEWOOD Police Department to initiate a pursuit only when an officer has reasonable grounds to believe the offender presents a clear and immediate serious threat to the safety of other motorists or the public, which is ongoing and prior to the pursuit beginning, or the offender has committed or is going to commit a crime.

**SUBJECT: MOTOR VEHICLE PURSUIT POLICY**

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**Initiating Officer's Responsibilities:**

The responsibility for the decision to initiate a pursuit rests with the initiating officer, who operates under strict compliance with this policy and Section 66- 7-6 of the New Mexico State Statutes, which grants exemptions from certain traffic laws to operators of authorized emergency vehicles.

The primary concern in pursuit situations is the protection and safety of all citizens and officers. Death or permanent injury to police officers or citizens can result without warning. The seriousness of the possible outcome of a pursuit demands the police officer to weigh many factors when deciding whether or not to initiate pursuit. This decision is based on known circumstances and includes, but is not limited to, the following:

1. The initiating officer has probable cause to believe a violent felony has been or is being committed.
2. The initiating officer has reasonable grounds to believe that the suspect presents a clear and immediate serious threat to the safety of others;
3. The necessity of immediate apprehension outweighs the level of inherent danger created by the pursuit.
4. There is a possibility of apprehension;
5. The geographic location, time of day, and present population density, taking into consideration school zones, residential streets, congested business districts, etc. is appropriate to the activity;
6. Traffic and road conditions are conducive;
7. Weather conditions are conducive;
8. Condition of the police vehicle is appropriate;
9. At no time will unmarked vehicles be used in a pursuit.

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**Pursuit Initiation Procedures:**

The initiating officer, once it is apparent the operator of the vehicle is attempting to resist apprehension, immediately activates the police vehicle's emergency lights and siren, and continuously uses both throughout the pursuit.

The officer notifies the Communications Center as soon as reasonably possible that a pursuit is underway and provides the following information:

1. The officer, identified by call number, is in pursuit;
2. The location, direction of travel, and the speed of the vehicle being pursued;
3. The description of the vehicle being pursued, including the license plate number, if known;
4. The specific reason of the pursuit, including the type of violation which initiated the pursuit;
5. The number of occupants of the vehicle being pursued, if known.

The initiating officer must then receive authorization from a field supervisor in order to continue the pursuit. If authorization is not given within a reasonable amount of time, the initiating officer must terminate the pursuit. Reasonableness is based on the seriousness of the reason for the pursuit.

**Field Supervisor's Responsibilities:**

Upon being notified of a pursuit, the field supervisor verifies the following information with the Communications Center:

1. Identification numbers of all police vehicles involved in the pursuit;
2. Location and direction of travel;
3. The reason the pursuit was initiated.

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**SUBJECT: MOTOR VEHICLE PURSUIT POLICY**

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The field supervisor makes the decision to continue or terminate the pursuit and relays that information to the initiating officer. The field supervisor must give authorization for the pursuit to continue.

The field supervisor continuously monitors and, when appropriate, directs the pursuit, determining the merits of the pursuit based on the information available. They have the ultimate responsibility and authority for the decision to continue or terminate the pursuit.

This does not relieve the officer (s) involved in the pursuit from exercising good judgment based on existing conditions and Department Policy and Procedure to make the decision to terminate the pursuit.

- The Communications Center continuously updates the field supervisor and other field units of the direction and progress of the pursuit by repeating all relevant information received from the pursuit vehicles over the primary radio channel.

**Pursuit Operation Procedures:**

The initiating pursuit vehicle is responsible for the conduct of the pursuit, unless such vehicle is unable to remain close enough to the pursued vehicle to prevent losing visual contact, or becomes disabled. When a secondary pursuit vehicle replaces the initial pursuit vehicle, that vehicle becomes the primary pursuit vehicle and is responsible for the pursuit and continues in the capacity to until the primary pursuit vehicle retain operational responsibility for the pursuit unless relieved by a field supervisor.

The authority of the primary pursuit vehicle is at all time subordinate to the command of the field supervisor.

The primary pursuit vehicle provides updated information to Communication Center concerning the direction of travel, speed and pursued vehicle's actions as such information becomes available.

The primary vehicle may request the secondary vehicle to provide all communications with the Communications Center, in order to safely operate the police vehicle. If the primary pursuit vehicle is a two-man unit, the passenger operates the radio, whenever possible.



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An officer will not forcibly stop or attempt to forcibly stop a pursued vehicle unless authorized to do so by the supervisor directing the pursuit.

The officer continuously evaluates the nature of the pursuit in light of the dangers and makes a decision, whenever necessary, to terminate the pursuit.

**Secondary Pursuit Vehicle Responsibilities:**

No officer enters a pursuit without first activating the police vehicle's emergency lights and siren and notifying the Communications Center of their involvement.

No officers enters a pursuit in which two police vehicles are already involved unless otherwise authorized by a field supervisor.

The secondary pursuit vehicle maintains a safe distance behind the primary pursuit vehicle, but remains close enough to render back-up assistance and retain visual contact. They must avoid intersecting the path of an on-coming pursued vehicle.

If the secondary pursuit vehicle assumes the primary vehicle position they immediately notify the Communications Center.

**Vehicles Qualified To Enter a Pursuit:**

Only police vehicles equipped with emergency lights and siren are to enter a pursuit. Police vehicles not so equipped should attempt to maintain visual contact with any fleeing vehicle without using excessive speed, and provide all relevant information to the Communications Center.

**POLICE OFFICERS SHOULD NOT ENTER A PURSUIT WITH NON-SWORN PERSONNEL IN THE POLICE VEHICLE.**

**Communications Center Responsibilities:**

Immediately upon being advised of the initiation of a pursuit, the dispatcher operating the primary channel signifies a 10-33 (emergency radio traffic only) on the primary radio channel to notify all field units.

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The Communications Center, as soon as reasonably possible, notifies the field supervisor of the pursuit.

The dispatcher operating the primary radio channel monitors all radio communications pertaining to the pursuit and enters all relevant information into the Computer Aided Dispatch System.

The Communications Center performs relevant record and motor vehicle checks on the pursued vehicle, as the information necessary to perform such checks becomes available.

Should the pursuit leave the EDGEWOOD Police Department jurisdiction, the Communications Center follows the Multi-jurisdiction Motor Vehicle Pursuit Policy relating to Communications Center Responsibilities.

Should a pursuit from another jurisdiction enter the EDGEWOOD Police Department jurisdiction the Communications Center immediately notifies all field units and the field supervisor, providing all available information pertaining to the pursuit. The closest available district or traffic vehicle is dispatched to assist.

**Pursuits Leaving EDGEWOOD Police Department Jurisdiction:**

Should a vehicle from the affected jurisdiction actively enter the pursuit, the EDGEWOOD Police Department vehicles relinquish the primary pursuit vehicle position to that agency's vehicle, whenever safely possible. Participation in the pursuit by EDGEWOOD Police Department vehicles is terminated by the officer under any of the following circumstances, unless otherwise directed by the field supervisor:

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1. A secondary pursuit vehicle from the affected agency enters the pursuit, unless the circumstances of the pursuit make such termination hazardous to officer safety. The primary EDGEWOOD Police Department vehicle proceeds in a safe manner to the scene of the termination of the pursuit;
2. Radio contact with the Communication Center or affected agency's units is lost or is unreadable;
3. The EDGEWOOD Police Department units, unassisted by any other agencies' units, enter any area unfamiliar to them that could result in the officers being unable to notify the Communications Center of their exact location.

**Pursuits Entering EDGEWOOD Police Department Jurisdiction:**

Should a district unit be the first to discover a pursuit initiated by another agency, which enters the EDGEWOOD Police Department jurisdiction, that unit does the following:

1. Notifies the Communications Center, providing all relevant information including the number of police vehicles actively involved in the pursuit.
2. Assumes the secondary pursuit vehicle position unless otherwise instructed by the Communications Center of field supervisor.

**Forcible Stopping of Pursued Vehicles:**

The field supervisor may make the decision to authorize the forcible stopping of a pursued vehicle. The use of a vehicle disabling device such as a tire deflator is one acceptable method of forcibly stopping a vehicle. All Patrol Shift Supervisors' vehicles are equipped with such a device for this purpose.

Forcible stopping by any other means is only authorized in cases involving circumstances justifying the use of deadly force in compliance with the EDGEWOOD Police Department Use of Force Policy. Forcibly stopping tactics are governed by the following additional guidelines:

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1. Due to the extreme and obvious dangers inherent with the use of roadblocks in the pursuit situations, the setting up of roadblocks for the purpose of terminating a pursuit is prohibited;
2. Discharging of a weapon at or from a moving vehicle is prohibited, except in cases justifying the use of deadly force in compliance with the Use of Force Policy Number 92-19.

**Termination Of the Pursuit:**

As previously stated, the decision to terminate the pursuit rests with both the primary pursuit officer and the field supervisor.

The officer and the field supervisor are neither criticized nor disciplined for their decision to terminate a pursuit based on their judgment. A pursuit should be terminated under any of the following circumstances:

1. In the opinion of the primary pursuit officer or the field supervisor there is a clear and unreasonable danger to the officer, suspect or general public created by the pursuit, which outweighs the necessity of immediate apprehension;
2. The suspects' identity has been established to the point that later apprehension can be accomplished, and there is no longer a need for immediate apprehension.
3. The traffic, roadway or environmental conditions create a dangerous or hazardous condition for the pursuit;
4. The officer knows, or is reasonably certain, that the pursued vehicle is operated by a juvenile, there are no conditions constituting a clear and immediate threat to the general public, such as driving while intoxicated, and the safety factors involved are considered greater than the juvenile can cope with;
5. The pursuit vehicles are no longer in visual contact with the pursued vehicle.

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SUBJECT: MOTOR VEHICLE PURSUIT

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The termination of a pursuit does not prohibit the following of a vehicle without excessive speed, or remaining in an area to reinitiate a pursuit if the opportunity and conditions permit.

**Documentation Of The Pursuit:**

Following the termination of all pursuits the field supervisor collects copies of all documentation generated as a result of the pursuit. Such documentation may include, but is not limited to, the Computer Aided Dispatch Incident Card printout, offense reports, supplemental offense reports, accident report, charging documents and booking sheets.

The field supervisor forwards this documentation through the chain of command to the Chief. The Chief conducts an initial review of the documentation to determine whether the incident warrants further review.

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<b>NUMBER:</b> 241-04	<b>POLICY NO.</b>	<b>SUPERSEDES</b>	<b>EFFECTIVE DATE</b>	<b>PAGE NO.</b> 10F4
<b>SUBJECT:</b> Responding to Calls for Service			<b>APPROVED BY:</b> Town Council	
<b>CALEA STANDARDS:</b> 41.2.1				

**PURPOSE:**

To establish standards governing the operation of police vehicles while responding to calls for service.

**POLICY:**

It is the policy of the EDGEWOOD Police Department to establish guidelines to provide for safe and timely responses to calls for service based upon the urgency of the call.

**PROCEDURE:**

This policy is designed to established procedures to guide officers in determining appropriate levels of response through classification of calls for service by designation of the seriousness of the call. Officers responding to calls for service are to operate police vehicles in strict compliance with New Mexico State Statutes and the following guidelines and procedures. Officers will operate police vehicles with due regard for the safety of all persons and will be held accountable for the consequences of any reckless disregard for the safety of others.

New Mexico State Statutes 66-7-6: Authorized Emergency Vehicles:

Section 66-7-6 of the Motor Vehicle Code regulates the operation of authorized emergency vehicles and provides exemptions from certain traffic laws to those operators. The section states:

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- A. The driver of an authorized emergency vehicle, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section subject to the conditions stated. The Chief of the New Mexico State Police or the appropriate local agency may designate emergency vehicles and revoke the designation. When vehicles are so designated, they are authorized emergency vehicles.
- B. The driver of an authorized emergency vehicle may:
- (1) Park or stand, irrespective of provisions of the Motor Vehicle Code [Articles 1 to 8 to Chapter 66, except 66-7-102.1 NMSA 1978];
  - (2) Proceed past a red or stop signal or stop sign, but only after slowing down as necessary for safe operation;
  - (3) Exceed the maximum speed limits so long as he does not endanger life or property; and
  - (4) Disregard regulations governing direction of movement or turning in specified directions.
- C. The exemptions granted to an authorized emergency vehicle apply only when the driver of the vehicle, while in motion, sounds and audible signal by bell, siren or exhaust whistle as reasonably necessary and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of the vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.
- D. This section does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons nor does it protect the driver from the consequences of his reckless disregard for the safety of others.

All marked departmental patrol vehicles are equipped with emergency lights and siren in compliance with the definition of an authorized emergency vehicle and are designated as such. All unmarked vehicle will obey all traffic laws.

Call Classification and Response Guidelines:

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For the purpose of regulations response procedures, calls or service shall be classified as routine, urgent or emergency. Officers will use the following guidelines to determine the classification of the call and the appropriate response procedures, based on the information available.

1. **Routine Call Response:** Calls for service of a non-emergency nature where a quick response is not essential. Officers follow normal operating conditions by driving in a safe and courteous manner, adhering to all traffic laws.
2. **Urgent Call Response:** In-progress situations where personal injury or loss of property is likely to occur if the response is unnecessarily delayed. Officers respond without delay, driving in a safe and courteous manner, adhering to all traffic laws whenever feasible. The officer activates emergency lights and siren whenever necessary to allow the officer to comply with statutory exemptions regarding proceeding past a red or stop signal or stop sign, exceeding the maximum speed limits and disregarding regulations governing direction of movement or turning. This allows an officer to safely maneuver through heavy traffic and proceed through controlled intersection to reduce any delay in response.
3. **Emergency Call Response:** Any life threatening situation or when a person's safety is being directly jeopardized. Officers respond as quickly and safely as possible utilizing emergency lights and siren as reasonably necessary. Officers operate within the statutory limitations while exercising the privileges wet forth in section 66-7-6 of the Motor Vehicle Code regarding exemptions to certain traffic laws.

**Emergency Response Procedures:**

When responding to urgent or emergency calls for service officers adhere to the following procedures:

1. Officers will not operate their vehicle at a speed, or in any manner, that may cause loss of control;
2. Officers pass to the left of other vehicles traveling in the same direction if possible.
3. Officers slow to allow safe passage through controlled intersections, particularly when proceeding against a red or stop sign;



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4. Officers will not make sudden turns across moving traffic, U-turns or other changes of direction without enduring that such movement can be made safely;
5. Officers at all times remain cognizant of the safety of themselves and the general public.

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<b>NUMBER:</b> 242-01	<b>POLICY NO.</b>	<b>SUPERSEDES</b>	<b>EFFECTIVE DATE</b>	<b>PAGE NO.</b> 10F3
<b>SUBJECT:</b> Criminal Investigations			<b>APPROVED BY:</b> Town Council	
<b>CALEA STANDARDS:</b> 42.2.9				

**PURPOSE:**

To establish guidelines and standards for the administration, organization and operation of the Other department.

**POLICY:**

It shall be the policy of the EDGEWOOD Police Department to maintain a Other department In order to provide complete, accurate and thorough follow-up on criminal activity reported within the Town of EDGEWOOD. Personnel assigned as Detective shall follow-up on criminal incidents involving adult and juvenile victims, witnesses, and offenders as well as provide immediate assistance at major incident scenes.

**PROCEDURES:**

The Detective Supervisor shall be responsible for the Other department. Primary duties and responsibilities of the Other department are:

1. Provide thorough investigations into reported criminal matters involving adults and juveniles;
2. Establish close liaison with outside criminal justice authorities;
3. Gather and maintaining criminal intelligence;
4. Process all major crime scenes;

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3 Assignment of Personnel:

1. Division personnel may be assigned to specialized duties based on their experience, training, and specialized skills;
2. Assignment of cases shall be made by the Division supervisor based on specialized assignment, caseloads, and other criteria;
3. Case assignment will generally be made using the most current detective responsibility guide. For example, burglaries will routinely be assigned to the Property crime Section. However, in the event case loads are high in Property Crime, cases may be assigned to Violent Crime Section and White Collar Section and vice versa.

Designation of Assigned Case Reports:

In order to facilitate case management, assigned cases will be designated as pending, inactive, unfounded, or cleared, as appropriate. Each of these case statuses will be used in the following circumstances:

Pending - The case has been assigned and investigative efforts are on going.

Inactive - all available leads have been exhausted and the case has not been brought to a satisfactory conclusion.

Inactive-Warrant Issued - a suspect has been identified, as arrest warrant has been issued, and the arrest warrant is currently outstanding.

Unfounded - the investigation has revealed that no criminal violation occurred.

Cleared - the case has been satisfactorily concluded, by either an arrest, the filing of criminal charges, the suspect having been identified and the victim or District Attorney's Office declining prosecution, or the suspect in a misdemeanor crime having been identified and the victim referred to the Town Attorney's Office to initiate prosecution.

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Criteria for Suspending Investigative Efforts:

Suspending a case under investigation shall be made upon consideration of the following criteria:

1. All investigative leads have been exhausted without the suspect having been identified;
2. The case has been thoroughly investigated and there exists insufficient evidence or suspect information to warrant further investigation;
3. There is no suspect information available to warrant further investigation.

Case File Maintenance:

Case files will be maintained by each Detective for the main purpose of accessibility to assigned cases. In the event a lead develops, and the assigned Detective is not available, another Detective any initiate further follow-up.

Case file will include copies of the following documents:

1. Initial reports;
2. Supplementary reports;
3. Evidence and Property reports;
4. Lab results, when applicable;
5. Reprinted photographs, when practical;
6. Criminal Complaints, Affidavits for Arrest Warrants, and Affidavits for Search Warrants, when applicable;
7. Transcriptions of tape-recorded interviews, when practical.

Cases which have been cleared, inactivated, or deemed unfounded shall be purged from the Detective's case file at their discretion.

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NUMBER: 244-01	POLICY NO.	SUPERSEDES	EFFECTIVE DATE	PAGE NO.  10F12
SUBJECT: Juvenile Operations			APPROVED BY: Town Council	
CALEA STANDARDS: 44.1.1,44.1.2,44.1.3,44.2.1, 44.2.2,44.2.3,44.2.4,44.2.5, 82.1.1				

**PURPOSE:**

To develop and implement programs designed to prevent and control juvenile delinquency within the Town of EDGEWOOD.

**POLICY:**

It shall be the policy of the EDGEWOOD Police Department to develop and maintain juvenile offender law enforcement operations that will emphasize a rehabilitative aspect rather than a punitive one.

**PROCEDURES:**

The EDGEWOOD Police Department is committed to the development, implementation, and continuation of programs designed to prevent and control juvenile delinquency within the Town of EDGEWOOD.

The EDGEWOOD Police Department Juvenile Unit performs functions, which include the following:

1. Developing and implementing programs to prevent and control delinquency;
2. Follow-up on juvenile detained;
3. Prepare court cases in which a juvenile offender is involved;

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4. Evaluate and determine what action is to be taken with the juvenile offender, attempting to divert the juvenile out of the judicial system, when appropriate;
5. Maintaining Liaison with EDGEWOOD Schools and also any agencies providing services to the juvenile community members.

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**Formulating Programs and Policies:**

The Department will solicit input from organizations dealing with youths and members of the Juvenile Justice System when formulating new programs and policies that deal with juvenile matters. Some of these organizations are:

1. New Mexico Juvenile Probation/Parole;
2. Children's Court;
3. Human Services (Families In Need of Services);
4. Area school districts.

Input from these various agencies will be solicited during the formulation of any new programs or policies and when needed in the revision of existing programs or policies. Input will be solicited during the Sandoval County Juvenile Justice Committee meetings, which each of the listed agencies are members. These meetings are held on a monthly basis.

**Shared Responsibilities:**

All Department personnel shall support the function of the Juvenile Unit and maintain a working knowledge of Chapter 32A New Mexico State Statutes regarding the Children's Code, as necessary.

**Evaluation of Programs:**

Yearly evaluations of the juvenile enforcement and diversion programs will be completed for the purpose of determining how effective these programs are. The evaluations will be completed by the Juvenile Officers. These evaluations will be forwarded to the Chief of Police through the chain of command.

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**Selection of Reasonable Alternatives:**

When investigating offenses or incidents involving juvenile offenders, Officers will use the most appropriate alternatives.

These alternatives may include any of the following:

1. Warning letter sent to the juvenile and parent (s);
2. Reprimand and Release with no further action;
3. Reprimand and Release with a referral to social service agency on a voluntary basis;
4. Informal Probation with the Police Department;
5. In-House Supervision at school when appropriate;
6. Petition (filed by Juvenile Officers).

Before an alternative is chosen, the investigating officer(s) will make an inquiry to determine what, if any, prior contact the juvenile has had with law enforcement.

**Factors Considered in Diversion:**

When making a decision to divert a juvenile offender from the Juvenile Justice System, Juvenile Officers will consider the following factors:

1. The nature and seriousness of the alleged offense;
2. The maturity level and age of the juvenile;
3. Prior record of the offender;
4. The availability of community-based rehabilitation programs.



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Alternatives to Court Petitions:

Reprimand and Release dispositions, informal probation dispositions, and in-house supervision dispositions require the Juvenile Officer to complete the following:

1. Review all completed reports;
2. Contact the juvenile offender's parent(s) or guardian and inform them of the investigation, if necessary. Request they come to the Police Department, or school if applicable, with the juvenile offender for an interview;
3. Conduct the interview and seek insight into the juvenile's behavior.
4. Gather and weigh all factors to determine the most appropriate resolution to the case;
5. If a warning is appropriate, a letter may be sent to the parent(s), guardian, or custodian advising them no further action will be taken.

Procedures for Petition:

Juvenile Officers should use discretion when determining dispositions in juvenile matters. Such discretion should be consistent with and adhere to uniform standards. The following types of offenses qualify for petition requests:

1. All delinquent acts that, if committed by an adult, would be felonies;
2. All delinquent acts involving weapons;
3. All serious gang-related delinquent acts;
4. All delinquent acts involving aggravated assault and battery;
5. All delinquent acts committed by juveniles on probation or parole, or by those with a case pending;
6. All repeated delinquent acts within the preceding 12 months;

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7. Juveniles who have been selected for a diversion program, but have refused to participate;
8. Cases in which it has been determined that parental supervision is not effective;
9. All driving while under the influence of intoxicating liquor and/or drugs.

**Petitioning a Juvenile Offender:**

In instances where a Juvenile Officer determines that it is in the best interest of a juvenile accused of a delinquent act to be petitioned to Children's Court, the following guidelines will be followed:

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- a. Driving while under the influence of intoxicating liquor and/or drugs;
- b. Failure to stop in the event of an accident causing death, personal injury or damage to property;
- c. Unlawful taking of a vehicle or motor vehicle;
- d. Receiving or transferring of a stolen vehicle or motor vehicle;
- e. Homicide by vehicle;
- f. Injuring or tempering with a vehicle;
- g. Altering or changing of an engine number or other vehicle identification numbers.

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Taking Juveniles into Custody: Family in Need of Services:

1. A juvenile detained for FINS offense should be release to a parent, guardian, or custodian with an Agreement To Appear being signed.
2. If a parent, guardian, or custodian is unable or unavailable to accept custody, the child should be placed in Childhaven.
3. In the event Childhaven is unable to accept the child, Social Services must be contacted for disposition of the child.
4. FINS offenders cannot be cited with the EDGEWOOD Police Department citation and released, as this would allow the offense to continue.

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5. If an alleged child abuse or neglect victim requires medical treatment or an examination, the Department of Human Services shall be immediately notified and preferably be present at the hospital.

**In-Custody Procedures:**

Officers must follow these guidelines when taking a juvenile into custody for a delinquent act:

1. Ensuring that the constitutional rights of juveniles are protected;
2. Immediately make an attempt to notify the parent or other person legally responsible for the minors care. If unable to contact a parent or someone legally responsible, attempt to find an adult relative who can take responsibility for juvenile. IN instances where no one can be located, contact Juvenile Probation/Parole and ask permission to detain the juvenile at the Sandoval County Detention Center, until a parent or legally responsible person can be notified;
3. Complete all report documents;
4. If a juvenile is to be taken to the Sandoval County Detention Center, they will be taken without unnecessary delay. The Detention Center will be notified by telephone that the juvenile is being taken to their facility.

**Interrogation of Juveniles:**

The following guidelines are meant to assist the Officer when conducting a custodial interrogation of a juvenile accused of a delinquent act. When a juvenile is in custody for delinquent act and is a subject of interrogation:

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1. The juvenile will be allowed parental or attorney contact prior to the interview if he/she so chooses.
2. Advise the juvenile of all their constitutional rights and secure a knowing, intelligent and voluntary waiver of their rights as indicated in N.M.S.A. 32A-2-14(c);
3. Limit the duration of the questioning to a reasonable period to avoid undue stress for the juvenile, keeping in mind that the court determines whether the juvenile knowingly, intelligently and voluntarily waived his/her rights by the factors listed in N.M.S.A., 32A-2-149E);
4. No more than two Officers will be involved in the interrogation at one time;
5. Explain the Department's procedures and the procedures for any forthcoming actions that might be possible with the Juvenile Justice System.

### **Social Service Agencies:**

The Department will have listings for social service agencies readily available for use by law enforcement officers.

### **School Liaison Program:**

The Department, through the efforts of the School Resource Officer Program, will fulfill the following responsibilities within the school environment upon request:

1. Act as a resource with respect to delinquency prevention;
2. Provide guidance on ethical issues in the school classroom setting;
3. Provide classroom instruction on law enforcement on law enforcement related topics;
4. Provide limited counseling service to student on an individual basis;

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5. Provide students and staff with the names of additional resources available to provide assistance;
6. Be available to provide assistance concerning any law enforcement related problems occurring on school property.

**Participation in Community Involved Youth Programs:**

The EDGEWOOD Police Department supports youth programs thorough the following means:

1. Sponsorship of a summer program conducted by the School Resource Officers;
2. Participants by the School Resource Officers in the after school prevention group;

**Processing of Juvenile Offenders:**

The Sandoval County Detention Center will do the processing of juvenile offenders being placed in detention.

1. A juvenile under the age of 13 alleged or adjudicated to be a delinquent juvenile shall not be fingerprinted or photographed for identification purposes without a court order per N.M.S.A. 32A-2-14 (I).
2. If the suspected offender refuses to be fingerprinted and/or photographed, a court order must be obtained.
3. Fingerprints and photographs taken of juveniles by this department will be retained in the juvenile's confidential file located in the Juvenile Division.
4. These same procedures apply to obtaining handwriting samples, blood samples, hair samples, etc. The only exception to this procedure will be in cases if Driving While Under the Influence of Intoxicating Liquor or Drugs under New Mexico Implied Consent Law.

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**Agency Records Pertaining to Juveniles:**

To conform to legal requirements and confidentiality of juvenile records, the following guidelines will be adhered to:

1. All arrest and identification records regarding juveniles will be kept separate from adult records.
2. Sealing of juvenile records can only be accomplished by valid court order. All sealing of records will be handled by the Juvenile Unit. The guidelines to be followed will be in accordance with N.M.S.A. 32A-2-26.
3. Records of juvenile offenders who have reached adult age shall be microfilmed, and the microfilm retained by the Records and Identification Division.

**Accountability for the Collection and Access to Juvenile Records:**

The EDGEWOOD Police Department Records and Identification Division (R & I) are responsible for the collection, dissemination, and retention of juvenile records. All requests for access to juvenile records will be through R & I or the Town Clerk.



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NUMBER: 246-03	POLICY NO.	SUPERSEDES	EFFECTIVE DATE	PAGE NO. 10F6
SUBJECT: Hostage/Barricaded Subject Incidents		APPROVED BY: Town Council		
CALEA STANDARDS: 46.1.5,46.2.1				

**PURPOSE:**

To provide general guidelines for handling hostage/barricaded subject situations.

**POLICY:**

It shall be the policy of the EDGEWOOD Police Department to consider the lives of the hostages, civilians, and officers involved in hostage/barricaded subject incidents to be of the utmost importance.

**PROCEDURES:**

**Hostage Situation:**

Criminals who use hostages to affect their escape are desperate individuals who if allowed to escape, will pose a continuing threat to their hostage and to the public at large.

Officers should use every verbal and tactical tool at their disposal to secure the arrest of the suspect without harming the hostage. In extenuating circumstance, where the hostage situation becomes mobile, the officer in charge shall attempt to protect the safety of the hostage and bystanders by making all reasonable efforts to provide for chase/surveillance vehicles and control of travel routes.

Responding officers should attempt to avoid a confrontation in favor of controlling and containing the situation. Officers shall contact the Chief or Lieutenant immediately.

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**Objectives:**

In hostage situations the following objectives, listed in order of importance, should govern all actions officers/supervisors on the scene decide to take:

1. Preserve life;
2. Apprehend the subject;
3. Recover property.

**Barricaded Subject:**

A barricaded subject poses an extreme danger, not only to police officers, but to other persons as well,

Good judgment demands that a tactical plan be developed utilizing the passage of time to our advantage.

Although each barricaded subject situation will be different, the same basic tactics to neutralize the subject can be utilized. These basic tactics involve stalling for as much time as possible, negotiating, and assaulting the location.

The success of any hostage plan hinges on a team approach, good communication, and coordination of tactical maneuvers under one supervisor.

**Initial Responsibilities of First Patrol Officer at Scene:**

1. Notify dispatch of the situation and request assistance, to include a supervisor;
2. Set up both inner and outer perimeters;
  - a. The inner perimeter is established first in order to contain the suspects movements and isolate the immediate area involved;
  - b. The outer perimeter location must take into account the suspects threat level and ability to cause harm. The out perimeter must encompass the area, which has potential of becoming involved as manpower allows;

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## CODE OF CONDUCT

### 1.01 Violations of Rules

Employees shall not violate or assist in violation of rules, regulations, directive or orders of the Department, whether stated in this Department manual or elsewhere.

### 1.02 Conformance to Laws

Employees shall obey laws of the United States and of any state and local jurisdiction in which the employees are present. Any employee who is a suspect in or is arrested for any criminal offense, drug related offense or major traffic offense shall report such to the Chief of Police as soon as practical and in all cases prior to returning to duty.

### 1.03 Unsatisfactory Performance

Employees shall maintain sufficient competency to do their duties and assume the responsibilities of their positions. Employees shall do their duties in a way that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department.

Unsatisfactory performance may be shown by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to do assigned tasks; the failure to conform to work standards established for the employee's rank or position; the failure to take appropriate action on the occasion of crime, disorder, or other condition deserving police attention; or abuse of leave. The following also will be considered unsatisfactory performance: consistently poor performance evaluations or a consistent written record of infractions of rules, regulations, directive or orders of the Department.

### 1.04 Insubordination and Intemperate Behavior

Employees shall obey, in a timely manner, any lawful directive of a supervisor. This will include directives relayed from a supervisor by another employee of the same or lesser rank.

### 1.05 Conflicting or Illegal Directives

- A. Employees who are given an otherwise proper directive that conflicts a previous directive, rule or regulation shall respectfully inform the supervisor issuing the directive, if said person does not alter or retract it, the directive shall stand. Under these circumstances, the responsibility for the conflict shall be upon the supervisor. Employees shall obey the conflicting directive and shall not be held responsible for disobedience of the directive, rule or regulation previously issued.
- B. Employees shall not obey any directive that they know or should know would require them to commit any illegal act. If in doubt about the legality of a directive, employees shall request the issuing supervisor to clarify the directive or shall request to confer with higher authority.

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### 1.06 Truthfulness

Employees shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department that may be asked of them.

### 1.07 Physical or Psychological Examinations

- A. Upon recommendation of Human Resources, the employee will submit and undergo either a physical or psychological examination, or both, to determine the fitness of the employee to do the required duties of their position.
- B. When complying with the requirements of this section, the employee shall authorize the attending physician or psychologist to release information regarding the employee's conditions and ability to do required duties to the H R department.

### 1.08 Use of Polygraph, Medical Examination, Photographs and Lineups.

ONLY Human Resource may order:

- A. Employees shall submit to polygraph examinations by a licensed polygraph examiner. The employee will be advised of the reasons for ordering the polygraph examination. The questions incident to the polygraph examination will be specifically directed and narrowly related to the particular internal administrative investigation being conducted by the Department
- B. Any medical, ballistics, chemical or other tests, photographs or line-ups.

### 1.09 Financial Disclosure

Employees shall not be required to show information regarding their financial status except as required by Law.

### 1.10 Personnel Files

- A. No document containing comments adverse to an officer shall be entered into his personnel file unless the officer has read and signed the document. When an officer refuses to sign a document containing comments adverse to him, the document may be entered into an officer's personnel file if:
  - (1) The officer's refusal to sign is noted on the document by the Chief of Police; and
  - (2) The notation regarding the officer's refusal to sign the document is witnessed by a third party.



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B. An officer may file a written response to any document containing adverse comments entered into his personnel file and the response shall be filed with the Personnel Director within thirty days after the document was entered in the officer's personnel file. The officer's written response shall be attached to the document.

### 1.11 Constitutional rights; Notification

When any officer is under administrative investigation and a determination is made to commence a criminal investigation, he shall be immediately notified of the investigation and shall be afforded all the protections set forth in the bill of rights of the United States and New Mexico constitutions.

### 1.12 Political Activity

An officer shall not be subjected to any retaliation by the Town of EDGEWOOD from engaging in any political activity when the officer is off duty, except as otherwise required by law.

### 1.13 Exercise of Rights

An officer shall not be subjected to any retaliation by the Town of EDGEWOOD due to the officer's lawful exercise of his rights under the Peace Officer's Employer-Employee Relations Act (29-14-1 to 29-14-11 NMSA 1978)

### 1.14 Complaints Against Supervisors and Chief of Police

Complaints against supervisors shall be made by a member of the Department in writing directly to the Chief of Police with supporting facts and circumstances. Any complaint against the Chief of Police shall be made in writing to the Town Manager with supporting facts and circumstances after notifying the Chief of Police of the complaint against him.

### 1.15 Unbecoming Conduct

Employees shall conduct themselves at all time, both on and off duty, in such a manner that reflects favorably on the Department. Conduct unbecoming an employee is that which brings the Department into disrepute or reflects discredit upon the employee as a member of the Department. Conduce unbecoming is also that which impairs the operation or efficiency of the Department or employee.

### 1.16 Neglect of Duty

Employees shall not engage in any activities or personal business that would cause them to neglect or be inattentive to duty.

### 1.17 Sleeping on Duty

Employees shall remain awake while on duty. If unable to do so, they shall so report to their supervisor, who shall decide the proper course of action.

## CODE OF CONDUCT

### 1.18 Reporting to Duty

- A. Employees shall report for duty at the time and place required and shall be physically and mentally fit to do their duties. They shall be properly equipped for the performances of duty so that they may immediately assume their duties. Judicial subpoenas and court notifications incident to performance as a police officer is an order to report for duty under this section.
- B. Upon reporting for duty employees are responsible for information on the memo board, as well as other sources of Departmental information relating to their job assignment.

### 1.19 Uniform and Personal Appearance

Employees shall wear uniforms or their clothing according to established Departmental procedures and shall maintain a neat, well-groomed appearance, while on duty, court appearance or training functions.

- A. Officer will be in uniform or shirt with tie for any court appearance.
- B. Facial Hair, except mustaches cut above the lower lip line and sideburns cut above the ear lobe, is prohibited.

### 1.20 Carrying and Use of Weapons

- A. Commissioned officers shall carry firearms and other weapons according to law and Departmental procedures.
- B. Officers shall not handle weapons in a careless or imprudent manner. Officers shall utilize weapons according to law and Department procedures.
- C. Any officer who discharges a firearm while performing any police function, accidentally or intentionally, shall make a written report to the Chief giving the details of the incident. (Exception - Training functions unless injury occurs)
- D. Weapons will be concealed when not in uniform.

### 1.21 Illness or Injury Reports

- A. Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive the Department about the condition of their health.
- B. Employees, when reporting off sick for any reason other than an emergency, shall notify an ON-DUTY SUPERVISOR at least one hour before the employee's scheduled hours of duty.
- C. Any employee who becomes ill or injured while on duty shall, if possible, report the facts to their supervisor before absenting themselves from duty.

## CODE OF CONDUCT

- 1.22 **Payments for Line-of-Duty Injury**  
Employees shall notify the H. R. Director and Treasurer regarding any settlement for line of duty injuries.
- 1.23 **Meals**  
Employees are allowed meals/breaks as established by Department procedures. Police employees who are compensated for meals/breaks are subject to immediate call during such. Meal/breaks will be taken as near the middle of shift as possible.
- 1.24 **Searching of Prisoners or Suspects**  
People in custody or suspects shall be searched for weapons for the officer's and prisoners/suspects safety, according to Department procedures.
- 1.25 **Treatment of Persons in Custody**  
Employees shall not mistreat nor permit mistreatment of persons who are in their custody. Employees shall handle such persons according to law.
- 1.26 **Use of Force**  
Employees shall not use more force in any situation than is necessary under the circumstances. Employees shall use force according to law and Departmental procedures.
- 1.27 **Transportation of Prisoners**  
When transporting people in custody they shall be handcuffed with their hands behind their backs unless the health or other physical condition of the person does not permit it. The starting and ending vehicle mileage and location will be given to the dispatcher upon transporting people of the opposite sex.
- 1.28 **Passengers in Police Vehicles**  
No person other than members of the Department or person involved in police action or service shall be permitted to ride in Departmental vehicles except according to Departmental Procedures. Only the Town Council may approve a Ride Along, a waiver must be signed and submitted prior to the ride along.
- 1.29 **Courtesy**  
Employees shall be courteous to the public. Employees shall be tactful in the performance of their duties, control their tempers, exercise the utmost patience and discretion and not engage in argumentative discussions. In the performance of their duties, employees shall not use coarse, violent, profane or insolent language or gestures, and not express any prejudice concerning race, religion, politics, national origin, life style or similar personal characteristics.

## CODE OF CONDUCT

- 1.30 **Responding to Requests for Assistance**  
When any person or other agency applies for assistance or advice, or makes complaints or reports, either by telephone, in writing or in person, all pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established Departmental procedures.
- 1.31 **Departmental Reports**  
Employees shall submit all necessary report on time and according to established Departmental procedures. Reports submitted by employees shall be truthful and complete, and no employee shall knowingly enter or cause to be entered any inaccurate, false or improper information.
- 1.32 **Radio Discipline**  
Employees shall operate the police radio in accordance with Departmental procedures.
- 1.33 **On Call Availability**  
All officers are subject to being asked to work at any time on any duty shift.
- 1.34 **Processing of Property and Evidence**  
Property and evidence that has been discovered, gathered or received concerning Departmental responsibilities will be processed according to Department procedures. Employees shall not convert to their use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold any property or evidence concerning an investigation or other police action; or otherwise process such property or evidence except according to Departmental procedures.
- 1.35 **Telephone and Address**  
A current address and emergency or home phone number will be given to the H.R. Department.
- 1.36 **Conduct Toward Other Employees**  
Employees shall not utter any unwelcomed, disrespectful, insolent or abusive language toward any other employee.
- 1.37 **Citizen Complaints**  
Employees shall properly notify their immediate supervisor of any complaint made by a citizen against any employee or the Department. Employees may attempt to resolve the complaint, but shall never attempt to dissuade any citizen from lodging a complaint against any employee or the Department. Employees shall follow established Departmental procedures for processing complaints.

## CODE OF CONDUCT

### 1.38 Employment Outside the Department

A. Employees may engage in off-duty employment subject to the following limitations:

1. Employees shall submit a written request for off-duty employment to the Town Council, whose approval must be granted before engaging in such employment.
2. Such employment shall not interfere with the employee's employment with the Department.

### 1.39 Use of Tobacco

The use of all tobacco is prohibited in any police facilities, vehicle or while in contact with the public. The use of tobacco is permitted during meals/breaks in areas where smoking is normally allowed.

### 1.40 Alcoholic Beverages and Drugs in Police Facilities

Employees shall not store or bring into any police facility or vehicle alcoholic beverages, controlled substances, narcotics or hallucinogens except those items held incident to the police duties.

### 1.41 Possession and Use of Drugs

Employees shall not possess or use any controlled substances unless prescribed as treatment for that employee by properly authorized practitioners. Employees shall notify their supervisor when their performance may be impaired by using medications (prescription or nonprescription)

### 1.42 Use of Alcohol On Duty or In Uniform

- A. Employees shall not consume intoxicating beverages while on duty except while acting under proper or specific orders from a supervisor. Employees in uniform shall not consume intoxicating beverages at any time.
- B. Employees shall not appear for scheduled duty while under the influence of intoxicants to any degree or with an odor of intoxicants on their breath.

### 1.43 Gifts, Gratuities, Bribes, or Rewards

Employees shall not solicit or accept from any person, business, or organization any gift (including money, tangible or intangible personal property, food beverage, loan, promise, service, or entertainment) for the benefit of the employees or the Department, if it may be implied that the person, business, or organization:

1. Seeks to influence the action of an official nature or seeks to affect the performance or nonperformance of an official duty, or;
2. Has an interest that may be substantially affected, directly or indirectly, by the performance or nonperformance of an official duty.

Any unsolicited gifts will be forwarded to the Chief of Police, with a written explanation.

## CODE OF CONDUCT

### 1.44 Endorsements and Referrals

Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service or commercial service (such as an attorney, towing service, bondsman, mortician, etc.). In the case of a towing service, when such service is necessary and the persons needing the serviced is unable or unwilling to obtain it or request assistance, employees shall proceed according to established Departmental procedures.

### 1.45 Public Statements and Appearances

- A. Employees shall not criticize or ridicule the Department, its policies, or other employees by speech, writing or other expression, where such speech, writing or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.
- B. Employees shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge investigative information, or any other matters of the Department while representing the Department without prior approval of the Town Council.

### 1.46 Abuse of Position

- A. Use of Official Position or Identification. Employees shall not use their official position, official identifications cards or badges:
  - 1. For personal or financial gain.
  - 2. For obtaining privileges not otherwise available to them except in the performance of their duty; or
  - 3. For avoiding consequences of illegal acts.
- B. Employees shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Town Council.
- C. Use of Name, Photograph or Title. Employees shall not authorize the use of their names, photographs, or official titles that identify them as employees, concerning testimonials or advertisement of any commodity or commercial enterprise, without the approval of the Town Council.

## CODE OF CONDUCT

D. Employees shall not utilize their training and expertise acquired as a police officer for monetary and/ or personal gain, unless they were involved in the investigation through the scope of their employment with the police Department. Any exceptions must be approved by the Town Council.

### 1.47 Dissemination of Information

Employees shall treat the official business of the Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, according to established Department procedures. Employees may remove or copy official records or reports according to Departmental procedures and in performance of duty. Employees shall not divulge the identity of persons giving confidential information except as authorized by proper authority.

### 1.48 Associations

Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the employee.

### 1.49 Intervention

- A. Employees shall not interfere with cases being handled by other employees of the Department or by any governmental agency unless:
1. Ordered to intervene by a supervisor, or
  2. When the intervening employee believes beyond a reasonable doubt that manifest injustice would result from failure to take immediate action.
- B. Employees shall not undertake any investigation or other official actions not part of their regular duties without obtaining permission from their supervisor unless the exigencies of the situation require immediate police action.

### 1.50 Abuse of Process

Employees shall not knowingly make false accusations of a criminal or traffic charge.

### 1.51 Restrictions While on Suspension

Officers shall not exercise police authority while under suspension; nor shall the uniform be worn while the officer is under suspension unless authorized by the Town Council

## CODE OF CONDUCT

- 1.52 **Personal Family Disputes**  
Employees shall not attempt to exact police discipline or make arrests in their quarrels or in those between their families or in disputes arising between them and their neighbors, except under such circumstances as would justify them in using self-defense or to prevent injury to another or when a serious offense has been committed.
- 1.53 **Sexual Harassment Prohibited**  
Sexual harassment by any employee to any other employee is prohibited. The Supreme Court has defined illegal sexual harassment to include "unwelcome sexual advances, request for sexual favors, and other verbal conduct of a sexual nature," even when there is no tangible effect on pay, promotion, or continued employment.
- 1.54 **Unauthorized Expenditures**  
An employee shall not incur liability chargeable to the Department or Town without proper authorization. Responsibility for payment of improper or authorized debts shall rest with the employee incurring the debt, disciplinary action notwithstanding.
- 1.55 **Referrals to Town Officials**  
No employee shall refer any citizen to the Mayor, or Town Council, concerning police related matters without approval of the Town Council.
- 1.56 **Contacting Town Officials**  
No employee shall contact the Mayor, or Town Council on police case related matters except through the chain of command. Any employee contacted by the Mayor, Town Council or Town Clerk-Treasurer on other matters shall assist that person immediately and contact the Chief of Police as soon as possible with all details of such matters.
- 1.57 **Identification**  
Officers shall furnish their name and police identification to any person requesting that information when they are on duty or while acting in an official capacity for the Town, unless the withholding of information is necessary for the performance of police duties or is authorized by proper authority.
- 1.58 **Business Cards**  
Employees may utilize business or personal cards that have been approved by the Chief of Police Department.



## CODE OF CONDUCT

- 1.59 **Use of Department Equipment**  
Employees shall use Department equipment only for its intended purpose, according to Department procedures, and shall not abuse, damage or negligently lose Department equipment. All Department equipment issued to employees shall be maintained in proper order. Any damaged or missing equipment shall be reported in writing.
- 1.60 **Operating Department Vehicles**  
Employees shall operate Department vehicles in a careful and prudent manner and shall obey all Department procedures about such operation. Loss or suspension of any driving privileges shall be reported to the Department immediately.
- A. The town owned vehicle will be used to commute from one's official station to home and back. Permitted use includes a 25 mile radius from EDGEWOOD Police Department.
- B. Any exceptions made by the Town Council, or Chief must be expressed in writing signed by the approving party.
- 1.61 **Court Appearance**  
Attendance at any court or hearing is an official duty assignment. Town Council must be notified of any appearance date. Permission to omit this duty must be obtained from the prosecuting attorney or other court official.
- 1.62 **Testifying For The Defendant**  
Any employee subpoenaed to testify for the defense in any trial or hearing, or against the Town or Department, shall notify the Town Council upon receipt of the subpoena.
- 1.63 **Civil Cases**  
Employees, while representing themselves as members of the Department shall not testify in civil cases unless legally summoned or subpoenaed. Nor shall employees serve civil process while on duty or in uniform, except those initiated by the Town .
- 1.64 **Civil Suits Filed**
- A. Filed by the Employee. Employees shall not initiate civil action arising out of their official duties without first notifying the Town Council and Chief in writing.
- B. Filed against the Employee. Any employee who has a damage suit filed against him, because of an act rendered by him in the line of duty, shall immediately consult with H. R. Department. H. R. Department shall be furnished a copy of the complaint with an accurate and complete report about the incident in question so that the H.R. Department may notify the Town Manager and Town Attorney of the pending suit and relevant facts.

**AUTHORITY AND RESPONSIBILITY  
INCLUDING SANCTION CLASSIFICATION CHART**

**1-1 Chief of Police**

- A. Is appointed by and is directly responsible to the Mayor and Town Council of EDGEWOOD for the efficient conduct and operation of the Police Department, and, is defined as Officer in Charge with authority to delegate under that definition an Officer In-Charge only with the approval of the Town Council in his absence.
- B. Is responsible for the administration, efficiency and general conduct of the Police Department.
- C. Monitors monthly expenditures and coordinates that Department's budget preparation activities.
- D. Responsible for investigating all incidents which may result in civil litigation against the Police Department.
- E. Responsible for monitoring, auditing, and investigating all complaints against the Department Personnel.
- F. Is an officer and will be working shift as necessary or directed by Supervisor and perform other duties as assigned.

**1-2 Police Sergeant**

- A. Is a superior officer who may supervise subordinate personnel and perform other duties as assigned.
- B. Supervises activities at an operational level as directed by Supervisor.
- C. Is an officer and will be working shift as necessary or directed by Supervisor.

**1-3 Police Officer**

- A. The rank of Police Officer shall be subordinate to all higher sworn ranks except as assigned by Supervisor or Chief. He shall be assigned a patrol beat. May be assigned to supervisory post and perform other duties as assigned.

- B. The Police officer shall fulfill the duties of their assignment and obey the orders of their supervisor.

**1-4 Administrative Personnel**

- A. Personnel of the Police Department who do not have police powers and who have not taken the oath of an officer. Perform all clerical, record keeping, general office, liaison to H. R. Department and other assignments at the direction of supervisor.

**1-5 Secretary-Receptionist**

- A. Is considered an employee of the Town of Edgewood who will provide Administrative support to the Department as directed by Chief of Police.

**1-6 Officer in Charge Duties**

- A. An officer in charge is an officer who has been designated the authority and responsibility by the Chief to direct all activities of the department in the chiefs absence, approved by the Town Council, who shall promptly obey and support all directives and policies.
- B. Responsible for the efficiency and the effectiveness of their command and for coordinating their functions and activities. They shall promote harmony among personnel of their command and are responsible for the cooperation and coordination of their command with all other unites of Sandoval County and the State of New Mexico, and for reasonable requests from other jurisdictions.
- C. Officer In Charge responsible for:
  - 1. The prompt service of all official notices summonses or subpoenas which may be sent to them by proper authority.
  - 2. Punctual attendance in court and for the proper preparation and presentation of cases in court by personnel of their command. They shall assist subordinates in the preparation of their cases.
  - 3. Properly prepare, transmit, and preserve all official records, reports, forms and correspondence originating within or forwarded to them.
  - 4. Assign particular duties to individuals with the department.
- D. May relieve from duty, pending formal charges, any subordinate personnel of the department, pursuant to the procedures described in the manual. They shall investigate or cause to be investigated all complaints and reports of any misconduct, incompetence, neglect of duty or any violation of department policy on the part of anyone under their command.

- E. In the event that any officer of the department is wounded or killed in the line-of-duty or dies under any other circumstance, it shall be the responsibility of the commanding officer on duty at the time to notify the Chief who will notify the Mayor or Town Council who is responsible to notify the immediate family on the injury or death.

### **1-7 Superior Officers Duties**

Superior Officer's are members with the rank of sergeant or those assigned by Chief.

- A. Superior Officers 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, regulation and order of the department.
- B. Superior Officers 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, regulation or department orders on the part of a subordinate.

### **1-8 Supervisor's Duties**

- A. A Supervisor is a Superior Officer or Professional Employee who supervises and directs the activities assigned of personnel assigned to them and inspects work of subordinates to established policies and procedures. A Supervisor also instructs and advises subordinates in their performance of their duties, and shall promptly obey and support all directives and policies established by the Chief of Police.
- B. Shall brief, interpret and enforce approved policies and plans within their subdivision and act as liaison in transmitting information from top to bottom and vice versa.
- C. Shall review and forward all reports and other documents prepared by subordinates.
- D. Shall evaluate the performance of immediate subordinates and review evaluations of other subordinates and initiate commendations or disciplinary action for subordinates, subject to review by higher authority.
- E. Shall administer and control expenditures of manpower, materials and other cost elements, which could materially affect the operation of this department.

F. Shall be responsible for the early detection of problem drinking on the part of personnel under their command/unit and prompt referral to the Chief of Police for rehabilitation assistance. Referral to the Chief of Police does not prohibit the supervisor from documenting the conduct and taking the necessary disciplinary action.

G. Shall report all complaints of sexual harassment and/or discrimination to the Chief of Police.

### **1-9 Officer's duties**

- 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 or 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 house 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 ordinance of the Town of EDGEWOOD.
- G. Shall be equally responsible for the enforcement of laws, ordinances and police regulations. The delegation of the enforcement of certain laws and ordinance to other members of the department does not relieve members from taking prompt police action for violation coming to their attention. All officers will take appropriate action and render assistance in any instance 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 first aid procedures in order that they may be prepared to apply first aid promptly and properly in any case coming to their attention. Shall make themselves familiar with the Town of EDGEWOOD including the location of streets, public buildings, hospitals, courts, transportation offices and depots, highway and the boundaries of the Town. They shall further

familiarize themselves with the location of Town, County, 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. Shall, while off duty, carry on their person their official identification card and badge if armed.
- L. Shall be responsible for reporting the neglect of duty or disobedience of orders of other personnel that may come to their attention.
- M. Shall notify their supervisor at once when exposed to a contagious disease in the line of duty.

**1-10 Personnel duties**

- A. Shall not commit or omit any acts which constitutes a violation of any of the rules, regulations, directives or orders of the department.
- B. Shall conduct themselves both on and off duty in such a manner as to reflect most favorably on the department. Conduct unbecoming an officer or employee shall include that which brings the department into disrepute or impairs the operation or efficiency of the department.
- C. Shall obey all criminal laws of the United States of America and of the United States of America and of the State and Local Jurisdiction in which they are present. A conviction for the violation of any criminal law shall be prima facie evidence of a violation of this section.
- D. Shall report for duty at the time and place required by assignment or order and shall be physically and mentally fit to perform their duties. They shall be properly equipped so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this section.
- E. Shall constantly direct their best efforts to accomplish the functions of the department intelligently and efficiently. They shall not engage in any activity or personal business which may cause them to neglect or be inattentive to duty.
- F. Shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the department or the Town as to the condition of their health.

- G. Shall notify their supervisor if possible, or someone else in authority before leaving their duty station or post for any reason, including illness or injury.
- H. Shall be permitted to suspend their assigned duties subject to immediate call for the purpose of having meals during their tours of duty, but only for such period of time and at such time and places as directed by their supervisor.
- I. Shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Personnel shall perform their duties in a manner which will maintain the established standard of efficiency in carrying out the functions and objectives of the department.
- J. May engage in outside employment only after the Chief of Police in accordance with the merit ordinance has granted written permission. Such permission may be terminated at any time at the discretion of the Chief of Police.
- K. Shall not possess, store, or bring into any police facility or vehicle alcoholic beverages, controlled substances, narcotics, or hallucinogen, except in the performance of their official duties.  
  
Shall not possess or use any controlled substances, narcotics, or hallucinogen, except as prescribed by a physician or dentist. Personnel shall notify their immediate supervisor if a prescription requires on-duty use of a controlled substance, narcotics or hallucinogen.
- L. Shall not drink any intoxicating beverages on duty, except in actual performance of their assigned duties requiring its use.  
  
Personnel shall not use intoxicating beverages off duty to the extent that it renders them unable to report for their next scheduled tour of duty or discredits the department.
- M. May use tobacco as long as they are not in a formation, do not have to leave their assignment or post for the sole purpose of doing so and are not engaged in traffic direction and control. When they are in direct contact with public, personnel shall refrain from using tobacco or should obtain permission prior to doing so from the individual with whom they are in direct contact.
- N. Shall promptly obey all lawful orders of a supervisor or orders given via police radio. This will include orders relayed from a supervisor by Personnel of the same or lesser rank.
- O. Personnel who are given an otherwise proper order which is in conflict with a previous order, rule, regulation or directive shall respectfully

inform the supervisor of the previous conflicting order. If the supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the supervisor. Personnel shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation or directive previously issued. Personnel shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, personnel shall request the issuing supervisor to clarify the order or to confer with higher authority.

Shall not solicit or accept, either for themselves or other personnel, gifts, gratuities, or compensation for services performed in the line of duty, other than that which is paid by the Town unless authorized by the Town Council. Should any establishment, through their own policy, provide food, beverages, and/or services at a lesser rate, said establishment shall not receive any official considerations, but shall be treated the same as any other establishment. The department does not endorse personnel accepting any items free of charge or at a discount rate that is not available to the general public. Shopping on duty or off duty while in uniform is discouraged as it may precipitate solicitous behavior by officers.

Personnel shall not use their official positions to gain entry to any event without paying admission, except in the line of duty. Such events include, but are not limited to, sporting events, liquor establishments and places of amusement.

Shall not use their official position or official identification card or badge for personal or financial gain, for obtaining privileges not otherwise available to them except in the performance of duty, or for avoiding consequences of illegal acts.

Personnel shall not lend to another person their identification card or badge, or permit them to be photographed or reproduced without the approval of the Chief of Police. Personnel shall not authorize the use of their names, photograph, or official titles in connection with testimonials or advertisements of any commodity or commercial enterprise without the approval of the Town Council.

Shall not recommend or suggest in any manner except in the transaction of personal business the employment or procurement of a particular product, professional service or commercial service (such as an attorney, ambulance service, towing service, bondsman, mortician, etc.).

Shall not, while on duty, possess business cards or other forms of advertisements relating to any personal or other business venture unless the possession of such material is necessary to the performance of their duties.



- T. Shall never act officiously or permit personal feelings, prejudices, animosities, or friendship to influence their decisions.

In the performance of their duties, personnel shall maintain a neutral and detached attitude without indicating disinterest or that a matter is petty or insignificant. Personnel shall not use coarse, violation, profane or insolent language or gestures and shall not express any prejudice concerning race, religion, politics, national origin, life style, or similar personal characteristic.

- U. Shall obtain information in an official and courteous manner and act upon it in a proper and judicious manner within the scope of their duties and consistent with established departmental procedures whenever any person applies for assistance or advice, or make complaints or reports, either by telephone or in person.
- V. Shall avoid regular or continuous association or dealing with persons whom they know are under active criminal investigation or indictment or who have a reputation in the community or the department for present involvement in felonious or criminal behavior, except as necessary in the performance of official duties or where unavoidable because of other personal relationships.
- W. Shall not knowingly visit, enter or frequent a house of prostitution, gambling house, or establishment wherein the law of the United States, the State, or the Local Jurisdiction are regularly violated except in the performance of duty or while acting under proper specific orders from a supervisor.
- X. Shall not engage or participate in any form of illegal gambling at any time, except in the performance of duty and while acting under proper and specific orders from a supervisor.
- Y. Shall not publicly criticize or ridicule the department, its policies, or other personnel in the manner, which is defamatory, obscene, and unlawful, undermines the effectiveness of the department, interferes with the maintenance of discipline, or is made with the reckless disregard for the truth. Personnel shall not hold themselves out as representing the department without proper authority.
- Z. Shall wear uniforms or other clothing in accordance with established departmental procedures. Except when acting under proper and specific orders from a supervisor, personnel on duty shall maintain a neat, well-groomed appearance and shall style their hair according to department guidelines.

- AA. Shall have telephones in their residence if available and shall report any changes of telephone numbers or addresses to their supervisor.
- BB. Shall treat the official business of the department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended in accordance with established departmental procedures.
- CC. Shall not knowingly interfere with criminal or administrative investigations, assigned tasks or duty assignments of another, and shall not directly or indirectly by threat of bribe, attempt to secure the withdrawal or abandonment of a complaint or charges.

Shall not, without previous authorization from the primary investigator or immediate supervisor, conduct any criminal or administrative follow-up investigations outside the scope of their assignment.

- DD. Shall not alter, misrepresent, or otherwise make any false statements on any report other written document, which has been filled out in the course of personnel's employment. Written document refers to reports, citations, public records or documents, public vouchers, overtime slips, affidavits, or any other written instrument completed by departmental personnel. All reports and written documentation will be completed and turned in on time in accordance with established departmental procedures.

A violation of this section may result in prosecution for violation of the New Mexico State Statutes, including but not limited to, paying or receiving public money for service not rendered. (NMSS 30-23-22), making or permitting false public voucher (NMSS 30-23-3), perjury (NMSS 30-25-1), or tampering with public records (NMSS 30-26-1).

- EE. Shall utilize department equipment only for its intended purpose in accordance with established departmental procedures and shall not abuse, damage, or lose department equipment. All departments issued equipment shall be maintained in proper order.
- FF. Shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department which may be asked of them.
- GG. Shall operate official vehicles in a careful and prudent manner and shall obey all laws and all departmental orders pertaining to such operation. Loss or suspension of drivers license shall be reported to the supervisor.
- HH. During or after normal hours, all personnel will challenge anyone not readily identifiable within the police department.

- II. Shall cooperate fully with the Chief of Police/or investigator in any internal investigation and shall be afforded all rights and protection provided by law, this manual and the Town's merit ordinance.
- JJ. Shall be required to provide information regarding their own discipline file only when ordered by a court competent authority or the Chief of Police. When in doubt, personnel should seek advice of counsel, the court, or the Chief of Police.
- KK. Employee emergency information should be on file in the police department. The requirement for updating this information will be personnel's responsibility.
- LL. Shall follow the telephone long-distance line instructions set forth by the Town of EDGEWOOD and the EDGEWOOD Police Department.
  - A. All long-distance telephone calls shall be approved by a supervisor.
  - B. Long-distance calls charged to the Town shall be for Town business only.
  - C. Costly "operator assisted" calls such as person to person, third party, credit card, etc., shall not be made without the approval of the Chief of Police or his designee.
  - D. The practice of requesting or accepting collect official Town Business calls is allowable only with the approval of the Chief of Police or his designee. Accepting personal collect calls is prohibited.
  - E. Town telephones are provided for official Town business use.  
Personal calls shall be kept to a minimum and as short as possible.
- MM. Under normal circumstances, when it becomes necessary to officially communicate with a supervisor, Town Office Holder or Town Council, Personnel will use the proper chain of command. During an emergency, personnel may bypass their immediate supervisor, moving only up the chain of command to the next higher level until contact is established, but will notify him as soon as possible.
- NN. Shall not photograph for personal use by videotape, motion picture, or still film process any crime scene or police related investigation.
- OO. Shall not release any documents of the EDGEWOOD Police Department for any use including hearing or court use unless a judicial subpoena has been issued or the Town Attorney has approved the release. Nothing in this section prohibits the release of reports provided under section 2-4 of this manual.
- PP. Shall immediately sign subpoenas when presented relevant to an assigned case and immediately notify the Secretary-Receptionist by means of a copy of same.

EDGEWOOD POLICE DEPARTMENT POLICY  
AND PROCEDURE

NUMBER: 101.03	POLICY NO	SUPERSEDES	EFFECTIVE DATE	PAGE NO. 10F1
SUBJECT: CODE OF ETHICS			APPROVED BY: Town Council	
CALEA STANDARDS: 1.1.2				

PURPOSE:

To provide a model code for EDGEWOOD Police Officers to utilize as a guide in performing their daily duties.

POLICY

All sworn members of the EDGEWOOD Police Department are required to abide by the Law Enforcement Code of Ethics. (See Attachment A)

PROCEDURE:

All sworn members of the EDGEWOOD Police Department will be given a copy of the Law Enforcement Code of Ethics when they take the Oath of Office.

ATTACHMENT "A"  
LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity for the Town will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideas, dedicating myself before God to my chosen profession .....law enforcement.

EDGEWOOD POLICE DEPARTMENT POLICY AND  
PROCEDURE

NUMBER:	POLICY NO.		EFFECTIVE DATE	PAGE NO.
101-4			February 7, 2009	10F6
SUBJECT: Use of Force			APPROVED BY: Town Council	
CALEA STANDARDS: 1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.8, 1.3.9, 1.3.12				

**PURPOSE:**

The purpose of these rules is to define departmental policy regarding the use of force by employees. Employees are required to abide by these rules.

Although the careful use of force is permitted by law and departmental policy, the use of unnecessary or unreasonable force will not be tolerated. Unnecessary or unreasonable force is contrary to law; it places the representative government agency in a position of civil liability; it places the employee in jeopardy of civil and criminal liability, and is prohibited by these rules.

**POLICY:**

- A. Reasonable force may be used by an officer/employee in the performance of duty:
1. When necessary to preserve the peace, prevent the commission of offenses, or prevent suicide or self-inflicted injury;
  2. When making lawful arrests and searches, overcoming resistance to such arrests or searches, and preventing escapes from custody;
  3. When in self-defense, or defense of another, against unlawful violence to person or property;
  4. When preventing or interrupting an intrusion on or intrusion with the lawful possession of property.

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AND PROCEDURE

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- B. An employee may use reasonable force to overcome resistance to the lawful performance of duties, even though there is no immediate or apparent danger calling for self-defense. The employee must be acting within the scope of his official authority. Every reasonable opportunity to comply with the request must be given to the person and appropriate force used only after all other means have failed to provide compliance.
- C. It is the officer's responsibility to arrest law violator; when offenders resist arrest, the officer is authorized to use such reasonable force as is necessary to complete the arrest.
- D. Officers, before using reasonable force, shall identify themselves as an officer and state their purpose to the offender and others immediately present, unless they reasonably believe their purpose and identity are already known or cannot reasonably be made known.

GENERAL PROCEDURES:

- A. The amount of degree of force which may be employed is determined by the surrounding circumstances, including but not limited to:
  - a. The nature of the offense;
  - b. The behavior of the subject against whom force is used;
  - c. Actions by third parties who may be present;
  - d. Physical conditions; and
  - e. The feasibility or availability of alternative actions.
- B. Under no circumstances will the force used be greater than necessary and in no instance will deadly force be used except in the situations stated in Section IV of this document.
- C. Under normal circumstances, only the methods listed below may be used to apply force. These methods are listed in ascending order from the least severe to the most drastic. It is the employee's responsibility to first exhaust every reasonable means of employing the minimum amount of force before escalating to the a more severe application of force:
  - 1. Voice command;
  - 2. Approved chemical agent or
  - 3. Approved baton or their department approved less lethal force option(s).

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AND PROCEDURE

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4. Approved firearm and approved ammunition.  
\*\*\*Defensive and offensive unarmed techniques tactics may be employed appropriately at any time to subdue the immediate threat, gain compliance or control and restrain.
- D. No weapon shall ever be displayed or brandished as a threat unless its actual use in the situation would be proper. However, weapons may be readied for use in situations where it is anticipated that they may be actually required.
- E. No officer will point a firearm at any person unless circumstances exist at that time which would lead the officer to reasonably believe that the officer's personal safety or the safety of a third party is in jeopardy and that the use of deadly force under such circumstances would be justified under law and authorized by department policy.
- F. No officers shall on duty carry, or in normal circumstances use, any weapon or ammunition unless it has been approved by the department.
- G. No officer shall in any material way modify or alter any approved weapon or ammunition.

Parameters for Use of Deadly Force:

Police officers are authorized to use deadly force in order to:

1. Protect themselves or others from what is reasonable believed to be an immediate threat of death or serious physical injury;
2. To prevent the escape of or stop a suspected felon who has committed a crime involving the infliction or threatened infliction or serious physical injury and has the ability to carry out that action or threat.

Whereas feasible, some warning should be given prior to engaging in the use of deadly force. Officers should give appropriate medical assistance to injured suspects in circumstances where the officer's safety is no longer in jeopardy.

Officers may also discharge a firearm under the following circumstances:

1. To safely destroy an animal that represents a threat to public safety or as a humanitarian measure where the animal is seriously injured;



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AND PROCEDURE

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2. During qualifications, range practice or sporting events.

Warning shots are prohibited, absent a justified emergency where doing so would save the officer or another from death or serious physical injury. Warning shots are fired in such a manner as to not endanger innocent parties.

Officers should not discharge a firearm at or from a moving vehicle except as the ultimate measure of self-defense or defense of another when the suspect is using deadly force.

Firearms will be carried in a safe and secure manner. Careless handling of firearms is prohibited.

Parameters of Use of Less-Lethal Force:

Less-lethal force currently consists of the use of a beanbag round or any other type of fired projectile designed by the manufacturer to incapacitate individuals without causing death or serious physical injury.

Less-lethal force may be used in situations where the officer reasonably believes that the subject possesses the means to place citizens, officers, or themselves in situations of potential lethal hazard. It may be used even though the subject has not yet caused threats which constitute imminent fear of death or serious bodily harm.

Less-lethal force is not designed as a substitute for deadly force but, rather as an alternative in some instances. Proper use of Less-lethal force requires a sufficient amount of time for officers to confirm the circumstances of the incident and verify use of a less lethal round. Therefore, officers are encouraged but, not compelled, to use less-lethal force where feasible. Officers are not allowed the USE OF BEANBAG ROUNDS.

Parameters for Use of Non-Deadly Force:

In circumstances where deadly force is not authorized, officers should assess the incident in order to determine how to best de-escalate and bring the incident under control in a safe manner.

Police officers are authorized to use Department approved non-deadly force techniques and equipment for resolution of incidents, as follows:

1. To protect themselves or another from physical injury;

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AND PROCEDURE

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2. To restrain or subdue a resistant individual;
3. To bring an unlawful situation safely and effectively under control.

Training and Qualifications:

Deadly Weapons:

Police officers shall carry only weapons and ammunition as authorized by, this Department under the FIREARMS Policy. Officers are not precluded from using any means available to deploy deadly force when justified.

Non-Deadly Force Weapons and Methods

Officers are not permitted to use a non-deadly weapon unless qualified in its proficient use as determined by training procedures. Approved non-deadly force weapons are:

1. Side Handle Baton and Straight Baton; this weapon is currently issued to Department personnel. Update training is conducted periodically. Batons will be approved through training guidelines.
2. Oleoresin Capsicum (OC), Chloroacetophenon (CN), and Orthochloroldenzalmalononitrile (CS) type chemical products primarily known as pepper mace or tear gas; are products issued to officers. Initial training is required with periodic update training.

This does not preclude the Officer from using any means available in cases involving exigent circumstances. Officers should obtain appropriate medical treatment for suspects after utilizing non-deadly force weapons or techniques. In most cases, proper treatment would consist of examination by a physician.

Report Use of Force:

Any use of force must be reported according to the Chief of Police on a use of force form. A supervisor is immediately notified of any incident involving the use of force meeting the following criteria.

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AND PROCEDURE

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1. When a firearm is discharged outside of the firing range, except during legitimate sporting events.
2. When use of force results in death or injury;
3. When a citizen complains that an injury has been inflicted.

Department Response:

When a police officer's use of force causes death or serious injury, the Officer is placed on administrative leave, until it is determined by mental health specialist and the Chief of Police or designee that the officer is ready to return to duty. The officers shall undergo subsequent evaluations if behavior or performance indicates it would be in the best interest of the officer or Department. In all cases where deadly force was utilized a subsequent evaluation is performed on or near the anniversary date of the event. Follow up evaluations are on a case-by-case basis.

The administrative investigation and a criminal investigation will be conducted independently of each other.

**EDGEWOOD POLICE DEPARTMENT POLICY AND  
PROCEDURE**

NUMBER: 101-05	POLICY NO.	SUPERSEDES	EFFECTIVE DATE	PAGE NO. 1 OF 11
SUBJECT: Firearms		APPROVED BY: Town Council		
CALEA STANDARDS: 1.3.9, 1.3.10, 1.3.11, 72.4.1				

PURPOSE:

To establish a standard for firearms, firearms training, qualifications, methods of carry, ammunition, instruction, and maintenance.

POLICY:

It is the policy of the EDGEWOOD Police Department to establish and implement programs and procedures to ensure the proficient, responsible, and safe use of firearms.

PROCEDURE:

**The Duty Firearm:**

All commissioned officers are required to carry the Department issued firearm while on duty. Officers working in plain clothes shall carry the firearm in a concealed manner while outside of a police facility.

No modifications to the issued sidearm are allowed.

Any officer who wishes to carry a sidearm other than the issued sidearm must submit a memo to the Chief describing the type, manufacturer, caliber of sidearm, serial number, and have a minimum of a four-hour course of instruction. If training conducted in-house the training will consist of a four-hour training block two hours of classroom and two hours of range time. Classroom instruction will cover the following areas: Range Safety, On-duty, Department policy, Weapon Care and Cleaning, Nomenclature, and Weapon Operation. Range instruction will cover Marksmanship Fundamentals and a Range Practical. After this criteria is met the officer will then have to pass the New Mexico firearms qualification, and the Department issue sidearm will be returned to the Department Armorer.

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Any officer who is working in an authorized undercover capacity may carry an approved weapon suitable to their specific needs regardless of caliber for that specific duty assignment. This is limited only to that specific assignment and does not affect the on duty specifications.

Officers will secure any firearms before entering the booking facility, except during a tactical situation where the use of deadly force may be required.

**Off-Duty Firearm:**

Any commissioned officer of this Department may carry an off duty sidearm in accordance with their sworn duties.

Any sidearm approved as a duty sidearm may be used off duty.

Other sidearms may be carried but must meet the following guidelines:

Any officer who wishes to carry a sidearm other than the issued sidearm, must submit a memo to the Chief describing the type, manufacturer, caliber of sidearm, serial number, and any applicable training and experience with said firearm. Final approval is made by the Chief of Police only after officer certification with the weapon in question.

The Chief may require an officer to under-go additional training, which will include, but not be limited to:

1. Knowledge of the major parts of the sidearm (nomenclature);
2. Function of the sidearm;

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3. Loading and unloading of the sidearm;
4. Clearance of malfunctions;
5. Competency with sidearm as demonstrated on the range in normal handling.

Upon completion of the additional training, an officer must qualify with that sidearm on the regular qualification courses.

An off-duty firearm will be carried in a secure manner. Any officer carrying an off-duty firearm will keep said firearm concealed from public view, and will have on their person a badge of office or commission card.

Officers who anticipate consuming alcoholic beverages in an off-duty capacity shall not carry a firearm. Any member of this Department found under the influence of an alcoholic beverage to any degree while carrying a firearm is subject to disciplinary action.

**Back-up Weapon:**

Any commissioned officer may carry a secondary firearm which meets the criteria described under duty and off-duty firearms.

Single action back-up weapons may be carried with the hammer down without utilizing a strap between the hammer and slide.

Back-up firearms will be carried in a secure manner.

**Duty Shotguns:**

The duty shotgun is the issued shotgun. No modifications to the issued shotgun are allowed.

Other shotguns may be carried but must meet the following guidelines:

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1. Must be. 12 Gauge;
2. Must have a barrel length of 18" to 24";
3. Must have at least a four round magazine capacity ;
4. Must have a cycling action.

Any officer who wishes to carry a shotgun other than the issued shotgun must submit a memo to the Chief describing the type, manufacturer, caliber of firearm, serial number; and any applicable training and experience with said weapon. Final approval is made by the Chief of Police only after qualification of the regular qualifications occurs.

The officer may be required to undergo additional training, which will include, but not be limited to:

1. Knowledge of the major parts of the shotgun (nomenclature);
3. Function of the shotgun;
4. Loading and unloading of the shotgun;
5. Clearance of malfunctions;
6. Competency with the firearm as demonstrated on the range in normal handling.

Upon completion of the additional training, an officer must qualify with that shotgun on the regular qualifications courses.

Loading and un-loading is done outside of the Police Department building. Loaded shotguns will only be allowed inside during a tactical situation. The shotgun is not to be carried in a vehicle with a round in the chamber.

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**Duty Rifles:**

Rifles may be used to compensate for the limitations inherent in the sidearm or shotgun, such as distance and penetration.

The duty rifle is the issued rifle. No modifications to the issued rifle are allowed without prior approval from the Chief of Police, based on the recommendation from the Department Armorer.

Other rifles may be carried but must meet the following guidelines:

1. Must be .223 Caliber;
2. Must have a barrel length of 16" to 24";
3. Must have a least a five round magazine capacity ;
4. Must have a cycling action.

Any officer who wishes to carry a rifle other than the issued rifle must approval from the Chief of Police.

The officer may be required to under-go additional training which will include but not be limited to:

1. Knowledge of the major parts of the rifle (nomenclature).
2. Function of the rifle;
3. Loading and unloading of the rifle;
4. Clearance of malfunctions;
5. Competency with the firearm as demonstrated on the range in normal handling.

Upon completion of the additional training, an officer must qualify with that rifle on the regular qualification courses.



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Loading and un-loading is done outside of the Police Department building. Loaded rifles will only be allowed inside during a tactical situation. The rifle is not to be carried in a vehicle with a round in the chamber. The rifle must be carried in a protective case secured in the trunk of the police unit, or in an electronic locking device in the cable of the vehicle.

Ammunition:

Handgun:

The duty ammunition is the issued ammunition. Other ammunition may be carried, if supplied by the officer, but must meet the following guidelines:

1. Must be within the caliber restrictions listed under duty and off-duty firearms.
2. Primary ammunition, or that carried in the firearm, is hollow point ammunition;
3. No exploding or mercury filled bullets are allowed.
4. An officer may carry, in a separate source, full metal jacket bullets, to be utilized only if circumstances warrant.
5. Uniformed officers will carry a minimum of fifteen (15) rounds;
6. Uniformed officers, excluding administrative personnel, will carry an alternative loading source;
7. Officers will qualify with ammunition of similar bullet weight and velocity as that which is carried on duty;
8. Ammunition must be factory loaded including qualification ammunition.

Shotgun:

The duty ammunition is the issued ammunition. Other ammunition may be carried but must meet the following guidelines:

1. Shotgun ammunition is factory loaded;

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2. Shotgun ammunition carried in the firearm is .00 Buck, with a minimum of nine (9) pellets per round;
3. Slug ammunition may be carried in an alternative source, to be utilized only if circumstances warrant. Such circumstance would include but not be limited to penetrating physical barriers such as doors or auto windshield, shooting from distances greater than the normal effective range of the weapon, or other situations where 00 Buck would be ineffective;
4. Slug ammunition is allowed only if the officer utilizes this type of round during shotgun qualifications and has completed the appropriate training.

Officers must complete an additional training course, as prescribed by the Firearms Instructors, before carrying slugs.

Rifle:

The duty ammunition is the issued ammunition. Other ammunition may be carried but must meet the following guidelines:

1. Rifle ammunition is factory loaded.
2. Rifle ammunition carried in the firearm is .223 caliber in soft point or hollow point;
3. Full metal jacket ammunition may be carried in an alternative source, to be utilized only if circumstances warrant. Such circumstances would include, but be limited to, penetrating physical barriers such as doors or auto windshields, or other situations where soft point or hollow point ammunition would be ineffective;

Holsters:

The duty holster is the issued holster. Others holster may be carried if approved by the Firearms Committee but must meet the following guidelines:

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1. Alternative duty holsters for patrol is black basket weave, and have a thumb-break strap securing the firearm;
2. Clamshell type holsters are prohibited.

Plainclothes personnel will carry their firearm in an approved holster. Officers will qualify utilizing the same method of carry as is used on duty.

**Qualifications:**

Department qualifications are held semi-annually and consist of established qualification courses meeting state minimum standards.

Qualification courses are mandated by the New Mexico Law Enforcement Academy to reflect updated training procedures. Courses of fire are posted fifteen days prior to qualification. Copies of current qualification courses include times, distances, and target types are kept on file in the Training Officers Office. Officers are required to shoot a passing score on Department qualifications.

Officers who are unable to fire a qualification score on shotgun qualifications will not carry a shotgun. Officers may choose not to carry shotgun slugs and only qualify under .00 Buck guidelines.

The Department recognizes the importance of the maintenance and demonstration of firearm proficiency and therefore places significant requirements on the qualification process. Officers who fail to shoot a qualifying score with a handgun on the first attempt may make a second attempt immediately if they so desire. Officers are encouraged to obtain remedial training from a Firearm Instructor prior to attempting the second qualification. No officer may return to armed duty unless they have successfully passed the qualification course. Assignments to temporary unarmed duty status are made by the Deputy Chief or designee. If the second attempt results in a passing score, the officer may return to their normal work assignment. An officer failing to shoot a passing score on the first attempt shall have a maximum of two weeks to make a second attempt.

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If the officer fails to shoot a qualifying score on the second attempt, they will undergo mandatory remedial training with a designated Firearms Instructor. This training will commence as soon as possible and will continue until the officer and Instructor feel the officer is prepared to attempt the qualification course but no longer than two weeks from the date of the second failed attempt. Proficiency is deemed to have been demonstrated only after the officer shoots two consecutive passing qualifications scores. Once proficiency has been demonstrated, the officer will return to their original duty assignment.

Any officer who receives mandatory remedial training for failing to qualify on the second qualification attempt and then successfully shoots two consecutive scores will continue to receive monthly remedial training by a Firearms Instructor until the officer is able to shoot a passing qualification score on the first bi-annual qualification attempt. Firearms Instructors will maintain a log on remedial training describing what types of training have been completed and progress made in the training. Training will be conducted at the Firearm Instructors convenience.

An officer must be able to prove firearms proficiency no later than four weeks (28 days) from the first failed qualification attempt. Officers failing to demonstrate firearms proficiency s described above may be recommended to termination for failure to meet established job qualifications as per Town Personnel Rules.

All commissioned officers will qualify with duty handguns. An officer may carry other off duty weapons, backup weapons, shotguns, rifles or any undercover weapons being utilized at their discretion but must qualify with these weapons before carrying them.

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Instructors:

1. Department Firearms Instructors are responsible for the training and updating of commissioned officers' firearms skills. This includes proficiency as well as written testing concerning the use of force;
2. Instructors may teach non-commissioned or civilian personnel;
3. Instructors shall maintain their firearms skills and continually update their knowledge of current techniques, tactics, and liability issues;
4. Instructors coordinate Department firearms training and are responsible for the design of combat scenarios;

EDGEWOOD POLICE DEPARTMENT POLICY AND PROCEDURE

NUMBER: 101-06	POLICY NO.	SUPERSEDES	EFFECTIVE DATE	PAGE NO. 1 OF 2
SUBJECT: Limits of Authority		APPROVED BY:		
CALEA STANDARDS: 1.2.1,1.2.5,1.2.6				

PURPOSE:

To provide police officers with parameters regarding the use of authority and discretionary powers.

POLICY:

Officers are allowed the use of discretion in many areas, such as to arrest or release on minor violations, to cite a traffic violator or release with a warning, or to settle minor disputes.

The Department recognizes limitations when using discretion. Officers do not have any discretion when specific laws mandate actions by police. Officers should confer with supervisors when faced with discretionary situations that require assistance.

Alternative to Arrest:

Officers attempting to resolve the various types of problems to which they respond are allowed to seek alternatives to physical arrest when no hazard to the community, victim or suspect will result.