

## **RE: Police Department Policy Manual Updates**

### **Background:**

The Nixa Police Department utilizes a company called Lexipol to maintain our department policy manual. As part of the service provided by Lexipol, updates to our policy manual are recommended on an ongoing basis. Most of the updates are minor and do not affect the overall intent of the policy. However, occasionally there are recommendations for major changes to police department policy. These are often a result of statutory changes at the state level, law changes at the federal level, or are the result of case law decisions when police actions are litigated around the country resulting in changes to follow best practices.

Additionally, we find it necessary to make temporary changes to policy throughout the year in the form of a General Order issued by myself. These orders allow us to continue operations without interruption and comply with policy. All General Orders which need to be incorporated permanently into policy were done at the time of this policy manual update and are reflected in the attached updates.

### **Analysis:**

A review of our policy manual showed we needed several updates, most of which are minor. However, there were a few policy updates that had major changes. In the attached files, language that is in red is to be deleted and language which appears in blue will be added. You notice some language is red is repeated in blue. This means we elected to keep the original language.

In addition to the policy changes, you will find supplemental attachments such as the NETT operational procedures and the Unmanned Ariel Systems Operations Guide. These supplemental guides will also show updates in the same manner.

All recommended policy updates have been reviewed and approved by our city attorney Mr. Woodman.

### **Recommendation:**

Nixa Police Department staff recommend approval of these changes.

### **MEMO SUBMITTED BY:**

**Joe Campbell** | Chief of Police

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**RESOLUTION NO. 2023-11**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF NIXA AMENDING THE POLICE DEPARTMENT'S LAW ENFORCEMENT POLICY MANUAL.**

**WHEREAS** the City's Police Department utilizes Lexipol to maintain said Department's Law Enforcement Policy Manual; and

**WHEREAS** as part of the service provided by Lexipol, updates to the manual are recommended on an ongoing basis; and

**WHEREAS** these updates are usually recommended due to statutory changes or case law updates; and

**WHEREAS** an amended manual is attached to this Resolution as "Resolution Exhibit A," this document reflects all the changes recommended by Lexipol and approved by the Chief of Police.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NIXA, AS FOLLOWS, THAT:**

**SECTION 1:** The Police Department's Law Enforcement Policy Manual is hereby amended by repealing the current Manual and adopting in lieu thereof the document attached hereto, and incorporated herein by this reference, as "Resolution Exhibit A."

**SECTION 2:** This Resolution shall be in full force and effect from and after its final passage by the City Council and after its approval by the Mayor, subject to the provisions of section 3.11(g) of the City Charter.

**ADOPTED BY THE COUNCIL THIS 8th DAY OF March, 2023.**

ATTEST:

\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
CITY CLERK

**APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

## Use of Force

### 300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

#### 300.1.1 DEFINITIONS

Definitions related to this policy include:

**Deadly force** - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

**Feasible** - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

**Force** - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

**Imminent** - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

**Totality of the circumstances** - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force.

### 300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Nixa Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

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#### 300.2.1 DUTY TO INTERCEDE AND REPORT

Any officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.

Any officer who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible.

#### 300.2.2 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

### **300.3 USE OF FORCE**

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by this department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

#### 300.3.1 USE OF FORCE TO EFFECT AN ARREST

An officer may use reasonable force when the officer reasonably believes such force is immediately necessary to effect an arrest or to prevent an escape from custody (§ 563.046, RSMo).

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#### 300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit.

These factors include but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with officer commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

#### 300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.

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- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

### 300.3.4 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Nixa Police Department for this specific purpose.

### 300.3.5 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

### 300.3.6 RESPIRATORY RESTRAINTS

The use of a respiratory restraint, also known as a chokehold, is limited to circumstances where deadly force is authorized and if applied, is subject to the same guidelines and requirements as a carotid control hold (§ 590.805, RSMo).

## **300.4 DEADLY FORCE APPLICATIONS**

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent

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danger may exist if an officer reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the officer or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the officer believes the individual intends to do so.

#### 300.4.1 MOVING VEHICLES

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

#### **300.5 REPORTING THE USE OF FORCE**

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

#### 300.5.1 NOTIFICATIONS TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the Conductive Electrical Weapon or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

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#### 300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until ~~he/she~~ the individual can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

Based upon the ~~officer's~~ officer's initial assessment of the nature and extent of the ~~individual's~~ individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain— (~~sometimes called "excited delirium"~~), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away.

See the Medical Aid and Response Policy for additional guidelines.

#### 300.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:



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1. The content of the interview should not be summarized or included in any related criminal charges.
  2. The fact that a recorded interview was conducted should be documented in a property or other report.
  3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the individual may pursue civil litigation.
1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

#### **300.7.1 SHIFT SUPERVISOR RESPONSIBILITY**

The Shift Supervisor shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

#### **300.7.2 ADDITIONAL SHIFT SUPERVISOR RESPONSIBILITY**

The Shift Supervisor should ensure that the Records Clerk is provided with enough information to meet the use of force reporting requirements of the Missouri Department of Public Safety (§ 590.1265, RSMo). See the Records Unit Policy for additional guidelines.

### **300.8 TRAINING**

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

Subject to available resources, officers should receive periodic training on:

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.
- (b) De-escalation tactics, including alternatives to force.

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#### **300.9 USE OF FORCE ANALYSIS**

At least annually, the Operations Bureau Commander should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects, or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

## Officer-Involved Shootings and Deaths

### 304.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of ~~either~~ another action ~~of an~~ of an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

### 304.2 POLICY

The policy of the Nixa Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

### 304.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

### 304.4 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

#### 304.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect may be controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Nixa Police Department would control the investigation if the suspect's crime occurred in Nixa.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

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#### 304.4.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a shooting or death involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

#### 304.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

### **304.5 INVESTIGATION PROCESS**

The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

#### 304.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved NPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

#### 304.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved NPD supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
  1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any NPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
  1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.

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2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Shift Supervisor and the Communications Center. If feasible, sensitive information should be communicated over secure networks.
  - (d) Take command of and secure the incident scene with additional NPD members until properly relieved by another supervisor or other assigned personnel or investigator.
  - (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
    1. Each involved NPD officer should be given an administrative order not to discuss the incident with other involved officers or NPD members pending further direction from a supervisor.
    2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

#### 304.5.3 SHIFT SUPERVISOR RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Shift Supervisor shall be responsible for coordinating all aspects of the incident until he/she is relieved.

#### 304.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Chief of Police
- Bureau Commander(s)
- Outside agency investigators (if appropriate)
- [Professional Standards Unit member](#)
- Psychological/peer support personnel
- Chaplain
- Coroner (if necessary)
- [Involved officer's agency representative \(if requested\)](#)
- Public Information Officer

#### 304.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal representation will be accommodated.

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1. Involved NPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
  2. Requests from involved non-NPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be provided by the Department to each involved NPD officer. A licensed psychotherapist may also be provided to any other affected NPD members, upon request.
1. Interviews with a licensed psychotherapist will be considered privileged.
  2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, the involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
  3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Communications ~~with- between the involved officer and~~ a peer support ~~specialist will be considered privileged to the extent provided in § 590.1040, RSMo. However, peer support specialists are still cautioned against discussing the facts of any incident with an involved or witness officer~~ member or a peer support specialist is addressed in the Wellness Program Policy.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved NPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Shift Supervisor to make schedule adjustments to accommodate such leave.

#### **304.6 CRIMINAL INVESTIGATION**

The ~~Chief of Police-~~ Prosecuting Attorney's Office is responsible for ~~determining~~ the ~~agency conducting the~~ criminal investigation into the circumstances of any officer-involved shooting involving injury or death.

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the Prosecuting Attorney's Office to avoid duplicating efforts in related criminal investigations.

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Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews.

The following shall be considered for the involved officer:

- (a) NPD supervisors and Professional Standards Unit personnel should not participate directly in any voluntary interview of NPD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of ~~his/her~~ the officer's choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved ~~officer's~~ officer's statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally, or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

#### 304.6.1 REPORTS BY INVOLVED NPD OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved NPD officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

While the involved NPD officer may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved NPD officer of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

#### 304.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should

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take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.
  - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
  - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
  - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the ~~suspect's~~ suspect's known family and associates to obtain any available and untainted background information about the ~~suspect's~~ suspect's activities and state of mind prior to the incident.

#### 304.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Criminal Investigations supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Department investigators may be assigned to work with investigators from the investigating agency and may be assigned to separately handle the investigation of any related crimes not being investigated by the primary investigating agency.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Criminal Investigations supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Bureau Commander.

#### 304.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of involved NPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Professional Standards Unit and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws.

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from



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the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.

- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
  - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
  - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
  - 2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative collectively or in groups prior to being interviewed.
  - 3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.
  - 4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her Garrity rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
  - 5. The Professional Standards Unit shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
  - 6. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

#### **304.8 CIVIL LIABILITY RESPONSE**

A member of this department may be assigned to work exclusively under the direction of the legal counsel for the Department to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

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All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

#### **304.9 AUDIO AND VIDEO RECORDINGS**

Any officer involved in a shooting or death may be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

- Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video, or other video or audio recordings with the approval of assigned investigators or a supervisor.

Any MAV, body-worn video, and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or City ~~Attorney's~~ Attorney's Office, as appropriate.

#### **304.10 DEBRIEFING**

Following an officer-involved shooting or death, the Nixa Police ~~Department may~~ Department should conduct both a ~~critical incident/stress debriefing~~ Critical Incident Stress Debriefing and a tactical debriefing. See the Wellness Program Policy for guidance on Critical Incident Stress Debriefings.

##### **304.10.1 CRITICAL INCIDENT/STRESS DEBRIEFING**

~~A critical incident/stress debriefing should occur as soon as practicable. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.~~

~~The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law or a valid court order.~~

~~Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., telecommunicators, other non-sworn). Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Professional Standards Unit personnel.~~

##### **304.10.2 TACTICAL DEBRIEFING**

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

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#### **304.11 MEDIA RELATIONS**

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Shift Supervisor, Support Bureau Commander and Public Information Officer in the event of inquiries from the media.

No involved NPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Bureau Commander.

Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

## Child Abuse

### 314.1 PURPOSE AND SCOPE

~~The~~ The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Nixa Police Department members are required to notify the Missouri Department of Social Services, ~~Children's~~ Children's Division of suspected child abuse.

#### 314.1.1 DEFINITIONS

Definitions related to this policy include:

**Child** - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

**Child abuse** - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency (§ 210.115, RSMo).

### 314.2 POLICY

The Nixa Police Department will investigate all reported incidents of alleged criminal child abuse and ensure the Missouri Department of Social Services, ~~Children's~~ Children's Division is notified as required by law.

### 314.3 MANDATORY NOTIFICATION

Members of the Nixa Police Department shall notify the Missouri Department of Social Services, ~~Children's~~ Children's Division when (§ 210.115, RSMo; § 210.1500, RSMo):

- (a) There is reasonable cause to suspect that a child has been or may be subjected to abuse or neglect
- (b) .
- (c) A child has been observed as being subjected to conditions or circumstances which would reasonably result in abuse or neglect.
- (d) There is reasonable cause to suspect a child may be a victim of sex trafficking or severe forms of trafficking as defined by 22 USC § 7102.

For purposes of notification, abuse is any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by any person, except that discipline, including spanking, administered in a reasonable manner, shall not be construed to be abuse. Neglect is a failure to provide, by those responsible for the care, custody, and control of the child, the proper or necessary support, education as required by law, nutrition, or medical, surgical, or any other care necessary for the ~~child's~~ child's well-being (§ 210.110, RSMo; § 210.115, RSMo).

#### 314.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows:

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- (a) Notifications shall be made immediately to the Missouri Department of Social Services
- (b) Children's Division by calling the Child Abuse and Neglect Hotline (§ 210.115, RSMo; § 210.145, RSMo) or other method accepted by that agency.
- (c) Notification, when possible, shall include (§ 210.130.2, RSMo):
  - 1. The name and address of the child, the
    - ~~child's~~
  - (a) 1. child's parents or others responsible for the
  - (b) 1. child's care.
    - 2. The age, sex, and race of the child.
    - 3. The nature and extent of the
  - ~~child's~~
  - (a) 1. child's injuries, including any evidence of previous cases of known or suspected abuse or neglect of the child or the
  - (b) 1. child's siblings.
    - 2. The names and addresses of the persons responsible for the suspected abuse or neglect, if known.
    - 3. The family composition.
    - 4. The source of the report and the name, address, and occupation of the person making the report.
    - 5. Any action taken related to the investigation thus far, such as photographs or medical exams.
    - 6. Any other information that the person making the report believes may be helpful.
  - (c) If the child is currently in custody, the officer should advise the Child Abuse and Neglect Hotline of the emergency nature of the report and request an immediate response from the on-call investigator.

#### 314.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.

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- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (§ 210.145.10, RSMo).

#### **314.5 INVESTIGATIONS AND REPORTING**

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom
- (d) [the child](#) made the statements.
- (e) If a child was taken into protective custody, the reasons, the name, and [the](#) title of the person making the decision, and why other alternatives were not appropriate.
- (f) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (g) Whether the child victim was transported for medical treatment or a medical examination.
- (h) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (i) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (j) Previous addresses of the victim and suspect.
- (k) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the

-- ~~victim's~~

- (a) [victim's](#) environment.
- (b) The Department shall assist the Missouri Department of Social Services
- (c) [Children's](#) Division in investigations when requested and participate in multidisciplinary teams for protective and preventive services pursuant to § 210.145

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- (a) , RSMo
- (b) [and § 567.020](#), RSMo.

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All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

#### 314.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact the Missouri Department of Social Services, ~~Children's~~ Children's Division. Generally, removal of a child from ~~his/her~~ the child's family, guardian, or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from ~~his/her~~ the child's parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to the Missouri Department of Social Services, ~~Children's~~ Children's Division.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations (§ 210.125, RSMo; § 210.1500, RSMo):

- (a) When a court order has authorized the removal of the child.
- (b) When an officer has reasonable cause to believe that a child is in imminent danger of suffering serious physical harm or a threat to life as a result of abuse or neglect and the officer has reasonable cause to believe the harm or threat to life may occur before a juvenile court can issue a temporary protective custody order or before a juvenile officer can take the child into protective custody.
- (c) When an officer has reasonable cause to believe that a child is in imminent danger of suffering serious physical harm or a threat to life as a result of abuse or neglect due to sex trafficking or sexual exploitation and such the officer has reasonable cause to believe the harm or threat to life may occur before a juvenile court is able to issue a temporary protective custody order or before a juvenile officer is able to take the child into protective custody.

When imminent danger is not present, an officer who has reasonable cause to suspect that a child is suffering from illness or injury or is in danger of personal harm by reason of ~~his/her~~ the child's surroundings and that a case of child abuse or neglect exists, may request that the juvenile officer take the child into protective custody under § 210.125.1, RSMo.

#### 314.6.1 PROCEDURE

As soon as practicable after a child is taken into protective custody, the officer shall (§ 210.125, RSMo):

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- (a) Notify the juvenile officer of the county court in which the child is located.
- (b) Notify the Missouri Department of Social Services
- (c) [Children's](#) Division.
- (d) Make a reasonable attempt to notify the

- ~~child's~~

- (a) [child's](#) primary caregiver.

An officer who takes a child into temporary protective custody shall submit a written report to the juvenile officer as soon as practicable but no later than 12 hours after taking the child into custody. The report shall identify the child and the facts and circumstances that established a reasonable cause to believe that the child was in imminent danger of serious physical harm or death (§ 210.125, RSMo; Sup. Ct. Rule 123.02).

#### 314.6.2 SAFE PLACE FOR NEWBORNS ACT

A person may leave an unharmed infant up to 45 days old with an on-duty employee at any hospital, maternity home, pregnancy resource center, fire department, with an emergency medical professional or law enforcement agency (§ 210.950, RSMo). The person taking physical custody of an infant at any place other than a hospital shall arrange for the immediate transportation of the infant to the nearest hospital licensed pursuant to Chapter 197, RSMo. The hospital shall notify the Department of Social Services.

A parent voluntarily relinquishing a child is not required to provide any identifying information about the child or the parent. Officers shall not induce or coerce, or attempt to induce or coerce, a parent into revealing ~~his/her~~ [their](#) identity, or attempt to locate or determine the identity of the parent.

### 314.7 INTERVIEWS

#### 314.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

#### 314.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
  1. A reasonable belief that medical issues of the child need to be addressed immediately.



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2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
  3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

#### 314.7.3 NOTIFICATION TO PARENT

If the parents are not the alleged abusers, a parent of the child shall be notified prior to the child being interviewed. If the abuse or neglect is alleged to have occurred in a school or child care facility, the interview shall not take place in any school building or child care facility building where the abuse or neglect is alleged to have occurred (§ 210.145.5, RSMo).

#### 314.7.4 REQUESTS FOR INTERVIEW ASSISTANCE FROM THE MISSOURI DEPARTMENT OF SOCIAL SERVICES

When the Department is contacted by the Missouri Department of Social Services, ~~Children's Division,~~ Children's Division requesting assistance, the Department shall either assist in the investigation or provide the ~~Children's~~ Children's Division, within 24 hours, an explanation in writing detailing the reasons why it is unable to assist. When assistance relates to a notification that a child is in danger of serious physical harm, the handling officer shall take all necessary steps to facilitate direct observation of the child by the ~~Children's~~ Children's Division (§ 210.145.5, RSMo; § 210.145.6, RSMo).

When providing assistance, no officer shall call prior to a home visit or leave any documentation of any attempted visit, such as business cards, pamphlets or other similar identifying information, if he/she has a reasonable basis to believe any of the following factors are present (§ 210.145.6, RSMo):

- (a) No person is present in the home at the time of the home visit and either the suspect resides in the home or the physical safety of the child may be compromised if the alleged perpetrator becomes aware of the attempted visit.
- (b) The alleged perpetrator will be alerted regarding the attempted visit.
- (c) The family has a history of domestic violence or of fleeing the community.

#### 314.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a

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medical examination, the notified supervisor should consider obtaining a court order for such an examination.

#### **314.9 DRUG-ENDANGERED CHILDREN**

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

##### **314.9.1 OFFICER RESPONSIBILITIES**

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate.
- (b) Notify the supervisor so an interagency response can begin.

#### **314.10 STATE MANDATES AND OTHER RELEVANT LAWS**

Missouri requires or permits the following:

##### **314.10.1 PROTECTIVE CUSTODY RECORDS**

The Records Clerk shall ensure a confidential record is maintained of the date and time a child less than 17 years of age is taken into protective custody and the date and time the child is released from custody (§ 210.004, RSMo).

##### **314.10.2 RELEASE OF REPORTS**

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy.

##### **314.10.3 CHILD FATALITY REVIEW PANEL**

Child fatality review panels are required to investigate deaths of children that meet the criteria established by the Department of Social Services. This department shall cooperate fully with any such team and investigation (§ 210.192, RSMo).

##### **314.10.4 CRIMINAL HISTORY CHECKS FOR PLACEMENT**

A supervisor may assist the Department of Social Services by conducting a name-based criminal history record check through the Missouri Uniform Law Enforcement System (MULES) and the National Crime Information Center (NCIC) when an emergency placement is necessary (§ 210.482, RSMo).

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#### 314.10.5 ~~SCHOOL PERSONNEL~~

~~Reports of child abuse committed by school personnel shall be investigated in accordance with § 160.261, RSMo, as applicable, to include working jointly with school officials, documenting all reports and independently arriving at a conclusion as to whether the abuse is substantiated.~~

#### 314.11 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training ~~may~~ should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.

## Briefing

### 402.1 PURPOSE AND SCOPE

~~Briefing is generally conducted at the beginning of the officer's assigned shift. Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct briefing. However, officers may conduct briefing for training purposes with supervisor approval.~~

~~Briefing should accomplish, at a minimum, certain basic tasks, including:~~

- ~~(a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles and major investigations.~~
- ~~(b) Notifying officers of changes in schedules and assignments.~~
- ~~(c) Notifying officers of new General Orders or changes in General Orders.~~
- ~~(d) Reviewing recent incidents for training purposes.~~
- ~~(e) Providing training on a variety of subjects.~~

[This policy discusses the activity of briefing and includes the tasks that should be accomplished during this short period.](#)

### 402.2 BRIEFING

~~Briefing is generally conducted at the beginning or conclusion of the officer's assigned shift, yet it may occur at another period. Briefing should incorporate short training segments on a variety of subjects and may include:~~

~~Review and discussion of new or updated policies.~~

~~Presentation and discussion of the proper application of existing policy to routine and unusual daily activities.~~

~~Presentation and discussion of the proper application of existing policy to unusual activities~~ [All bureaus and specialized units will conduct regular briefing to discuss, disseminate, and exchange information among department members, work groups, and other organizations. A supervisor generally will conduct briefing. However, the supervisor may delegate this responsibility to a subordinate member in the supervisor's absence or for training purposes.](#)

[Briefing should include but is not limited to:](#)

- [\(a\) Providing members with information regarding daily activities, with particular attention given to changes in the status of:](#)
  - 1. [Wanted persons.](#)
  - 2. [Crime patterns.](#)
  - 3. [Suspect descriptions.](#)

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### Briefing

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4. [Intelligence reports and photographs.](#)
  5. [Community issues affecting law enforcement.](#)
  6. [Major investigations.](#)
- (b) [Notifying members of changes in schedules and assignments.](#)
  - (c) Reviewing recent incidents for [situational awareness and](#) training purposes.
  - (d) [Providing training on a variety of subjects.](#)
  - (e) [Conducting periodic personnel inspections.](#)

[Supervisors should also ensure that all members are informed about General Orders and any recent policy changes.](#)

#### 402.2.1 [RETENTION OF \[BRIEFING\] TRAINING RECORDS](#)

[Briefing training materials and a curriculum or summary shall be forwarded to the Training Officer for inclusion in training records, as appropriate.](#)

#### 402.2 [POLICY](#)

[Briefing is intended to facilitate the accurate flow of information in order to enhance coordination of activities, improve performance and safety, and outline the expected actions of members.](#)

#### 402.3 [PREPARATION OF MATERIALS](#)

The ~~individual-~~ [member](#) conducting briefing ~~and/or roll call training~~ is responsible for ~~collection and~~ preparation of the materials necessary for a constructive briefing ~~and/or roll call training.~~ ~~A supervisor may delegate this responsibility to a subordinate officer in his/her absence or for training purposes.~~


#### 402.5 [TRAINING](#)

[Briefing training should incorporate short segments on a variety of subjects or topics and may include:](#)

- (a) [Review and discussion of new or updated policies.](#)
- (b) [Presentation and discussion of the proper application of existing policy to routine daily activities.](#)
- (c) [Presentation and discussion of the proper application of existing policy to unusual activities.](#)
- (d) [Review of recent incidents for training purposes.](#)

## Previous Issued: Nixa Emergency Tactical Team

### 404.1 PURPOSE AND SCOPE

.The Nixa Emergency Tactical Team (NETT) is comprised of two specialized teams: the Crisis Negotiation Team (CNT) and the Special Weapons and Tactics team (SWAT). The unit has been established to provide specialized support in handling critical field operations where intense negotiations and/or special tactical deployment methods beyond the capacity of field officers appears to be necessary.

#### 404.1.1 OPERATIONAL AND ADMINISTRATIVE POLICY

The Policy Manual sections pertaining to the Nixa Emergency Tactical Team are divided into Administrative and Operational Policy and Procedures. Since situations that necessitate the need for such a law enforcement response vary greatly from incident to incident, and because such events often demand on-scene evaluation, the Operational Policy outlined in this section serves as a guideline to department personnel, allowing for appropriate on-scene decision-making as required. The Administrative Procedures, however, are more restrictive and few exceptions should be taken.

#### 404.1.2 SWAT TEAM DEFINED

**SWAT team** - A designated unit of law enforcement officers, including a multijurisdictional team, that is specifically trained and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex or unusual that they may exceed the capabilities of first responders or investigative units. This includes, but is not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of department policy, such a unit may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit.

### 404.2 LEVELS OF CAPABILITY/TRAINING

#### 404.2.1 LEVEL I

**Level I SWAT team** - Is a basic team capable of providing containment and intervention with critical incidents that exceed the training and resources available to line-level officers. This does not include ad hoc teams of officers that are formed around a specific mission, detail or incident (e.g., active shooter response). Generally, 5 percent of the basic team's on-duty time should be devoted to training.

#### 404.2.2 LEVEL II

**Level II SWAT team** - Is an intermediate level team capable of providing containment and intervention. These teams possess tactical capabilities above the Level I teams. These teams may or may not work together on a daily basis, but are intended to respond to incidents as a team. At least 5 percent of their on-duty time should be devoted to training, with supplemental training for tactical capabilities above the Level I team.

#### 404.2.3 LEVEL III

**Level III SWAT team** - Is an advanced level team whose personnel function as a full-time unit. Generally, 25 percent of their on-duty time is devoted to training. Level III teams operate in accordance with contemporary best practices.

### **404.3 POLICY**

It is the policy of this department to maintain a SWAT team and to provide the equipment, manpower and training necessary to maintain a SWAT team. The SWAT team should develop sufficient resources to perform three basic operational functions:

- a. Command and control
- b. Containment
- c. Entry/apprehension/rescue

It is understood that it is difficult to categorize specific capabilities for critical incidents. Training needs may vary based on the experience level of the team personnel, team administrators and incident commanders. Nothing in this policy shall prohibit individual teams from responding to a situation that exceeds their training levels due to the exigency of the circumstances. The preservation of human life is paramount.

#### **404.3.1 POLICY CONSIDERATIONS**

A needs assessment should be conducted to determine the type and extent of SWAT missions and operations that are appropriate to this department. The assessment should consider the ~~team's~~ team's capabilities and limitations and should be reviewed annually by the ~~SWAT~~ NETT commander or the authorized designee.

#### **404.3.2 ADMINISTRATIVE PROCEDURES**

This department shall develop a separate written set of organizational procedures that should address, at minimum, the following:

- a. Locally identified specific missions the team is capable of performing
- b. Team organization and function
- c. Personnel selection and retention criteria
- d. Training and required competencies
- e. Procedures for activation and deployment
- f. Command and control issues, including a clearly defined command structure
- g. Multi-agency response
- h. Extra jurisdictional response
- i. Specialized functions and supporting resources

[See attachment: Administrative Procedures.pdf](#)

#### **404.3.3 OPERATIONAL PROCEDURES**

This department shall develop a separate written set of operational procedures, in accordance with its level of capability, using sound risk reduction practices. The operational procedures should be patterned after the National Tactical Officers Association's Suggested SWAT Best Practices. The operational procedures should include, at minimum, the following elements:

- a. Personnel responsible for developing an operational or tactical plan should be designated prior to, and/or during SWAT operations (time permitting).
  1. All SWAT team members should have an understanding of operational planning.
  2. SWAT team training should consider planning for both spontaneous and planned events.
  3. SWAT teams should incorporate medical emergency contingency planning as part of the SWAT operational plan.
- b. Plans for mission briefings should be conducted prior to an operation, unless circumstances require immediate deployment.
  1. When reasonably possible, briefings should include the specialized units and supporting resources.
- c. Protocols for a sustained operation should be developed. These may include relief, rotation of personnel and augmentation of resources.
- d. A generic checklist to be worked through prior to initiating a tactical action should be developed. This will provide a means of conducting a threat assessment to determine the appropriate response and resources necessary, including the use of SWAT.
- e. The appropriate role for a trained negotiator should be defined.
- f. A standard method of determining whether a warrant should be regarded as high risk should be developed.
- g. A method for deciding how best to serve a high-risk warrant should be developed, with all reasonably foreseeable alternatives being reviewed in accordance with risk/benefit criteria prior to selecting the method of response.
- h. The elements of post-incident scene management should include:
  1. Documentation of the incident.
  2. Transition to investigations and/or other units.
  3. Debriefing after every deployment of the SWAT team.
    - a. After-action team debriefing provides evaluation and analysis of critical incidents and affords the opportunity for individual and team assessments. It also helps to identify training needs and reinforces sound risk management practices.
    - b. Debriefing should not be conducted until involved officers have had the opportunity to individually complete the necessary reports or provide formal statements.
    - c. To maintain candor and a meaningful exchange, debriefing will generally not be recorded.
    - d. When appropriate, debriefing should include specialized units and resources.
- i. Sound risk management analysis should be included.
- j. Standardization of equipment should be addressed.

[See attachment: Operational Procedures.pdf](#)

#### **404.4 TRAINING NEEDS ASSESSMENT**



1 The ~~SWAT~~ NETT commander shall conduct an annual SWAT training needs assessment to ensure that training is conducted within team capabilities and department policy.

#### 404.4.1 INITIAL TRAINING

SWAT team operators and SWAT supervisors/team leaders should not be deployed until successful completion of an approved basic SWAT course, or its equivalent, and successful completion of required Department training.

- a. To avoid unnecessary or redundant training, previous training completed by members may be considered equivalent when the hours and content or topics meet or exceed requirements determined by the Department.

#### 404.4.2 UPDATED TRAINING

Appropriate team training for the specialized SWAT functions and other supporting resources should be completed prior to full deployment of the team.

SWAT team operators and SWAT supervisors/team leaders should complete update or refresher training periodically.

#### 404.4.3 SUPERVISION AND MANAGEMENT TRAINING

Command and executive personnel are encouraged to attend training for managing the SWAT function at the organizational level. This is to ensure that personnel who provide active oversight at the scene of SWAT operations understand the purpose and capabilities of the team.

Command personnel who may assume incident command responsibilities should attend a SWAT or critical incident commander course or its equivalent. SWAT command personnel should attend a SWAT commander or tactical commander course or its equivalent that has been approved by the Department.

#### 404.4.4 SWAT ONGOING TRAINING

Training shall be coordinated by the NETT commander. The NETT commander may conduct monthly training exercises that include a review and critique of personnel and their performance in the exercise, in addition to specialized training.

#### 404.4.5 TRAINING SAFETY

Use of a designated safety officer should be considered for all tactical training.

#### 404.4.6 SCENARIO-BASED TRAINING

SWAT teams should participate in scenario-based training that simulates the tactical operational environment. Such training is an established method of improving performance during an actual deployment.

#### 404.4.7 TRAINING DOCUMENTATION

Individual and team training shall be documented and records maintained by the Training Unit. Such documentation shall be maintained in each member's individual training file. A separate agency SWAT training file shall be maintained with documentation and records of all team training.

### **404.5 UNIFORMS, EQUIPMENT AND FIREARMS**

#### 404.5.1 UNIFORMS

SWAT teams from this department should wear uniforms that clearly identify team members as law enforcement officers. It is recognized that certain tactical conditions may require covert movement. Attire may be selected appropriate to the specific mission.

#### 404.5.2 EQUIPMENT

SWAT teams from this department should be adequately equipped to meet the specific mission identified by the Department.

#### 404.5.3 FIREARMS

Weapons and equipment used by SWAT, the specialized units and the supporting resources should be department-issued or approved by the Chief of Police including any modifications, additions or attachments. Documentation of any modification, additions, or attachments shall be maintained by the NETT Commander.

#### 404.5.4 OPERATIONAL READINESS INSPECTION

The SWAT Team Leader shall complete an operational readiness inspection of all unit equipment at least quarterly. The result of the inspection will be forwarded to the NETT commander. The inspection will include personal equipment issued to members of the unit as well as special use equipment maintained for periodic or occasional use in the SWAT vehicle.

### **404.6 MANAGEMENT/SUPERVISION OF NIXA EMERGENCY TACTICAL TEAM**

The commander of the NETT shall be selected by the Chief of Police.

#### 404.6.1 PRIMARY UNIT MANAGER

Under the direction of the Chief of Police or his designee, the Nixa Emergency Tactical Team shall be managed by the appointed NETT commander.

## 404.6.2 TEAM SUPERVISORS

The CNT and each SWAT team will be supervised by a team leader who has been appointed by the NETT commander.

The following represent supervisor responsibilities for the Nixa Emergency Tactical Team:

- a. The CNT supervisor's primary responsibility is to supervise the operations of the team, to include deployment, training, first-line participation and other duties as directed by the NETT commander.
- b. The SWAT team supervisor's primary responsibility is to supervise the operations of the team, which will include deployment, training, first-line participation and other duties as directed by the NETT commander.

## 404.7 CRISIS NEGOTIATION TEAM

The CNT has been established to provide skilled verbal communicators, who may be utilized to attempt to de-escalate and effect surrender in critical situations where suspects have taken hostages, barricaded themselves or have suicidal tendencies.

### 404.7.1 SELECTION OF PERSONNEL

Minimum one consecutive year of full-time service immediately prior to the last day of the job posting with the Nixa Police Department, and not be on probation in the field training program or on disciplinary probation

Interested licensed personnel, shall submit a request to their appropriate Bureau Commander. A copy will be forwarded to the Team Leader. CNT personnel will be selected using a fair objective process.

A list of successful applicants shall be forwarded to the Team Commander for final selection.

### 404.7.2 TRAINING OF NEGOTIATORS

Those officers selected as members of the CNT should attend a department-approved basic negotiator's course prior to deployment in an actual crisis situation. Untrained officers may be used in a support or training capacity. Additional training will be coordinated by the team supervisor.

A minimum of one training day per year will be required to provide the opportunity for role playing and situational training to maintain proper skills. This will be coordinated by the team supervisor.

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the team shall be conducted by the team supervisor. Performance and efficiency levels established by the team supervisor will be met and maintained by all team members. Any member of the CNT who performs or functions at a level less than satisfactory shall be subject to dismissal from the CNT.

## **404.8 OPERATIONAL GUIDELINES FOR NIXA EMERGENCY TACTICAL TEAM**

The following procedures serve as guidelines for the operational deployment of the Nixa Emergency Tactical Team. Generally, the SWAT team and the CNT will be activated together. It is recognized, however, that a tactical team may be used in a situation not requiring the physical presence of the CNT, such as warrant service operations. This shall be at the discretion of the NETT commander.

### **404.8.1 ON-SCENE DETERMINATION**

Any officer involved with a particular event will assess whether the Nixa Emergency Tactical Team should respond. Upon final determination by the team leader, the NETT commander will be notified.

### **404.8.2 APPROPRIATE SITUATIONS FOR USE OF A NIXA EMERGENCY TACTICAL TEAM**

Examples of incidents that may result in the activation of the Nixa Emergency Tactical Team include:

- a. Barricaded suspects who refuse an order to surrender.
- b. Incidents where hostages have been taken.
- c. Arrests of persons reasonably believed to be dangerous.
- d. Any situation in which NETT or CNT deployment could enhance the ability to preserve life, maintain social order and ensure the protection of property.

### **404.8.3 OUTSIDE AGENCY REQUESTS**

Requests by field personnel for assistance from outside agency crisis units must be approved by the NETT Team Commander. Requests for deployment of the Nixa Police Department Nixa Emergency Tactical Team by other agencies must be authorized by a NETT Team Commander.

### **404.8.4 MULTIJURISDICTIONAL SWAT OPERATIONS**

The SWAT team, including specialized units and supporting resources, should develop protocols, agreements, memorandums of understanding, employment agreements or working relationships to support multijurisdictional or regional responses.

- a. If it is anticipated that multijurisdictional SWAT operations will regularly be conducted, SWAT multi-agency and multidisciplinary joint training exercises are required.
- b. Members of the Nixa Police Department SWAT team shall operate under the policies, procedures and command of the Nixa Police Department when working in a multi-agency situation.

### **404.8.5 MOBILIZATION OF NIXA EMERGENCY TACTICAL TEAM**

The Nixa Emergency Tactical Team activation to a critical incident will take precedence over all other nonemergency assignments within the Nixa Police Department. The Nixa Emergency Tactical Team can be requested by any officer within the Nixa Police Department. Any officer who wishes to activate the ~~N.E.T.T. shall~~ NETT shall seek permission from an on duty supervisor.

1. The officer with the most information about the situation should contact the SWAT Team Leader and brief him. The SWAT Team Leader will determine if the ~~N.E.T.T.~~NETT will respond. The SWAT Team Leader is responsible for initiating the page out protocol through Dispatch

2. Dispatch then initiates Nixa Emergency Tactical Team response per ~~N.E.T.T.~~NETT page-out protocol. Requests for the Nixa Emergency Tactical Team by outside agencies should be directed through the same Nixa Emergency Tactical Team chain of command, with authorization for such use being decided by the higher authority, outside of emergency situations. Nixa Emergency Tactical Team activation requests, outside of emergency situations, will be made through ~~the Team~~the SWAT Team Leader or higher authority. This will include, but not limited to, activation's for felony arrests, ~~surveillance's~~ surveillance's, man hunts, etc.

Officers should brief ~~the N.E.T.T.~~the SWAT Team Leader with the following information, if available:

- a. The number of suspects, known weapons and resources
- b. If the suspect is in control of hostages
- c. If the suspect is barricaded
- d. The type of crime involved
- e. If the suspect has threatened or attempted suicide
- f. The location and safe approach to the command post
- g. The extent of any perimeter and the number of officers involved
- h. Any other important facts critical to the immediate situation, and whether the suspect has refused an order to surrender

#### 404.8.6 FIELD UNIT RESPONSIBILITIES

While waiting for the Nixa Emergency Tactical Team, field personnel should, if safe, practicable and if sufficient resources exist:

- a. Establish an inner and outer perimeter.
- b. Establish a command post outside of the inner perimeter.
- c. Establish an arrest/response team. The team actions may include:
  1. Securing any subject or suspect who may surrender.
  2. Taking action to mitigate a lethal threat or behavior.
- d. Evacuate any injured persons or citizens in the zone of danger.
- e. Attempt to establish preliminary communications with the suspect. Once the NETT has arrived, all negotiations should generally be halted to allow the negotiators and SWAT team time to set up.
- f. Be prepared to brief the NETT commander on the situation.
- g. Plan for and stage anticipated resources.

#### 404.8.7 COMMUNICATION WITH NIXA EMERGENCY TACTICAL TEAM PERSONNEL

All persons who are non-Nixa Emergency Tactical Team personnel should refrain from any non-emergency contact or from interference with any member of the unit during active negotiations. Operations require the utmost in concentration by involved personnel. No one should interrupt or

communicate with NETT personnel directly. All non-emergency communications shall be channeled through the the authorized designee.

**Nixa Emergency Tactical Team  
NETT**



**404.3.2 Administrative Procedures  
Issued 05/15/2020**

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### 404.3.2 ADMINISTRATIVE PROCEDURES

This department shall develop a separate written set of organizational procedures that should address, at minimum, the following:

- a) Locally identified specific missions the team is capable of performing

See Nixa Emergency Tactical Team Policy Section: APPROPRIATE SITUATIONS FOR USE OF A NIXA EMERGENCY TACTICAL TEAM

- b) Team organization and function

<b>Nixa Emergency Tactical Team (NETT)</b>	
NETT Commander	
<b>SWAT</b>	<b>CRISIS NEGOTIATIONS (CNT)</b>
SWAT Team Leader	CNT Team Leader
Assistant SWAT Team Leader	CNT Negotiator(s)
SWAT Operators	CNT Support

- c) Personnel selection and retention criteria

The Nixa Emergency Tactical Team will select its personnel through a fair objective process. When a job posting is made, applicants who meet the following criteria may apply:

- Minimum one consecutive year of full-time service immediately prior to the last day of the job posting with the Nixa Police Department, and not be on probation in the field training program or on disciplinary probation.

Interested licensed personnel, shall submit a request to their appropriate Division Commander. A copy will be forwarded to the Team Leader.

A list of successful applicants shall be forwarded to the Team Commander for final selection.

SWAT selection will consist of several stages such as physical agility, marksmanship and an oral interview. Process results and appointment will be consistent with our promotional specifications although selection for the Nixa Emergency Tactical Team is considered an assignment.

For SWAT selection a NETT Testing packet is stored on the departments server in a secure NETT Admin folder only accessible to Team leadership.

For CNT selection See Nixa Emergency Tactical Team Policy Section: SELECTION OF PERSONNEL

#### **PROBATIONARY STATUS:**

Once selected for an opening on the Team, the candidate is on probationary status for six months. The probationary period starts at selection. At any time during the probationary period the candidate may be dismissed from the team without cause.

**DISMISSAL:**

All SWAT Team members must maintain adequate levels of performance. All SWAT Team members must also maintain the minimum level of physical fitness of 46 points on a bi-annual test. Team members must qualify quarterly with their primary and secondary weapons with a minimum score of 96 percent. Failure to maintain adequate levels of performance or physical fitness are grounds for dismissal from the team. Also, any team member may be dismissed when in the best interest of the team.

The procedure when a team member fails a performance skill level is immediate remedial training followed by a retest. Failure to pass the retest will result in the team member being placed in a non-deployable status. Within 30 days the member must pass a retest. Failure to take or pass a retest within 30 days will result in immediate dismissal from the team.

Any team member who is placed in a non-deployable status twice in a one-year period, starting with the date of the first period of non-deployable status, will be reviewed by the team leadership for dismissal.

Physical fitness tests will be conducted quarterly, the tests will be conducted by a team leader and will have a minimum of three team members present, a leader conducting the test, a scorer, and the member taking the test. Team members must participate in all physical fitness tests. Failure to take a test within 30 days will result in the member being placed in a non-deployable status for the period of 30 days.

Failure to take or pass the second and fourth quarter physical fitness test will result in the member being placed in a non-deployable status for the period of 30 days. If a team member fails to take a test due to an approved absence, the member must pass a retest within 30 days. Failure to take or pass a retest within 30 days will result in immediate dismissal from the team.

Any team member who fails to adequately maintain assigned equipment may be dismissed from the team. Any team member who loses team equipment, through negligence, will be required to replace the equipment and may be dismissed from the team. If the lost equipment is sensitive in nature, such as weapons, explosives, NFDD's or any items that can cause injury, the team member shall be dismissed from the team.

Any team member may voluntarily withdraw from the team at any time by giving written notice to the team commander. Team leadership will determine if the member left in good standing.

**RESELECTION:**

Past SWAT Team members who left the team within the last 12 months in good standing may reapply to SWAT. Preference for filling an existing opening may be given to the past member when team leadership feels it is appropriate. Under these circumstances, past members do not need to go through the applicant process. The past member will be given a physical fitness test and firearms test, which they must pass as an active member, before assignment back on the team. All standards for continued membership on the team then apply.

#### d) Training and required competencies

The NETT Team Commander will conduct an annual training needs assessment. In an attempt to maximize planning, which in turn should serve to enhance the quality of training, a year-long training plan has been created. This plan was the result of listing the tactical skills and techniques employed in SWAT, both team and individual, determining the desired frequency of each over 12 months and then crafting a calendar to accommodate the training.

The goals of this comprehensive plan are to:

- Assure consistency in training
- Build relevant scenarios
- Attempt to provide the desired frequency of training for critical skills
- Assure all areas are covered during the course of a year
- Provide a schedule which frees training facilitators to concentrate on the content rather than the subject matter

#### **LEVELS OF TRAINING:**

There are various stages of training for NETT officers. The initial training of new SWAT officers will consist of 80 hours of training to include a 40-hour basic SWAT school or its equivalent, presented by an outside agency or trainer unless in-house basic SWAT training is available. All SWAT officers will then participate in the ongoing training as detailed in the yearlong plan, around approximately ten hours per month. In addition to the monthly training, SWAT should be afforded one week a year or approximately 40 hours to conduct scenario based and other training exercises. Every other calendar year, this training period should be conducted by an outside agency or trainer. When combined with the monthly training time, SWAT should be able to provide approximately 160 hours of training per year. There will be further efforts to send team members to advanced SWAT schools presented by an outside agency or trainer. Other SWAT relevant training schools will be considered on an on-going basis. Team members are encouraged to locate relevant training schools and submit them to the NETT Commander for consideration.

There will be additional training for specialty assignments within NETT. The commander and team leaders will attend additional command, team leader, liability, supervisory and tactical “trainer” courses. Senior officers may also be sent to team leader and tactical “trainer” courses.

Instructors will be selected from within the team and trained as such in a number of areas including but not limited to chemical agents, breaching, active shooter response, less lethal, diversionary devices, Rangemaster, and armorer.

#### **APPLICATION OF PLAN:**

It must be remembered that this plan has to remain flexible. Availability of training sites is always a challenge, and this plan adds the requirement of having to find a site on a given day to match the type of training. As a result, there will have to be changes made throughout the year to accommodate availability and unique training opportunities. Team members are encouraged to

locate team training opportunities, events and competitions and submit them to the NETT Commander for participation.

The skills frequencies listed in this cyclic training plan should be viewed as a guide, rather than a prescribed mandatory minimum necessary to be a competent operator. Also, despite the effort that went into its creation, the plan is not all-inclusive. It is hoped that by using this guide throughout the year the above listed goals will be accomplished and overall proficiency will be positively impacted.

### **MONTHLY SKILLS:**

In addition to the skills listed in the annual training schedule, there are a number of skills that should be drilled or exercised as often as possible. It is up to the training facilitator(s) and Team Leaders to make every attempt to include the below-listed skills in every training activity:

- Room entry and exit
- Stealth movement
- Dynamic movement
- Breaching
- Verbal challenges and surrender commands upon initial suspect encounter
- Radio communication following shots fired
- Use of communications gear
- Use of Pole Camera

The following listed skills require appropriate training sites in order to be conducted. As a result, they could not be pre-planned and incorporated into the annual schedule. They should, however, be incorporated into training whenever the opportunity arises:

- Breaching\*
- Diversionary devices/chemical agents/smoke
- Window entries
- Window porting
- Ladders over walls
- Ladders into windows/multi-story
- Attic clearing/attic tool

\*Should be done on every available opportunity

### **DOCUMENTATION:**

**NETT After Action Report:** Whenever the team is activated or deployed, the Team Leader or designee will prepare an after-action report. This report will completely describe all aspects and will be submitted to the Chief of Police through the chain of command.

**NETT Training Log:** The Team Leader or designee will maintain a training log for all scheduled training days and events. This log will contain the date, time, location, and signature of the officers in attendance, instructor, and the subject matter.

Training Outlines: Training will be assigned to at least two team members on a rotating basis. Team members responsible for the day's training shall submit an outline of the day's scheduled activities including time, location, and subject matter to the Team Leader in advance of the scheduled training day.

**NETT FILES:**

The NETT team keeps files containing call-out and training documentation. Files are kept for every call-out, warrant service and activation. These files contain tactical operation and scouting plans, photos, diagrams, etc. These files are also extremely useful in preparing and planning future events.

Members are strongly encouraged to initiate a file on any location that may require a future NETT response.

**ATTENDANCE:**

Team members should make every effort to attend training. In the event of a pre-planned absence, notification must be made to the Team Leaders via email.

Any NETT member who misses two days or any portion of two days of scheduled SWAT training without approval within a rolling 12-month period will be reviewed by the team leadership for dismissal.

**SCHEDULING:**

Team members scheduled for training on their regular workday should adjust their hours to attend training on duty. Schedule adjustments are to be approved by the NETT Commander. Any conflicts should be brought to the attention of the team leadership.

**TRAINING NOTICES:**

As much advance notice as possible will be given when any deviations occur from the dates set forth in the annual training schedule. Team members responsible for a scheduled training day may send out a reminder in advance of the date. These reminders are required when additional equipment or preparation is needed for unique events.

Training notices are to be sent using any of the following methods:

- City email system
- Group Text initiated by team leadership
- Text Alert (cell phone text message alert system) initiated by Dispatch

## **TRAINING RULES:**

- Training days will be activated by a team page out using the call out checklist. The team leader will determine time of page.
- Each member will arrive in full uniform and gear. Uniform and gear will be worn the entire training day, unless directed otherwise by the team leader.
- The entire time noted on the schedule will be utilized for training.
- On time, all of the time.
- Gear and weapons will be maintained and clean.
- Possess a positive and motivated training attitude.

### e) Procedures for activation and deployment

See Nixa Emergency Tactical Team Policy Section: MOBILIZATION OF NIXA EMERGENCY TACTICAL TEAM

### f) Command and control issues, including a clearly defined command structure

## **COMMAND AND CONTROL:**

The Nixa Emergency Tactical Team (NETT) believes in and supports the Incident Command System. A qualified officer on-scene of an incident becomes the Incident Commander. The NETT Commander fills the role of Tactical Operations Commander and is responsible for tactical deployment, decision making, and resolution of the incident.

The Incident Commander provides the mission to the NETT Commander. The Incident Commander or his or her designee manages other issues related to the incident. These issues may include providing for outer perimeter personnel, investigations follow-up, media concerns, overall incident planning, logistics, and assisting the NETT Commander with relief and comfort needs for NETT members. The NETT Commander manages all tactical and negotiation portions of the incident. The NETT Commander may at times act as both the Incident Commander and Tactical Commander depending on the size, scope and complexity of the incident and the personnel available.

The Incident Commander may establish an Incident Command Post (CP). The NETT Commander will coordinate the set-up and operation of a Tactical Operations Center (TOC) for storing and documenting information related to the critical incident. The NETT Commander will ensure adequate liaison occurs with the Command Post, the Negotiations Team, and Tactical Team Leaders.

The Nixa Emergency Tactical Team will follow the below command structure: The commander of the NETT shall be selected by the Chief of Police. Under the direction of the Chief of Police or his designee, the Nixa Emergency Tactical Team shall be managed by the appointed NETT commander. The CNT and SWAT team will be supervised by a team leader who has been appointed by the NETT commander. The following represent supervisor responsibilities for the Nixa Emergency Tactical Team:

- The CNT supervisor's primary responsibility is to supervise the operations of the CNT team, to include deployment, training, first-line participation and other duties as directed by the NETT commander.
- The SWAT team supervisor's primary responsibility is to supervise the operations of the SWAT team, which will include deployment, training, first-line participation and other duties as directed by the NETT commander.

g) Multi-agency response

See Nixa Emergency Tactical Team Policy Section: OUTSIDE AGENCY REQUESTS

h) Extra jurisdictional response

In the event the Nixa Emergency Tactical Team needs to be supplemented for an extended event or an event that exceeds its mission capabilities, the initial request for mutual aid assistance will be to the Springfield, Missouri Police Department's Special Response Team.

See Nixa Emergency Tactical Team Policy Section: MULTIJURISDICTIONAL SWAT OPERATIONS

i) Specialized functions and supporting resources

See Nixa Emergency Tactical Team Policy Section: CRISIS NEGOTIATION TEAM

See Nixa Emergency Tactical Team Policy Section: SELECTION OF PERSONNEL

See Nixa Emergency Tactical Team Policy Section: TRAINING OF NEGOTIATORS

**Nixa Emergency Tactical Team  
NETT**



**404.3.3 Operational Procedures  
Issued 05/15/2020**



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### 404.3.3 OPERATIONAL PROCEDURES

This department shall develop a separate written set of operational procedures, in accordance with its level of capability, using sound risk reduction practices. The operational procedures should be patterned after the National Tactical Officers Association's Suggested SWAT Best Practices. The operational procedures should include, at minimum, the following elements.

#### NPD Forms:

Various forms related to NETT are stored on the departments server in a NPD Forms folder accessible to all members of NETT and the Nixa Police Department. These forms were developed to ensure all members are familiar with and have an understanding of operational procedures and have a standard method of obtaining consistent information needed to develop the best tactical plan and the statistically best chance for a safe resolution. NPD Forms include the following:

- 57 (04-2020) NETT Form Header
  - 58 (04-2020) NETT Call Out Check List
  - 59 (04-2020) NETT Operations Order
  - 60 (04-2020) NETT Post Raid Report
  - 61 (04-2020) NETT Scouting Checklist
  - 62 (08-2019) NETT Threat Assessment
- a) Personnel responsible for developing an operational or tactical plan should be designated prior to, and/or during SWAT operations (time permitting).

See Nixa Police Department Operations Planning and Deconfliction Policy

See NPD Forms section above

- b) Plans for mission briefings should be conducted prior to an operation, unless circumstances require immediate deployment.

See Nixa Police Department Operations Planning and Deconfliction Policy

- c) Protocols for a sustained operation should be developed. These may include relief, rotation of personnel and augmentation of resources.

See Nixa Police Department Fitness for Duty Policy

In the event the Nixa Emergency Tactical Team needs to be supplemented for an extended event or an event that exceeds its mission capabilities, the initial request for mutual aid assistance will be to the Springfield, Missouri Police Department's Special Response Team.

See Nixa Emergency Tactical Team Policy Section: MULTIJURISDICTIONAL SWAT OPERATIONS

- d) A generic checklist to be worked through prior to initiating a tactical action should be developed. This will provide a means of conducting a threat assessment to determine the appropriate response and resources necessary, including the use of SWAT.

See Nixa Police Department Operations Planning and Deconfliction Policy

See NPD Forms section above

- e) The appropriate role for a trained negotiator should be defined.

See Nixa Emergency Tactical Team Policy Section: CRISIS NEGOTIATION TEAM

At the heart of the CNT response to a crisis is a belief that time is a precious commodity. The CNT works to buy time for the calming of emotion, the development of the best tactical plan, the creation of rapport between negotiator and suspect, to serve as a distraction of the suspect during SWAT activity and the statistically best chance for a safe resolution.

- f) A standard method of determining whether a warrant should be regarded as high risk should be developed.

See Nixa Police Department Operations Planning and Deconfliction Policy

See Nixa Police Department Warrant Service Policy

See NPD Forms section above

- g) A method for deciding how best to serve a high-risk warrant should be developed, with all reasonably foreseeable alternatives being reviewed in accordance with risk/benefit criteria prior to selecting the method of response.

See Nixa Police Department Operations Planning and Deconfliction Policy

See NPD Forms section above

- h) The elements of post-incident scene management should include:

See Nixa Police Department Nixa Emergency Tactical Team Policy

See Nixa Police Department Operations Planning and Deconfliction Policy

See Nixa Police Department Warrant Service Policy

See NPD Forms section above

- i) Sound risk management analysis should be included.

## I. PHILOSOPHY

Recognizing that, by their nature, tactical operations are hazardous situations, the successful management and resolution of an incident often involves the need for decisions that may affect the safety of persons involved. Due to this, all operations/tactical decisions making will be made based on the Department's established priorities of life known as the Safety Priorities:

### SAFETY PRIORITIES

1. Hostages
2. Innocent Persons/Citizens
3. Police Officers
4. Suspects/subjects

Where possible, the safety of suspects will be a consideration; however, the life of a suspect ***will not*** take precedence over the life of hostages, innocent persons/citizens, or police officers, regardless of the state of negotiations or any other activity designed to take the suspect into custody.

## A. TACTICAL OPTIONS

The dynamics of a situation relinquishes control to the suspect, who usually knows what they are going to do. The Nixa Emergency Tactical Team will attempt to use tactics and contingency planning to have options in place to achieve a successful tactical resolution. The following situations and operations are not all inclusive and less lethal options will always be considered.

### 1. Hostage Situation

In hostage situations, negotiation will be the main activity to achieve a resolution; however, the Nixa Emergency Tactical Team will be prepared to execute a tactical option when the opportunity for the highest chance of success exists. These options may include, but are not limited to:

- a. Containment: Establish an inner perimeter, gather intelligence.
- b. Police Marksman: A well placed surgical shot which neutralizes the threat. There should be an entry/securing team element in place to clear the area and secure hostages.
- c. Assault (open air): Movement of the team to neutralize the threat after suspect has moved into an "open air" environment and is out of the stronghold. A marksman may be utilized in this situation.

- d. Assault (entry): Movement of the team into the suspect's stronghold to neutralize the threat(s). This is the least desirable option as you are meeting the suspect(s) in their environment, known to them and unknown to you.
- e. Combination: A combination of these options which may be adapted to deal with the variety of contingencies.

## 2. Barricade Situations

Negotiation will be the main activity to achieve a resolution; however, the Department recognizes that it is not reasonable for a barricade situation to deprive police services from the rest of the citizens of this community. Due to the manpower needed for these situations, officers are not able to answer priority calls for service. Thus, these situations should be resolved in a reasonable period of time, 3-5 hours, depending on the circumstances.

The options for resolution are as follows:

- a. Negotiation.
- b. Force the suspect out: By use of chemical munitions to force the suspect out of his or her stronghold.
- c. Tactical Entry: Based on safety priorities, an entry would not be made.

## II. HIGH RISK POLICE TACTICS

The use of these tactics will be regulated to ensure that the proper execution is followed to reduce the likelihood of injury.

### A. DEFINITIONS

- 1. **HIGH RISK POLICE TACTICS (HRPT):** Police tactics, which by their nature, have an increased potential of causing injury than conventional police tactics.
- 2. **HIGH RISK OPERATION:** Police operation in which the circumstances indicate the potential for violence being directed towards officers/involved persons is higher than normal.
- 3. **NOISE/FLASH DIVERSION DEVICE (NFDD):** Produces a loud report and bright flash. Also referred to as a distraction device.
- 4. **EXPLOSIVE TECHNIQUES:** The use of explosives to assist in furtherance of an operational objective.

5. CHEMICAL MUNITIONS: The use of chemical agents, (CN/CS/OC) in furtherance of an operational objective.
6. GRENADIER: Officer assigned to deploy the NFDD or chemical munitions.
7. PRIMARY BREACHER: Officer assigned to mechanical breaching element of the operation.

Officers should recognize that the definitions above are not all inclusive, and many tactics/techniques beyond those listed could be considered, "high risk police tactics".

## B. TRAINING

Certain HRPT require the completion of established training programs prior to their use. Specifically, no department member shall use the following high risk police tactics without prior completion of their respective training programs:

1. NFDD: Nixa Emergency Tactical Team in-service training program, with an instructor rating being encouraged and preferred. The training programs will include the recommended classroom and live fire exercises included in the approved instructor/trainer programs.
2. EXPLOSIVE TECHNIQUES: Blasters certification course and specialized training in explosive entry. The specialized training is a combination of practical and classroom instruction, provided through a program recognized by the National Tactical officers Associations explosive/breaching experts, or commercial explosive entry courses. The explosive breacher will also participate in regular, documented first hand training, in the preparation and use of explosive charges in tactical environment.
3. CHEMICAL MUNITIONS: Nixa Emergency Tactical Team end user training program, with an instructor rating being encouraged and preferred. The training programs will include the approved classroom and practical exercises included in the instructor/trainer programs.

## C. AUTHORIZATION

The use of high risk police tactics should be proceeded with approval by the Nixa Emergency Tactical Team Unit Commander and/or Chief of Police. The Unit Commander and or Chief of Police will receive prior notification in all cases outside of emergency circumstances.

The Unit Commander and/or Chief of Police may elect to participate in the pre-deployment process. Operational control is relinquished to the Team Leader after the team has deployed.

D. DEPLOYMENT

The use of high risk police tactics will be done with regard for the safety of all persons involved in the situation, given the potential for injury to the involved persons, should the tactics not be employed. They should be used when they will likely assist in resolving a potentially dangerous police situation, with a reduced potential of death or serious physical injury for those involved. These decisions will also be made based on the department recognized Safety Priorities of those involved:

1. Hostages
2. Innocent Citizens
3. Officers
4. Suspects

The decision to deploy such tactics, and later determination of "correctness", will be based only on the information known at the time of the operation.

E. SPECIAL DEPLOYMENT CONSIDERATIONS:

1. NFDD: The use of a NFDD or explosive shall be limited to areas that have been visually inspected prior to deployment. The only exception to this is an operation in which the risk of inspection clearly outweighs the potential danger of, "blind deployment". The authority for such deployment requires prior Team leader and higher authorities approval, outside of emergency circumstances.

The Team Leader and officers assigned as grenadiers/primary breachers will consider the following prior to deploying a NFDD or explosive:

- a. Flammable materials at or near point of deployment.
- b. Location of persons, especially children or elderly, near the point of deployment.
- c. Other conditions which create an obvious safety hazard.

Upon determining that a NFDD or explosive will be used, the grenadier/primary breacher will consider the issue noted above, up to and including the time of actual deployment. The pre-raid briefing will include an avenue for the grenadier/primary breacher to deploy the devices to a safe area, should the chosen location be determined unsafe during the operation, ("coming out" location).

2. CHEMICAL MUNITIONS: All use of Chemical Munitions in tactical operations will be documented.

j) Standardization of equipment.

**STANDARD OPERATOR EQUIPMENT INVENTORY:**

Any operator assigned to SWAT will be equipped with the following items assigned to that operator and are encouraged to utilize and wear the equipment during training and on operations in accordance with department policies:

- National Institute of Justice (NIJ) rated Ballistic Vest and/or Plate Carrier
  - Misc. Gear Pouches
  - NIJ rated Ballistic Helmet
  - Weapon Systems
    - Handgun
      - Holster/Light/Magazines
    - Rifle
      - Optic/Sling/Light/Magazines
  - Communications Equipment
    - Radio, Headset, Earpiece, PTT (push to talk) switches
  - Protective Eyewear (Impact Resistant)
  - Hearing Protection
  - Elbow Pads
  - Knee Pads
  - Gloves
  - Deployment Uniform appropriate for the local climate and hazards
    - See attached NETT Uniform Designations APPENDIX J
  - Gas Mask with National Institute for Occupational Safety and Health (NIOSH) approved filters for the hazards they potentially could be exposed
  - Individual First Aid Kit (IFAK)
  - Tourniquet
  - Restraint devices
  - Less lethal option unless supported by team equipment
    - Taser, Mace, ASP etc.

Attachment: APPENDIX J – NETT Uniform Designations



## NETT UNIFORM DESIGNATIONS APPENDIX J

### SWAT B UNIFORM

All operators will always possess and maintain a serviceable SWAT B uniform. SWAT B uniforms will be the uniform of the day for deployments. The SWAT B uniform will consist of the following:

- (a) Black long-sleeve uniform combat shirt with front zipper and at least a front left breast cloth replica unit badge and shoulder patches on both arms in a consistent location.
- (b) Black BDU Uniform pants.
  - 1. Uniform and gear in all configurations other than black will be phased out starting 01/01/2020.
- (c) The combat shirt may be worn with the zipper open or closed and the collar either up or down as appropriate for any applicable hazards. The combat shirt sleeves may also be worn down or rolled up as long as not obstructing the unit patches as appropriate for the local climate.
- (d) If an undershirt is worn it must be black in color. Turtleneck and mock turtleneck undershirts may be worn.
- (e) The combat shirt and any base layers will be worn tucked in.
- (f) External suspenders are allowed.
- (g) Duty gear
- (h) Shinned footwear described in the section of these designations titled "Footwear."
- (i) Optional headgear is approved with this uniform.

### SWAT C UNIFORM

Class C uniforms include an External Ballistic Plate Carrier. Class C uniforms will consist of the following:

- (a) Ranger green tactical plate carrier, with od green on black POLICE markings on front and back in consistent sizes and with consistent placement.
- (b) Black long-sleeve uniform combat shirt with front zipper and at least a front left breast cloth replica unit badge and shoulder patches on both arms in a consistent location.
- (c) SWAT B Black BDU Uniform pants.
  - 1. Uniform and gear in all configurations other than black will be phased out starting 01/01/2020.
- (d) If an undershirt is worn it must be black in color. Turtleneck and mock turtleneck undershirts may be worn.
- (e) The combat shirt and any base layers will be worn tucked in.
- (f) Approved SWAT gear may be worn on the vest in unit-approved ranger green or black gear pouches.
- (g) The duty pistol shall not be worn on the vest.
- (h) Shinned footwear described in the section of these designations titled "Footwear."
- (i) Optional headgear is approved with this uniform.

## OPTIONAL NETT D CASUAL ATTIRE

The NETT D designation for optional casual attire may be utilized to allow members clothing during prolonged or specialized training or events as approved by the NETT Commander or his/her designee. The NETT D designation may consist of the following:

- (a) Nixa Police or NETT baseball cap T-shirts, polos, or hoodies
- (b) BDU or combat style shirts, in good condition, with no holes, patches or insignias
- (c) BDU or six-pocket style pants, slacks, or docker style pants in good condition, with no holes
- (d) Department issued weapon worn in a holster
- (e) Department issued badge
- (f) Shinned footwear described in the section of these designations titled "Footwear."
  - 1. Optional Black tennis with black laces are allowed
- (g) Optional headgear is allowed

## OUTERWEAR

The following is a list of approved outerwear:

- 1. Black Unit Uniform Softshell Jacket and at least a front left breast cloth replica unit badge and shoulder patches on both arms in a consistent location.
- 2. Hi-Vis reversable parka
- 3. Black Raincoat
- 4. Black External Body armor carrier
  - 1. With non-reflective white on black Velcro backed "POLICE" on front and back
- 5. Gloves
  - 1. Black in color
  - 2. Leather or other manmade material
  - 3. Not weighted
  - 4. No overt logos, designs, or wordings
- 6. Overshoes (optional)
  - 1. Black in color
- 7. Head gear
  - 1. Baseball cap (optional)
    - (a) Plain Black
    - (b) Fitted or adjustable
    - (c) No overt logos, designs, or wordings
    - (d) various materials with or without mesh sides or back
    - (e) No eccentric styles (ie flat bills)
  - 2. Cold weather cap/beanie, earmuffs, headbands (optional)
    - (a) Plain black
    - (b) No overt logos, designs, or wordings
    - (c) with or without POLICE in white lettering on front
- 8. (Optional) Other black in color jackets and coats or inclement weather gear with no overt logos, designs, or wordings as approved by the NETT Commander

**DUTY GEAR AND UNIFORM  
ACCESSORIES**

Duty gear shall consist of the following:

Duty gear- Operators when wearing a SWAT B or SWAT C uniform will wear at minimum the following duty gear:

1. Duty belt
2. Holster
3. Handcuffs in a case
4. Two pistol magazines in a case
5. At least one less-lethal option unless supported by team equipment

**FOOTWEAR**

Footwear for SWAT B and C uniforms will conform to the following criteria:

- (a) Black in color with black laces and zipper as applicable
- (b) Plain rounded or square toe
- (c) All leather (smooth finish) or leather (smooth finish) with nylon or other manmade material upper
- (d) lace-up, zip up, or slip-on
- (e) Socks must be black in color and cover the exposed skin of the legs when in a seated position.

**UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES**

NETT Members must get approval to wear any uniform item, accessory or attachment not specifically authorized in these designations from the NETT Commander or the authorized designee.

Only active NETT Members may wear any optional unit baseball cap, T-shirts, polos, or hoodies.

## Medical Aid and Response

### 427.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons who appear to be in need of medical aid and establishes a law enforcement response to such situations.

### 427.2 POLICY

It is the policy of the Nixa Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

### 427.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

~~Whenever~~ Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR ~~and~~ use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact ~~the~~ the Communications Center and request response by ~~emergency medical services~~ Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide ~~the~~ the Communications Center with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
  1. Signs and symptoms as observed by the member.
  2. Changes in apparent condition.
  3. Number of patients, sex, and age, if known.
  4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
  5. Whether the person is showing signs
- (e) 1. of

~~-- excited delirium or other agitated chaotic behavior~~

### *Medical Aid and Response*

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- (a) 1. [extreme agitation or is engaging in violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain.](#)

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel [regarding](#) whether to transport the person for treatment.

#### **427.4 TRANSPORTING ILL AND INJURED PERSONS**

Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

#### **427.5 PERSONS REFUSING EMS CARE**

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a civil commitment in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

##### **427.5.1 SICK OR INJURED ARRESTEE**

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness,

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the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

#### **427.6 MEDICAL ATTENTION RELATED TO USE OF FORCE**

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

#### **427.7 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE**

##### **427.7.1 AED USER RESPONSIBILITY**

Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Training Officer who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED should contact the Communications Center as soon as possible and request response by EMS.

##### **427.7.2 AED REPORTING**

Any member using an AED will complete an incident report detailing its use.

A copy of the report should be forwarded to the Training Officer.

##### **427.7.3 AED TRAINING AND MAINTENANCE**

The Training Officer shall ensure appropriate training is provided to members authorized to use an AED. Training shall follow standards created by the American Red Cross, the American Heart Association, or equivalent standards from a nationally recognized organization in the use of AED and CPR (§ 190.1005, RSMo).

The Training Officer is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule.

The Training Officer is responsible for ensuring AED devices are appropriately maintained according to the requirements of § 190.092, RSMo, including:

- (a) Tested at least every two years.

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- (b) Tested after each use.
- (c) Inspected at least every ninety days for potential issues related to the operation of the device.

#### **427.8 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION**

The Operations Bureau Commander may authorize the acquisition of opioid overdose medication as provided in § 190.255, RSMo for use by members. The Training Officer is responsible for the storage, maintenance, control and general oversight of the opioid overdose medication acquired by the Department.

Only members who have received training in recognizing and responding to an opioid overdose and in the administration of opioid overdose medication may administer opioid overdose medication (§ 190.255, RSMo).

##### **427.8.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES**

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Officer.

Any member who administers an opioid overdose medication should contact the Communications Center as soon as possible and request response by EMS.

##### **427.8.2 OPIOID OVERDOSE MEDICATION REPORTING**

Any member administering opioid overdose medication should detail its use in an appropriate report.

##### **427.8.3 OPIOID OVERDOSE MEDICATION TRAINING**

The Training Officer should ensure training is provided to members authorized to administer opioid overdose medication.

## Previous Issued: Operations Planning and Deconfliction

### 429.1 PURPOSE AND SCOPE

1. This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

#### 429.1.1 DEFINITIONS

Definitions related to this policy include:

**High-risk operations** - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

### 429.2 POLICY

It is the policy of the Nixa Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

### 429.3 OPERATIONS DIRECTOR

1. The ~~Tactical~~ SWAT Team Leader of this department will be the operations director. In his absence a ~~tactical~~ SWAT team supervisor will fill this role or assign a designee.

The operations director will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The director will also have the responsibility for coordinating operations that are categorized as high risk.

### 429.4 RISK ASSESSMENT

#### 429.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned 1. as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases,



target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:

1. Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.
2. Maps of the location.
3. Diagrams of any property and the interior of any buildings that are involved.
4. Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).
5. Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
6. Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
7. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
8. Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

#### 429.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

#### 429.4.3 HIGH-RISK OPERATIONS

If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

1. Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:
  - a. Nixa Emergency Tactical Team (NETT)
  - b. Additional personnel
  - c. Outside agency assistance
  - d. Special equipment
  - e. Medical personnel
  - f. Persons trained in negotiation

- g. Additional surveillance
  - h. Canines
  - i. Property and Evidence Unit or analytical personnel to assist with cataloguing seizures
  - j. Forensic specialists
  - k. Specialized mapping for larger or complex locations
2. Contact the appropriate department members or other agencies as warranted to begin preparation.
3. Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
4. Coordinate the actual operation.

## **429.5 DECONFLICTION**

**I**. Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The operations director shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

## **429.6 OPERATIONS PLAN**

The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

1. Operation goals, objectives and strategies.
2. Operation location and people:
  - a. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
  - b. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door

- combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids
- c. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)
  - d. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children
3. Information from the risk assessment form by attaching a completed copy in the operational plan.
    - a. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.
  4. Participants and their roles.
    - a. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.
    - b. How all participants will be identified as law enforcement.
  5. Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.
  6. Identification of all communications channels and call-signs.
  7. Use of force issues.
  8. Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
  9. Plans for detaining people who are not under arrest.
  10. Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control policies.
  11. Communications plan
  12. Responsibilities for writing, collecting, reviewing and approving reports.

#### 429.6.1 OPERATIONS PLAN RETENTION

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

#### **429.7 OPERATIONS BRIEFING**

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

1. The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
2. All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial

a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.

3. The operations director shall ensure that all participants are visually identifiable as law enforcement officers.
  - a. Exceptions may be made by the operations director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
4. The briefing should include details of the communications plan.
  - a. It is the responsibility of the operations director to ensure that the Communications Center is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.
  - b. If the radio channel needs to be monitored by the Communications Center, the dispatcher assigned to monitor the operation should attend the briefing if practicable., but at a minimum should receive a copy of the operation plan.
  - c. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

#### **429.8 NETT PARTICIPATION**

If the operations director determines that NETT participation is appropriate, the director and the NETT supervisor shall work together to develop a written plan. The NETT supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the NETT supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

#### **429.9 MEDIA ACCESS**

**I**. No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the News Media Relations Policy.

#### **429.10 OPERATIONS DEBRIEFING**

Operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible.

#### **429.11 TRAINING**

**I**. The Training Officer should ensure officers and NETT team members who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

## Medical Marijuana

### 430.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transportation, delivery, production, or use of marijuana under Missouri's medical marijuana laws (Mo. Const. art. XIV, § 1).

#### 430.1.1 DEFINITIONS

Definitions related to this policy include (Mo. Const. art. XIV, § 1; 19 CSR 30-95.010):

**Allowable amount of marijuana** – The amount includes (19 CSR 30-95.030):

- (a) Cultivators:
  - 1. Up to six flowering marijuana plants
  - 2. Six non-flowering marijuana plants (over 14 inches tall)-
  - 3. Six clones (plants under 14 inches tall)-
  - 4. A 90-day supply of dried, unprocessed marijuana or its equivalent
- (b) Non-cultivators may possess a 60-day supply of dried, unprocessed marijuana or its equivalent.

**Marijuana** – Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products.

**Medical use** – The production, possession, delivery, distribution, transportation, or administration of marijuana or a marijuana-infused product (e.g., edible products, ointments, tinctures, concentrates), or drug paraphernalia used to administer marijuana or a marijuana-infused product, for the benefit of a qualifying patient to mitigate the symptoms or effects of the ~~patient's~~ patient's qualifying medical condition.

**Physician or Nurse Practitioner certification** (certification) – A document, whether handwritten, electronic, or in another commonly used format, signed by a physician ~~and~~ or nurse practitioner stating that, in the ~~physician's~~ physician or nurse practitioner's professional opinion, the patient suffers from a qualifying medical condition.

**Primary caregiver** – An individual 21 years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary ~~caregiver's~~ caregiver's application for an identification card under this section or in other written notification to the department.

**Qualifying patient** – ~~A Missouri resident~~ An individual diagnosed with at least one qualifying medical condition.

### Medical Marijuana

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#### 430.2 POLICY

It is the policy of the Nixa Police Department to prioritize resources to avoid making arrests related to marijuana that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

Missouri medical marijuana laws are intended to provide protection from arrest, prosecution, civil liability, or sanctions under Missouri law to those who use, possess, deliver, or produce marijuana to mitigate the symptoms of certain chronic or debilitating medical conditions. However, Missouri medical marijuana laws do not affect federal laws, and there is no medical exception under federal law for the possession or distribution of marijuana. The Nixa Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Missouri law and the resources of the Department.

#### 430.3 INVESTIGATION

Investigations involving the possession, delivery, production, or use of marijuana generally fall into one of several categories:

- (a) Investigations when no person makes a medical claim.
- (b) Investigations when a medical claim is made by a qualifying patient with an identification card or ~~physician~~ certification.
- (c) Investigations involving primary caregivers.

##### 430.3.1 INVESTIGATIONS WITH NO MEDICAL CLAIM

In any investigation involving the possession, delivery, production, or use of marijuana or drug paraphernalia where no person claims that the marijuana is used for medicinal purposes, the officer should proceed with a criminal investigation. A medicinal claim may be raised at any time, so officers should document any statements and observations that may be relevant to whether the marijuana was possessed or produced for medicinal purposes.

##### 430.3.2 INVESTIGATIONS INVOLVING MEDICAL CLAIM BY IDENTIFICATION CARD OR ~~PHYSICIAN~~ CERTIFICATION HOLDER

A qualifying patient is required to possess an identification card or ~~physician~~ certification when in possession of marijuana. Officers shall not take enforcement action against a qualifying patient for possession of the allowable amount of marijuana if the patient has ~~his/her~~ [the patient's](#) identification card or ~~physician~~ certification (Mo. Const. art. XIV, § 1). However, officers should treat a person without an identification card or ~~physician~~ certification in ~~his/her~~ [the person's](#) possession as if it were in ~~his/her~~ [the person's](#) possession if the ~~person's~~ [person's](#) status can be verified through query or other sources.

Officers shall not take enforcement action in cases where a qualifying patient possesses an amount of marijuana that exceeds the allowable amount if the qualifying ~~patient's physician~~ [patient's](#) certification indicates that the patient requires a greater amount (Mo. Const. art. XIV, § 1; 19 CSR 30-95.030).

### *Medical Marijuana*

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#### 430.3.3 INVESTIGATIONS INVOLVING PRIMARY CAREGIVERS

Primary caregivers may possess a separate legal limit for each qualifying patient under their care and a separate legal limit for themselves if they are a qualifying patient (Mo. Const. art. XIV, § 1; 19 CSR 30-95.030).

Primary caregivers are required to possess a valid primary caregiver identification card. Officers shall not take enforcement action against a primary caregiver for possession of the allowable amount of marijuana if the caregiver is in possession of their identification card (Mo. Const. art. XIV, § 1). Officers should treat a caregiver without an identification card in his/her possession as if it were in his/her possession if his/her status can be verified through query or other sources.

#### 430.3.4 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving marijuana possession, delivery, production, or use:

- (a) Because enforcement of medical marijuana laws can be complex, time-consuming, and can call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:
  - 1. The suspect has been identified and can be easily located at another time.
  - 2. The case would benefit from review by a person with expertise in medical marijuana investigations.
  - 3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.
  - 4. Any other relevant factors exist, such as limited available department resources and time constraints.
- (b) Whenever the initial investigation reveals an amount of marijuana greater than that specified by law, officers should consider and document, in anticipation of an affirmative defense:
  - 1. The amount of marijuana recommended by a medical professional to be ingested.
  - 2. The quality of the marijuana.
  - 3. The method of ingestion (e.g., smoking, eating, nebulizer).
  - 4. The timing of the possession in relation to a harvest (patient may be storing marijuana).
  - 5. Whether the marijuana is being cultivated indoors or outdoors, the climate.
- (c) Before proceeding with enforcement related to a medical marijuana cultivation facility, infused products manufacturing facility, or dispensary facility, officers should consider conferring with appropriate legal counsel and the Missouri Department of Health and Senior Services.

# Nixa Police Department

## Law Enforcement Policy Manual

### *Medical Marijuana*

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#### 430.3.5 EXCEPTIONS

This policy does not apply to the following offenses. Officers may take enforcement action if the person (Mo. Const. art. XIV, § 1):

- (a) Operates or is in actual physical control of any dangerous device, motor vehicle, aircraft, or motorboat while under the influence of marijuana.
- (b) Consumes marijuana for a medical use in a public place, unless allowed by law.

#### 430.4 FEDERAL LAW ENFORCEMENT

Officers should provide information regarding a marijuana investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the officer believes those authorities would have a particular interest in the information.

#### 430.5 EVIDENCE

##### 430.5.1 MEMBER RESPONSIBILITIES

The investigating member should notify the receiving Property and Evidence Unit member in writing when ~~medical~~-marijuana may be the subject of a medical claim.

##### 430.5.2 PROPERTY AND EVIDENCE UNIT SUPERVISOR RESPONSIBILITIES

The Property and Evidence Unit supervisor should ensure that marijuana, drug paraphernalia, or other related property seized from a person engaged or assisting in the use of medical marijuana is not destroyed. The Property and Evidence Unit supervisor is not responsible for caring for live marijuana plants.

Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Property and Evidence Unit supervisor should as soon as practicable return to the person from whom it was seized any useable marijuana, plants, drug paraphernalia, or other related property.

The Property and Evidence Unit supervisor may release marijuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Criminal Investigations supervisor.



## Warrant Service

### 605.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol ~~officers and is not intended to address high-risk warrant service~~ [officers](#).

### 605.2 POLICY

It is the policy of the Nixa Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

### 605.3 OPERATIONS DIRECTOR

The operations director (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The operations director will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

### 605.4 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

This shall not apply to the application of a blood draw warrant.

### 605.5 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

### *Warrant Service*

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If the warrant is classified as high risk, service will be coordinated by the operations director. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

#### **605.6 WARRANT PREPARATION**

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime or no-knock warrant execution.
- (b) A clear explanation of the affiant's training, experience and relevant education.
- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched, including photographs of the location, if reasonably available.
- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the Brady Material Disclosure Policy).

#### **605.7 DETENTIONS DURING WARRANT SERVICE**

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

# Nixa Police Department

## Law Enforcement Policy Manual

### Warrant Service

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Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

#### **605.8 ACTIONS AFTER WARRANT SERVICE**

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

##### 605.8.1 STATE REPORTING REQUIREMENTS

After executing a search warrant or completing a warrantless search related to an alleged marijuana offense, officers shall provide the supervisor with the information specified by the Missouri Constitution. Compiled data is constitutionally required to be forwarded to the Missouri Attorney General (see the Records Unit Policy) (Mo. Const. art. XIV, § 2).

#### **605.9 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS**

~~The~~ The operations director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the operations director. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the ~~Nixa~~ Nixa Police Department are utilized appropriately. Any concerns regarding the requested use of ~~Nixa~~ Nixa Police Department members should be brought to the attention of the ~~Chief~~ Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, a ~~tactical~~ SWAT team supervisor will fill this role or assign a designee.

If ~~officers~~ officers intend to serve a warrant outside ~~Nixa~~ Nixa Police Department jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

# Nixa Police Department

## Law Enforcement Policy Manual

### *Warrant Service*

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Officers will remain subject to the policies of the ~~Nixa~~ Nixa Police Department when assisting outside agencies or serving a warrant outside ~~Nixa~~ Nixa Police ~~Department~~ Department jurisdiction.

#### **605.10 MEDIA ACCESS**

~~No~~ No advance information regarding warrant service operations shall be released without the approval of the ~~Chief~~ Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the ~~News~~ Media Relations Policy.

#### **605.11 TRAINING**

The Training Officer should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

## Previous Issued: Unmanned Aerial System (UAS) Operations

### 608.1 PURPOSE AND SCOPE

1. The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

#### 608.1.1 DEFINITIONS

Definitions related to this policy include:

**Unmanned Aerial System (UAS)** - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

### 608.2 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

### 608.3 PRIVACY

1. The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

### 608.4 PROGRAM COORDINATOR

[See attachment: UAS Program Coordinator Manual.pdf](#)

1. 1. The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- a. Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- b. Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.

- c. Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
- d. Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- e. Implementing a system for public notification of UAS deployment.
- f. Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- g. Developing a protocol for fully documenting all missions.
- h. Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- i. Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- j. Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- k. Facilitating law enforcement access to images and data captured by the UAS.
- l. Recommending program enhancements, particularly regarding safety and information security.
- m. Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

## 608.5 USE OF UAS

**1.** ~~Only~~ Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted. ~~UAS operations should only be conducted during daylight hours and a UAS should not be flown over populated areas without FAA approval.~~

[Drone pilots operating under Part 107 may fly at night, over people and moving vehicles without a waiver as long as the flights are conducted in accordance with CFR Part 107 rules 107.29 and 107.39.](#)

## 608.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.

- To harass, intimidate or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

### **608.7 RETENTION OF UAS DATA**

Data collected by the UAS shall be retained as provided in the established records retention schedule.



# Nixa Police Department

P.O. Box 395 / 715 W. Center Circle  
Nixa, Missouri 65714  
Emergency: 911 / Office: 417-725-2510 / Fax: 417-  
725-0915  
[www.nixapolice.com](http://www.nixapolice.com)



**To:** NPD - ALL  
**From:** Major Tennis  
**cc:** Chief Campbell  
**Date:** 08/04/2021  
**Re:** Unmanned Aerial System (UAS) Program Coordinator

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Chief Campbell has appointed Lt. Jason Fleetwood as program coordinator who will be responsible for the management of the UAS program. Lt. Jason Fleetwood will ensure that policies and procedures conform to current laws, regulations and best practices and will have additional responsibilities as outlined in our Unmanned Aerial System (UAS) Operations policy.

This appointment will be tracked and acknowledged similar to policy revisions within our Nixa Police Department Policy Manual.



**Unmanned Aerial Systems (UAS) Operations**



**608.4 Program Coordinator Manual  
Issued 03/23/2022**

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## 608.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- a) FAA Certificate of Authorization - Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring the COA is current.

The Nixa Police Department will operate under the FAA Part 107 Rule and Remote Pilots will obtain a Remote Pilot Certificate and comply with the other requirements listed in the Part 107 Rule.

- b) Training - Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in operation, applicable laws, policies, and procedures regarding the UAS.

Those selected to be UAS pilots will be required to complete Department approved training. The minimum requirements will consist of:

- A. Completion of a Drone Pilot Ground School, or equivalent program
- B. Obtaining a Remote Pilot certificate with small unmanned aircraft system rating.
- C. Initial training consists of the following:

- 1. UAS Review:

- a. Pre/Post Flight checklist;
- b. Proper assembly and storage of all UAS owned by the department;
- c. Basic maintenance of all UAS owned by the department; and
- d. Use of Logbook.

- 2. Administrative Matters:

- a. Policy;
- b. Data and image storage, streaming, and retention.

- 3. Flight Operations:

- a. Perform Take-offs and Landings in a specified area;
- b. Demonstrate Command and Control of base movements (e.g. up, down, forward, backward, left, right, rotate left, rotate right);

- c. Perform standard maneuvers (e.g. box drill and figure 8); and
- d. Demonstrate Command and Control of UAS in emergency circumstances.

Pilots should participate in at least two hours of flight training every 30 days. If a pilot is not available to train during this time frame due to leave or other circumstances, he/she should not act as a RPIC until completing at least one hour of flight training. However, the pilot may act as a SO or VO.

Pilots are responsible for staying current on UAS related material (e.g. law changes and current best practice). Pilots must maintain their Remote Pilot certification to include meeting requirements and retesting prior to the specified expiration.

- c) **UAS Deployment Requests-Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.**

Request for the UAS can be made by contacting the program coordinator or his designee directly. It is preferred the primary officer or the person with most information makes this call. If he does not answer leave a message and he will return your call as soon as possible. The program coordinator will evaluate the request and based on the information provided will determine if the UAS can and will be deployed.

Potential uses include, but are not limited to:

- a. **Situational Awareness:** To assist law enforcement decision-makers in understanding the nature, scale, and scope of an incident and for planning and coordinating an effective response (e.g. bomb threat);
  - b. **Search and Rescue:** To assist missing person investigations, such as AMBER Alerts, Silver Alerts, and other similar circumstances;
  - c. **Scene Documentation:** To document crime scenes, accident scenes, or other major incident scenes;
  - d. **Visual Perspective:** To provide real-time aerial perspective to assist in providing direction for crowd control, traffic incident management, special circumstances, and temporary perimeter security (e.g. large crash on US 160 during rush hour); and
  - e. **Tactical Deployment:** To support the tactical deployment of officers and equipment in emergency situations to provide real-time information to enhance response and aid in both civilian and officer safety.
- 
- d) **Criminal Investigations – Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.**

When the UAS is deployed to assist in or gather evidence for, a criminal investigation involving potential 4th Amendment issues, the RPIC will follow all laws, rules, and regulations related to seizures. If it is uncertain whether a search warrant is required, the RPIC shall contact the appropriate supervisor.

e) **Public Notification – Implementing a system for public notification of UAS deployment**

Public notification of a UAS deployment will not be necessary for every circumstance. If public notification is needed, SMART 911 and/or social media will be used in coordination with the City of Nixa Public Information Officer.

f) **Operational Protocol – Developing an operational protocol for the deployment of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.**

The Remote Pilot in Command (RPIC) will ensure the following during flight operations:

- A. The flight is in compliance with all applicable FAA rules and regulations under Part 107;
- B. The flight is in compliance with all Federal, State and local laws; and
- C. The flight is conducted safely by continually assessing the operating environment to include:
  - 1. Weather conditions;
  - 2. Current airspace of the UAS;
  - 3. Location of all aircraft in the area;
  - 4. Location of persons and property on the ground; and
  - 5. Any other hazards.

As a licensed FAA remote pilot, the RPIC owns the responsibility for the deployment and continued operation of the UAS. Should the RPIC's decision differ from an order given by a supervisor, the RPIC is to:

- A. Immediately address any in-flight emergency;
- B. Safely land the UAS if it is in the air;
- C. Inform the supervisor of the concerns or changes that have occurred; and
- D. Follow the course of action newly determined by the supervisor.

In the event of a lost link or signal loss, the UAS will self-initiate a return to home (RTH) function if the lost link occurs for more than 20 seconds.

g) **Mission Documentation – Developing a protocol for documenting all missions.**

The Nixa Police Department subscribes to Airdata.com. This service fully documents all flights to included:

1. Date and time;
2. RPIC;
3. UAS Name;
4. Location;
5. Description of flight

- h) UAS Inspection and Maintenance – Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.

The maintenance of each UAS shall be conducted in accordance with manufacturer and/or supplier information. A record of all maintenance done shall be kept for reference by all UAS pilots. All reports can be generated from Airdata.com. Airdata.com also generates maintenance recommendations and warnings.

Most problems with the UAS can be handled by the pilots that have been trained in the operation of the equipment. Any problem that cannot be corrected shall be documented citing details of the malfunction or problem and submitted to the Program Coordinator.

When damage to any component of a UAS occurs (or is discovered), it shall be documented and submitted to the Program Coordinator. The information should include the date, location, all crew members (if known), damaged device name, extent of damage and how it occurred (if known).

- i) Evidentiary Data and Images - Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

All evidentiary photos, video, and data will be uploaded to the case file in Watchguard.

- j) Records Retention - Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.

See policy 803 Records Maintenance and Release.

- k) Law Enforcement Access to Images and Data – Facilitating law enforcement access to images and data captured by a UAS.

Airdata.com will be utilized to live stream UAS data, images and video as needed. Evidentiary photos can be accessed from the case file in Watchguard. All flight recordings are the property of the Nixa Police Department and will be reviewed, copied or destroyed in accordance with existing city/departmental rules and the Missouri Sunshine Law.

- l) Program Recommendations – Recommending enhancements, particularly regarding safety and information security.

All recommendations should be forwarded to the Program Coordinator to be reviewed and if appropriate, included in the annual report to the Chief of Police.

- m) Program Reporting – Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

The Program Coordinator will prepare an annual report consisting of an overview of deployments, needs assessment, and program recommendations to the Chief of Police.

## Records Unit

### 802.1 PURPOSE AND SCOPE

~~The Records Clerk shall keep the Department Records Unit procedures on a current basis to reflect the process being followed within the Records Unit. Policies and procedures that apply to all employees of this department are contained in this chapter~~ This policy establishes the guidelines for the operational functions of the Nixa Police Department Records Unit. The policy addresses department file access and internal requests for case reports.

#### 802.1.1 NUMERICAL FILING SYSTEM

~~Case reports are filed numerically by Records Unit personnel.~~

~~Reports are numbered commencing with the last two digits of the current year followed by a sequential number beginning with 00001 starting at midnight on the first day of January of each year. As an example, case number 12-00001 would be the first new case beginning January 1, 2012.~~

### 802.2 PRIVACY POLICY

~~The Records Clerk shall apply, and assist in the development and maintenance of, the organization's policy standardizing the collection, storage, transfer and use of personally identifiable information pursuant to § 610.010, RSMo et seq. Minimally, the policy shall include:~~

- ~~(a) A declaration supporting the protection of individual privacy.~~
- ~~(b) Standards which minimize the collection of personally identifiable information to the least amount of information required to complete a particular transaction.~~
- ~~(c) The applicability of the Missouri Sunshine Law.~~
- ~~(d) A method for feedback from the public on compliance with the privacy policy.~~
- ~~(e) Notation that the policy applies to the collection of all personally identifiable information, regardless of the source or medium.~~

~~The privacy policy shall be published on the department's website.~~

### 802.2 POLICY

It is the policy of the Nixa Police Department to maintain department records securely, professionally, and efficiently.

### 802.3 FILE ACCESS AND SECURITY

The security of files in the Records Unit must be a high priority and shall be maintained as mandated by state or federal law. All case reports, including , but not limited to , initial, supplemental, follow-up, evidence, and all any other reports related to a police department case, including field interview (FI) cards, criminal history records, and publicly accessible logs, shall be maintained in a secure area within the Records Unit, accessible only to by authorized members



# Nixa Police Department

## Law Enforcement Policy Manual

### Records Unit

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~~of the~~ Records Unit ~~personnel~~. Access to ~~report files after hours or when records personnel are otherwise~~ case reports or files when Records Unit staff is not available may be obtained through the Shift Supervisor. ~~Nixa Police Department employees shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether hard copy or electronic file format, except in accordance with department policy and with a legitimate law enforcement or business purpose or as otherwise permissible by law~~

The Records Unit will also maintain a secure file for case reports deemed by the Chief of Police as sensitive or otherwise requiring extraordinary access restrictions.

#### 802.3.1 ~~REQUESTING~~ ORIGINAL CASE REPORTS

Generally, original case reports shall not be removed from the Records Unit. Should an original report be needed for any reason, the requesting ~~employee shall~~ department member shall first obtain authorization from the Records Clerk. All original case reports removed from the Records Unit shall be recorded on the designated report check-out log, which shall ~~constitute~~ be the only authorized manner by which an original case report may be removed from the Records Unit.

All original case reports to be removed from the Records Unit shall be photocopied and the photocopy retained in the ~~report~~ file location of the original case report until the original is returned to the Records Unit. The photocopied report shall be shredded upon return of the original report to the file.

### 802.3 RESPONSIBILITIES

#### 802.3.1 [RECORDSHEAD]

The Chief of Police shall appoint and delegate certain responsibilities to a Records Clerk. The Records Clerk shall be directly responsible to the Support Bureau Commander or the authorized designee.

The responsibilities of the Records Clerk include but are not limited to:

- (a) Overseeing the efficient and effective operation of the Records Unit.
- (b) Scheduling and maintaining Records Unit time records.
- (c) Supervising, training, and evaluating Records Unit staff.
- (d) Maintaining and updating a Records Unit procedure manual.
- (e) Ensuring compliance with established policies and procedures.
- (f) Supervising the access, use, and release of protected information (see the Protected Information Policy).
- (g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:
  1. Homicides.
  2. Cases involving department members or public officials.

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## Law Enforcement Policy Manual

### Records Unit

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3. Any case where restricted access is prudent.

#### 802.3.2 [RECORDSBUREAU]

The responsibilities of the Records Unit include but are not limited to:

- (a) Maintaining a records management system for case reports.
  1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
- (b) Entering case report information into the records management system.
  1. Modification of case reports shall only be made when authorized by a supervisor.
- (c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.
- (d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics.
- (e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.
- (f) Identifying missing case reports and notifying the responsible member's supervisor.
- (g) Collecting and reporting all crime and police stop data as required by law (§ 43.505, RSMo). This includes assisting the Chief of Police with the submission of an annual report to the office of the Attorney General consisting of the information gathered from traffic stops pursuant to § 590.650, RSMo.
- (h) Submitting use of force incident data reports to the Missouri Department of Public Safety on a monthly basis (§ 590.1265, RSMo.).
- (i) Submitting annual reports to the Missouri Attorney General concerning searches related to marijuana offenses (Mo. Const. art. XIV, § 2).

#### **802.4 ~~RECORDS MANAGER TRAINING~~**

~~The Records Clerk shall receive training in records management, including proper maintenance, retention and disposal of records and the proper release of records under state and federal law.~~

#### **802.5 ~~REQUISITION OF SUPPLIES~~**

~~All personnel in need of supplies shall complete a requisition of supplies form, available in the Records Unit. The form shall be approved by a supervisor and submitted to the supply clerk in the Records Unit.~~

~~Only Records Unit personnel shall issue supplies from the supply room. No supplies will be provided without a requisition of supplies form.~~

#### **802.5 CONFIDENTIALITY**

Records Unit staff has access to information that may be confidential or sensitive in nature. Records Unit staff shall not access, view, or distribute, or allow anyone else to access, view,

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or distribute, any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies.

#### **802.6 DATA COLLECTION**

~~The Records Clerk will collect and report all crime and police stop data as required by law (§ 43.505, RSMo). This includes assisting the Chief of Police with the submission of an annual report to the office of the Attorney General consisting of the information gathered from traffic stops pursuant to § 590.650, RSMo.~~

#### **802.7 USE OF FORCE REPORTING**

~~The Operations Bureau Commander or designee shall ensure that use of force reports are submitted to the Missouri Department of Public Safety on a monthly basis (§ 590.1265, RSMo).~~

## Personnel Complaints

### 1007.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation, and disposition of complaints regarding the conduct of members of the Nixa Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment, or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

### 1007.2 POLICY

The Nixa Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any employment agreement.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

### 1007.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state, or local law, policy, or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state, or local law, policy, or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures, or the response to specific incidents by the Department.

#### 1007.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

**Informal** - A matter in which the Shift Supervisor is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

**Formal** - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Professional Standards Unit, depending on the seriousness and complexity of the investigation.

**Incomplete** - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Professional Standards Unit, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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### *Personnel Complaints*

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#### 1007.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person, or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

#### **1007.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS**

##### 1007.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other City facilities as deemed appropriate by the Chief of Police.

##### 1007.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs, or physical evidence may be obtained as necessary.

#### **1007.5 DOCUMENTATION**

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and disposition on the complaint. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

#### **1007.6 ADMINISTRATIVE INVESTIGATIONS**

Allegations of misconduct will be administratively investigated as follows.

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#### 1007.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
  - 1. The original complaint form will be directed to the Shift Supervisor of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
  - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Bureau Commander or the Chief of Police, who will initiate appropriate action.
- (b) Responding to all complainants in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
  - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
  - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Shift Supervisor.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Shift Supervisor and Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Bureau Commander and the Chief of Police for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic, or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Bureau Commander, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:
  - 1. Making reasonable efforts to obtain names, addresses, and telephone numbers of witnesses.
  - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

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- (i) Ensuring that the procedural rights of the accused member are followed.
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

#### 1007.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Professional Standards Unit, the following applies to employees.

- (a) Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, he/she shall be compensated.
- (b) Unless waived by the employee, interviews of an accused employee shall be at the Nixa Police Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused employee.
- (d) Prior to any interview, an employee should be informed of the nature of the investigation.
- (e) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.
- (f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (g) Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
  - 1. An employee should be given an order to answer questions in an administrative investigation that might incriminate the employee in a criminal matter only after the employee has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
  - 2. No information or evidence administratively coerced from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview should be provided to the employee prior to any subsequent interview.
- (i) All employees subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

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- (j) All employees shall provide complete and truthful responses to questions posed during interviews.
- (k) No employee may be compelled to submit to a deception detection device examination, nor shall any refusal to submit to such examination be mentioned in any investigation.

#### 1007.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

**Introduction** - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

**Synopsis** - Provide a brief summary of the facts giving rise to the investigation.

**Summary** - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

**Evidence** - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

**Conclusion** - A recommendation regarding further action or disposition should be provided.

**Exhibits** - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

#### 1007.6.4 ADDITIONAL CONDITIONS FOR INVESTIGATIONS OF OFFICERS

The following conditions apply to officers under administrative investigation or questioning (§ 590.502, RSMo):

- (a) Complaints must be supported by a written statement outlining the complaint and include the complainant's personal identifying information.
  - 1. The complainant's personal identifying information shall remain confidential.
- (b) The officer shall be informed, in writing, of the existence and nature of the alleged violation and who will be conducting the investigation. Notice shall be provided to the officer along with a copy of the complaint at least 24 hours prior to any interrogation or interview.
- (c) Interviews shall be conducted for a reasonable length of time and only while the officer is on-duty unless reasonable circumstances exist that necessitate questioning the officer while off-duty.
- (d) Any interviews or questioning shall be conducted at a secure location at the Department or at the place where the officer reports to work, unless the officer consents to another location.



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- (e) Officers shall be questioned by up to two investigators and shall be informed of the name, rank, and command of the investigators conducting the investigation with the exception that, separate investigators shall be assigned to investigate alleged department policy violations and alleged criminal violations.
- (f) Officers are entitled to have an attorney or authorized representative present during any questioning that the officer reasonably believes may result in disciplinary action. The attorney or representative shall be permitted to confer with the officer but shall not unduly disrupt or interfere with the interview.
- (g) If an unrepresented employee requests representation, questioning shall be suspended for a period of up to 24 hours.
  - 1. Officers also have the right to an uninvolved representative at any subsequent disciplinary or administrative proceedings.
- (h) Prior to the interview, the officer and their representative shall have the opportunity to review the complaint.

#### 1007.6.5 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

**Unfounded** - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

**Exonerated** - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

**Not sustained** - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

**Sustained** - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

#### 1007.6.6 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation.

If the source of the investigation was a complaint filed by a member of the public against an officer, completion of the investigation, including any disciplinary decision, should be within 90 days from receipt of the complaint absent an extension granted for good cause by the administering authority as provided in § 590.502, RSMo.

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### 1007.6.7 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

### 1007.6.8 NOTICE TO OFFICER OF INVESTIGATION CONCLUSION

The member conducting the investigation should notify the officer, in writing, within five days of the conclusion of the investigation of the investigative findings and any recommendation for further action, including discipline (§ 590.502, RSMo).

### **1007.7 ADMINISTRATIVE SEARCHES**

Assigned lockers, storage spaces, and other areas, including desks, offices, and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio, or other document or equipment.

### **1007.8 ADMINISTRATIVE LEAVE**

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons, and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

### **1007.9 CRIMINAL INVESTIGATION**

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

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The Nixa Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

#### **1007.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES**

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review the report and include his/her comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

##### **1007.10.1 BUREAU COMMANDER RESPONSIBILITIES**

Upon receipt of any completed personnel investigation, the Bureau Commander of the involved member shall review the entire investigative file, the member's personnel file, and any other relevant materials.

The Bureau Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Bureau Commander may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Bureau Commander shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

##### **1007.10.2 CHIEF OF POLICE RESPONSIBILITIES**

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Bureau Commander for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
  - (a) Upon written request by the officer, a copy of the complete investigation record shall be provided to the officer or a representative within five business days. A protective order may be sought to redact personal identifying information as applicable (§ 590.502, RSMo).
- (b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.

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1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed the member's response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

#### 1007.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

#### **1007.11 PRE-DISCIPLINE EMPLOYEE RESPONSE**

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

#### **1007.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE**

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

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#### **1007.13 POST-DISCIPLINE APPEAL RIGHTS**

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any employment agreement and/or personnel rules.

In the event of punitive action against an officer, the appeal process shall be in compliance with § 590.502, RSMo.

#### **1007.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS**

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

Any probationary period may be extended at the discretion of the Chief of Police in cases where the individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate.

#### **1007.15 RETENTION OF PERSONNEL INVESTIGATION FILES**

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

#### **1007.16 CONFIDENTIAL RECORDS**

All records compiled as a result of an investigation subject to § 590.502, RSMo shall be held confidential and are not subject to disclosure except by subpoena, court order, officer consent, or as provided in § 590.070, RSMo.

## Previous Issued: Employee Compensation and Overtime Program

### 1014.1 POLICY

It shall be the policy of the Nixa Missouri Police Department to compensate those employees required to perform tasks that exceed their normal work period or which occur during their scheduled leave period.

All department employees may be required to work hours in excess of their normal work period when necessary and as determined by department management.

### 1014.2 DEFINITIONS

**Court Time** - Normal off-duty time required to respond to an official court subpoena that relates to duties performed as an employee of the Department.

**Emergency Call-in** - Authorized when an eligible employee is called to duty, for emergency or special conditions, while on authorized leave. (Special conditions will be defined by the Chief. Some examples: Emergency Overtime Assignments, Disasters or Internal Affairs Investigations) It will be considered an Emergency Call-in when called to duty without 07 days of advanced notice.

**Overtime** - Authorized time worked by an employee, caused by no fault of the employee, which exceeds their normal work period. The overtime rate paid for hours worked in excess of their normal work period will be at one and one-half times the employee's normal hourly rate. Your base work period for computing overtime compensation will be the actual hours worked. Exempt employees shall not be paid for overtime worked.

1. "Guaranteed Overtime" - designated hours worked by employees that are paid as overtime regardless of the actual number of hours worked by an employee in a work period.
2. ~~Grant~~ Reimbursable Overtime
  - a. Officers who work hours eligible for reimbursement ~~through grants~~ which specify those hours must be paid as overtime will be paid at the overtime rate of pay (see "Guaranteed Overtime").
  - b. In the instances of Traffic or DWI Enforcement Overtime, police officers will be paid at the rate of two times their rate while working on the Traffic Enforcement Project when approved by the Chief of Police. Hours worked in that pay period will be processed in accordance with the Fair Labor Standards Act.

\*\*See City Handbook for Standby, Callout and Callback Policy for employee exceptions.

**Work Period** - This is defined as a fourteen-day period. A normal work period will be based on the shift length as follows:

- 08-hour shift = 80 hours
- 10-hour shift = 80 hours
- 12-hour shift = 84 hours

**Compensatory Time** - Time off in lieu of immediate overtime pay at a rate of one and one-half hours for each hour of overtime worked.

### **1014.3 PROCEDURE**

1. ADMINISTRATION OF THE COMPENSATION PROGRAM
  1. Employee Responsibility
    1. All non-exempt employees are required to enter hours into the electronic time entry system.
    2. The employee claiming overtime compensation shall appropriately complete an overtime request via our electronic time entry system. Time will be approved electronically by a supervisor or designee.
    3. Time shall be entered via fifteen (15) minute increments in the electronic time entry system.
  2. Supervisor's Responsibility
    1. Each supervisor shall be responsible for organizing and managing the work of staff in a manner to minimize the accumulation of overtime.
    2. The supervisor or designee shall review for accuracy and electronically approve time submitted by staff in our electronic time entry system.
    3. Should approve compensatory time requests unless it would unduly disrupt City operations.
      1. Supervisors may require employees to take time off to reduce compensatory time balances.
      2. Supervisors should give as much advance notice as possible to employees when mandating the use of Compensatory time.
2. COMPENSATORY TIME - An agreement between the employee and the Department concerning the use of compensatory time must be reached prior to the performance of work. The agreement need not be in writing and may be evidenced by the employee working overtime knowing that the Department utilizes compensatory time in lieu of paid overtime, a Department policy that has been communicated to employees, language in an offer letter or other methods that establish an agreement to accept compensatory time in lieu of paid overtime. The City need not adopt the same agreement or understanding with all employees. Occasional cash payment of overtime hours doesn't negate the compensatory time agreement.
  1. Only non-exempt members are eligible for compensatory time.
  2. Compensatory time will be managed in the City's payroll system.
    - a. Failure to follow timekeeping procedures or misrepresentation on timesheets is grounds for discipline up to and including termination.
  3. Members may accumulate a maximum of 40 hours (26.667 hours of actual overtime worked) per year.
  4. Compensatory time is granted at the rate of one and one-half hours for each overtime hour worked.
  5. Compensatory time must be earned before it is taken.
  6. Compensatory time may be taken at the employee's discretion with supervisor approval.
  7. The Department may, in its discretion cash out accumulated compensatory time at the employee's hourly rate of pay.

- a. Members who transfer into Exempt status positions will be paid out for any unused compensatory time balances.
  - b. Unused compensatory time earned between January 1 of the calendar year through December 14 of the same calendar year will be paid out at the employee's hourly rate of pay.
  - c. Members are prohibited from accruing compensatory time from December 15 through December 31 of the calendar year.
  - d. Members will be paid out all compensatory time balances upon resignation or termination at the member's hourly rate of pay.
3. EMERGENCY CALL-IN COMPENSATION - All nonexempt officers, who report back to work for an Emergency Call-in at the direction of proper authority after leaving their assigned place of work at the end of the regular shift, and who are officially excused before completing three hours of work, shall be credited with a minimum rate of three (3) hours at the normal hourly pay rate. **These hours will be paid at overtime rate of pay (see "Guaranteed Overtime")**. In the event an officer works more than three, hours all additional hours worked which are outside the time period during which the employees' normal work shift hours occur shall be credited with compensation for the actual amount of time it took to complete the Emergency Call-in.
4. STANDBY COMPENSATION - The City of Nixa will compensate standby personnel, not compensated within their regular hourly rate, at a flat rate of \$105/week or \$15/day.
5. COURT TIME COMPENSATION
  1. All employees attending a court session while off-duty shall be compensated at a minimum of three (3) hours at the normal hourly pay rate. **These hours will be paid at overtime rate of pay (see "Guaranteed Overtime")**.
    - a. Employees must be responding to an official court subpoena relating to any law enforcement duty.
    - b. Prior to responding to Court, the employee must call the Court Clerk to ensure that their case has not been delayed or canceled.
6. COMPENSATION OPTIONS
  1. Work Schedule Options
    - a. Employees assigned to various events or extra duties shall attempt to adjust their work hours so that they are attending the assignment while on-duty if possible doing so in coordination with and approval of their supervisor.
7. TELEPHONE CALLS
  1. Off-duty work-related telephone calls which last over 6-minutes (continuous) will be eligible for 0.25 hours of compensation. The breakdown is as follows:
    - a. 6-20 minutes = 0.25 hours
    - b. 21-35 minutes = 0.50 hours
    - c. 36-50 minutes = 0.75 hours
    - d. 51-65 minutes = 1.0 hours
  2. Each phone call is calculated individually, and calls cannot be combined to meet the 6-minute threshold. If you engage in additional work after the phone call, this would be on-duty work and you would be paid accordingly. However, you must keep records of all your time and produce it at the time you request compensation.
8. TEXT MESSAGES



1. Members who engage in work-related communication via text messages while off duty will not be eligible for compensation. Text messaging has not been deemed a substantial interruption to off-duty hours.

#### **1014.4 HOLIDAY HOURS**

In lieu of the City of Nixa Holidays and Floating Holidays policies, commissioned officers will accrue holiday hours based on their assigned shift length of 12-hours (144 hours max annually), 10-hours (120 hours max annually), or 8-hours (96 hours max annually). Commissioned officers will accrue hours equivalent to their shift length on the first pay period of the month for the months of January through December. A supervisor may require the employee to take time off to reduce holiday leave time balances. Commissioned officers will be allowed to use holiday time (in 0.25-hour increments) accrued upon approval from a supervisor. Holiday time will be allowed to be banked to a maximum of 144 hours and rolled over from year to year. Since hours will be allowed to roll over, there will not be an annual payout of unused holiday hours. The employee will be responsible to maintain no more than 144 holiday hours. When a commissioned officer has reached the maximum allowed, further accrual of holiday hours will be suspended until the commissioned officer has reduced the balance below the 144 hours maximum.

All holiday hours should be scheduled 07 days in advance in writing. No more than 80 or 84 hours (depending on shift length) may be taken at a time. Holiday hours and vacation hours cannot be combined or taken "back to back" to circumvent the 80 or 84-hour cap unless approved by the City Administrator\*\*. Holiday hours of less than 80 or 84 hours will be approved by your Supervisor according to departmental needs.

\*\*Stipulations for more than 80 or 84 hours of holiday time:

- 1) Must have the time available to use.
- 2) Written letter asking for approval and explaining why the extra time is needed.
- 3) Any holiday time request longer than 80 or 84 hours should be approved by City Administrator at least 30 days in advance.

Upon voluntary resignation from city service, the employee shall be paid 25% of unused holiday hours.

Upon involuntary separation from city service, an employee shall not be entitled to receive payment of unused holiday hours.

#### **1014.5 PERSONAL HOURS**

In lieu of the City of Nixa Personal Hours policy commissioned officers will accrue personal hours based on their assigned shift length of 12-hours, 10-hours, or 08 hours.

Personal Hours accrued as follows to be taken at any time approved by a supervisor:

3 months to 15 years

12-hours shift - 12 hours each year (1 day)

10-hours shift - 10 hours each year (1 day)

08-hours shift - 08 hours each year (1 day)

One additional day at 15 years and for every 5 years of service thereafter based on their assigned shift length.

New employees will accrue 1 Day of Personal Time based on their assigned shift length from their date of hire and will be eligible to take the Personal Time (in 0.25 hour increments) upon successful completion of the 90-day introductory period.

Personal hours must be used by December 31 of the year in which they are accrued. Personal hours cannot be rolled over to the following year, as they are "use it or lose it."

## **Previous Issued: Secondary Employment and Contracted Police Services**

### **1015.1 POLICY**

It is the policy of the Nixa Police Department to allow officers the opportunity to pursue or otherwise engage in Secondary Employment, including police/security related employment, which does not conflict with his/her official duties.

### **1015.2 PURPOSE**

To establish procedures governing Secondary Employment, including Outside Employment and Self-Employment. Although officers are permitted to engage in Secondary Employment, their primary duty, obligation, and responsibility is to the Nixa Police Department.

### **1015.3 DEFINITIONS**

**“Contracted Police Services”** include any duties performed by uniformed officers for the benefit of, or at the request of, third parties (i.e. uniformed officer performing security duties at a local sporting event). All Contracted Police Services shall be coordinated through the Office of the Chief of Police or his/her designee.

**“Secondary Employment”** is any work done or services performed for compensation of any kind, including Self-Employment, by an Officer in addition to the Officer’s employment with the Nixa Police Department. Secondary Employment can generally be classified in one of the following categories:

1. **“Outside Employment”**: Employment where there is no actual or implied law enforcement service being performed for the employer and where it is not anticipated that a situation will arise where the officer will be expected to exercise police powers as a part of the officer’s regular employment duties. During Outside Employment, Officers are not permitted to wear a department uniform or utilize any property, equipment, or supplies which is owned by the City of Nixa (e.g. officer works for a local business as a “Security Guard” wearing a security uniform).
2. **“Self-Employment”**: Any Secondary Employment where the officer is an owner of the business or an independent contractor (e.g. officer owns and operates a roofing business).

### **1015.4 PROCEDURES**

- A. Contracted Police Service Procedures: All Contracted Police Service shall be coordinated through the Office of the Chief of Police. The following procedure shall apply:
  1. The Department will establish an application process to ensure compliance with all elements of this policy concerning Contracted Police Services.
  2. Any outside agency, firm, company, individual or other entity who wishes to employ the services of a uniformed Nixa Police Department Officer, must submit an application for such services.

3. The application must be approved by the Chief of Police or designee prior to any officer engaging in Contracted Police Services. The application shall include the following:
    - a. Name of the contracting entity.
    - b. Nature and location of the services to be performed.
    - c. The expected duration of the services.
    - d. The number of officers requested.
  4. The Chief of Police or designee may require an adequate number of officers to handle any services.
  5. The application must be signed by the entity requesting the services.
  6. Upon approval, the entity requesting service shall sign a written contract with the City before any services will be provided. The contract shall include:
    - a. A fee schedule specifying the charges for the services, including any administrative or other fees.
    - b. A specification of the NPD equipment to be provided.
    - c. The form and method of payment.
    - d. Any provisions regarding termination of the contract.
    - e. A provision for indemnification of the City.
    - f. Any other terms of the contract.
  7. The Chief of Police will assign a member of the Nixa Police Department to coordinate the Contracted Police Services Program who shall ensure that all officers interested in participating in the program are provided an equal opportunity for assignment through a rotating list or other mechanism to ensure fairness in assignments.
  8. Assignments may be filled based on any relevant factors, including input from the contracting party and the best interest of the Nixa Police Department, as determined by the Chief of Police.
  9. Officers shall comply with all Nixa Police Department policies, rules and regulations while engaged in Contracted Police Services.
  10. The following limitations apply to an officer's assignment to Contracted Police Services:
    - a. An officer is not permitted to work more than 24 additional hours of Contracted Police Services per work week without approval by the officer's supervisor.
    - b. An officer shall not be eligible for Contracted Police Services while on sick leave, disability leave, light duty or within eight (8) hours of any sick or disability leave.
    - c. If an officer works Contracted Police Services while on scheduled vacation, the officer will be paid at the applicable overtime rate for the Contracted Police Services hours. An officer will not be allowed to begin a work shift, take vacation hours to work Contracted Police Services, then return to complete the remainder of the work shift.
    - d. An officer shall not be eligible for Contracted Police Services while suspended, relieved of duty, or placed on any form of administrative leave.
    - e. An officer shall not be eligible for Contracted Police Services until the completion of any probationary period.
- B. Secondary Employment Procedures: **Officers are advised that during any period that they are engaged in Secondary Employment the provisions of the City of Nixa Health**

**Insurance Policy and Worker's Compensation Insurance may not provide coverage for an injury or illness that occurs during those time periods or while performing such duties.**

1. All Officers are required to notify the Office of the Chief of Police of all Secondary Employers/jobs via departmental memorandum via the Chain of Command upon accepting (prior to starting) any position.
2. An officer may not use police powers to advance the officer's own private business purpose or that of any Secondary Employer.
3. Nixa Police Department equipment including, but not limited to, firearms, ammunition, radio, baton, taser, handcuffs, badge, identification, uniform, or vehicle shall not be used during Secondary Employment, except as may be necessary in responding to an incident which Nixa Police Department Policy requires a response as a sworn officer of the Nixa Police Department.
4. While performing any Secondary Employment, an officer may not display any emblem, seal, placard or other symbol of the Nixa Police Department or City of Nixa nor may the officer wear or display anything (including clothing, badge, or other item) with the word "Police" or "NPD" or any other variation or display indicating their status as a Police Officer.
  - a. An officer must be alert and able to perform their duties for the Nixa Police Department during their shift and during other assigned times therefore, officers are encouraged not to work more than 24 hours of Secondary Employment per week.
  - b. An officer will not reference his association with the Nixa Police Department in the course of promoting his Secondary Employment duties.
  - c. An officer may not exercise any police authority at any time, including while engaged in Secondary Employment, while the officer's police powers are suspended.
  - d. An officer will not use any confidential information gained through City employment for the financial gain of the officer or his Secondary Employer.
  - e. An officer may not accept or solicit referrals for Secondary Employment while on duty.
  - f. If, during an officer's Secondary Employment the officer determines that an offense report should be initiated, the officer must call the Nixa Police Department, or appropriate law enforcement agency to take the report and initiate an investigation. This policy is not intended to prohibit an officer who witnesses the commission of a crime from taking immediate and appropriate police action. However, once the situation is under control, the officer will call the Nixa Police Department or appropriate law enforcement agency, as described above.
  - g. If, at any time during Secondary Employment, the officer exercises his/her police powers, the officer shall report the incident in writing to his/her Bureau Commander during their next scheduled shift or within 24 hours after the incident, whichever time period is shorter. Once reported, the Bureau Commander shall report the incident to the Chief of Police who will decide as to the characterization of the incident for payroll purposes. During a period in which it is determined that an officer in fact duly exercised their

police powers, that period of time in which they exercised their police powers may be considered time worked for the Nixa Police Department and not considered Secondary Employment.

- h. An officer engaging in Secondary Employment shall not:
  - 1. Engage in any activity that violates any applicable law, including applicable ordinances;
  - 2. Engage in conduct that violates a policy of the City of Nixa or the Nixa Police Department;
  - 3. Engage in conduct that creates an actual or perceived conflict of interest with the City of Nixa or the Nixa Police Department (including, but not limited to, working in an establishment primarily engaged in the sale of alcohol, for a private club as a bouncer or in a similar role, as a body guard, for an adult entertainment or “escort” service, as security for a labor union or business during a labor dispute);
  - 4. Engage in conduct that casts an actual or perceived negative perception of the City of Nixa or the Nixa Police Department;
  - 5. Engage in conduct that conflicts with the officer’s official police duties or that reflects negatively on the officer’s or NPD’s reputation; or
  - 6. Engage in Outside Employment that requires or may require an officer’s services during the actual hours for which the officer is scheduled to work for the Nixa Police Department, or while on approved sick leave or disability leave.
- i. For the purposes of this policy fulfillment of military obligations does not constitute Secondary Employment and is exempt from the requirements of this policy.
- j. “Contracted Police Services” are not considered “Secondary Employment” under this policy. **Officers are not permitted to engage in any Secondary Employment while dressed in a Nixa Police Department uniform or any part thereof.**

## 1015.5 ATTACHMENTS

[See attachment: Contract 20222023.pdf](#)

# CONTRACT

## NIXA POLICE DEPARTMENT CONTINUING SERVICES

This contract is entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the City of Nixa a municipal corporation of the State of Missouri, (hereinafter City), and \_\_\_\_\_ (hereinafter “Contractor”).

1. **Authority.** This contract is executed pursuant to the Nixa Police Department (hereinafter NPD), Policy and Procedures Manual, Policy 1015, which authorizes the Chief of Police or his/her designee to assign police officers to work additional duty in an on-duty status to provide security services at certain events or activities, and to equip these officers with police vehicles during such events or activities if, in the opinion of the Chief of Police, or his/her designee, the use of the police vehicles would better protect the public or the officers, and police vehicles are available for use. This contract shall be used for any position that it is anticipated/expected that the officer may use his law enforcement power.
2. **Event/Activity/Termination Date.** NPD shall assign police officer(s) and police vehicle(s), as requested, available, and as deemed appropriate by NPD, to provide security services at events or at times requested by Contractor. All requests for services must be submitted to the office of the Chief of Police. Since this agreement involves a continuing need for services, Contractor shall give NPD a minimum of thirty (30) days advance notice of the number of officers needed, the schedule of times to be worked, the location of the service and the type of service to be provided, unless in situations of emergencies. Under exigent circumstances the 30-day advanced notice may be waived by the Chief of Police or his/her designee.

Unless otherwise specified, this agreement shall terminate on **December 31, 2023** unless a renewed contract is signed by the Contractor.

3. **Supervision of Officers:** While contractor may generally plan the work to be done under this contract, officers shall remain under the direction and control of NPD and shall comply with all orders, rules and regulations of NPD while assigned to work under this contract. No provision of this contract shall be interpreted as conflicting with the customary policies and procedures of NPD with regard to supervision, chain of command, or other authorities. Officers will only engage in law enforcement related duties.
4. **Place of Employment:** Services under this contact shall be provided within Christian County, Missouri, preferably within the city limits of Nixa, and with prior authorization of the Nixa Police Department. Special exceptions may be authorized only by the Chief of Police or his/her designee.

# CONTRACT

## 5. Availability—Officers/Vehicles:

- a) This contract does not guarantee the availability of officers or vehicles, but rather specifies the terms and conditions of the assignment of officers and vehicles under this contract, when available. The Chief of Police or his/her designee have the discretion to determine the number of officers, the actual officers involved, the type of supervision, and the number of police vehicles that will be provided. NPD shall notify Contractor as soon as is practicable in the event that 1) fewer police officers and/or vehicles than requested are available for assignment, or 2) the Chief of Police or his/her designee determines that for reasons of public safety and security, additional officers or vehicles shall be assigned to an event or activity (at Contractor's expense).
- b) The Nixa Police Department shall schedule and authorize in advance all hours worked under this contract unless the work is classified as Permanent Secondary Employment in which event this task shall be delegated. Contractor is expressly prohibited from scheduling officers to work additional shifts under this contract. This does not prevent Contractor from requesting an officer to work up to two (2) hours past the end of the shift that was scheduled. However, any additional hours at the end of the scheduled shift that will or may exceed two (2) must be approved in advance.
- c) In the event of a significant emergency as determined by the Chief of Police, in his/her sole discretion, the Chief of Police or his/her designee reserves the right to return to regular service any officers and/or vehicles otherwise provided under this contract, and no claim for damages may be made by the contractor for same. If replacements are not available, Contractor will only be charged for the services and vehicles actually provided.

6. Compensation-Services: In consideration for the law enforcement services provided under this contract, Contractor shall compensate or reimburse the City of Nixa at the rate set out in Attachment A. The amount charged in Attachment A shall cover pay, benefits and all other applicable expenses. All Contractors shall be invoiced by the City of Nixa for payment. The City of Nixa reserves the right to demand prepayment for law enforcement services. The compensation rates in Attachment A are valid until **December 31, 2023** at which time the rates will be re-evaluated. During this re-evaluation period, NPD reserves the right to adjust/modify the rate of pay based upon the cost of living and/or the actual cost the city incurs. A new contract will need to be signed by **January 01, 2024** reflecting the new rate (if any) for NPD to continue service.

In the event the Contractor cancels a scheduled shift, with less than **eight (8) hours prior notice to the City**, the Contractor shall be billed a two-hour minimum charge per officer. Cancellations for weather-related reasons (i.e.: heavy rain, snow, etc.) shall be exempt from the eight (8) hour notice; Weather-related cancellations shall require a **two (2) hour notice**. The Chief of Police may in his/her sole discretion determine if a cancellation is weather related. The Chief of Police may in his/her sole discretion cancel any law enforcement duty assignment due to inclement weather.



# CONTRACT

In addition to the above charge, calls by the Contractor to the Nixa Police Department after normal business hours for the purpose of scheduling additional hours, canceling hours already scheduled or other administrative duties shall be billed to the Contractor at a rate of two-hour minimum charge per call or the length of time it takes to handle the situation, whichever is greater.

The NPD reserves the right to assign officers to provide services under this contract whose actual rank differs from the requested rank.

7. **Form of Payment:** All Contractors shall be invoiced by the City of Nixa for payments, unless an alternate payment plan is established based on the special event, by agreement of both parties, all payment shall be by check, cashier's check, or money order made payable to "City of Nixa". The City of Nixa reserves the right to require payment by cashier's check or money order. Payments shall be sent to the City of Nixa, P.O. Box 395, Nixa, Missouri, 65714. Contractor shall not make payments directly to officers under contract. Contractor shall pay interest at a rate of 12% per annum on all balances due if the invoice is not paid in full within 30 days of the billing date on the invoice.
8. **Termination:** Either party may terminate this contract at any time upon thirty (30) days prior written notice to the other party. If either party fails to fulfill in a timely and proper manner its obligations under this contract or if it should violate any of the terms of this contract, the aggrieved party shall have the right to immediately terminate the contract. The City of Nixa shall also have the right to immediately terminate this contract if Contractor or any person or entity being provided with services pursuant this contract engages in any illegal activity. Such termination shall not relieve Contractor of any liability to the City of Nixa for damages sustained by virtue of any breach by Contractor.
9. **Compliance with laws:** Contractor agrees to comply with any applicable federal, state, and local laws and regulations.
10. **Notices:**

Notices to the City shall be sent to:  
City of Nixa  
Attn: City Administrator  
P.O. Box 395  
Nixa, MO. 65714

# CONTRACT

Notices to Contractor shall be sent to:

Business: \_\_\_\_\_

Attn: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

FAX: \_\_\_\_\_

11. **Partnership/Joint Venture:** Nothing herein shall in any way be construed or intended to create a partnership, joint venture, or special relationship between the parties or to create the relationship of principal and agent between or among any of the parties. Neither party shall hold itself out in a manner contrary to the terms of this paragraph. No party shall become liable for any representation, act or omission of any other party contrary to the terms of this paragraph.
12. **Waiver:** No waiver of any provision of this contract shall affect the right of any party thereafter to enforce such provision or to exercise any right or remedy available to it in the event of any other default.
13. **Gratuities and Kickbacks/Contingent Fees:** Contractor hereby represents that Contractor has not been retained or retained any persons to solicit or secure a City contract upon an agreement or understanding for a contingent commission, percentage, or brokerage fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business, and that Contractor has not offered, given or agreed to give any City employee official or former employee a gratuity or an offer of employment in connection, in any manner, with this contract.
14. **Indemnification and Hold Harmless:** Contractor shall indemnify and hold harmless the City of Nixa, its officials, the Nixa Police Department and their officers, agents and employees from any claims, damages, costs and attorney fees for injuries or damages arising, in part or in whole, from the negligent or intentional acts or omissions of Contractor, its officers, employees and/or agents, including its sub or independent contractors (other than NPD), in conjunction with the performance of the contract. Furthermore, neither Party hereto shall be liable for any damages proximately resulting from the negligent or wrongful acts or omissions of the other Party or the other Party's employees or agents in the performance of this Agreement.
15. **Attorney Fees:** If the Contractor fails to perform any of the terms and conditions of this contract, Contractor agrees to pay the City of Nixa, in addition to special and general compensable damages, all the costs and expenses of enforcing this contract, including a reasonable sum for attorney fees, whether suit be brought or not.
16. **Assignment—Consent Required:** Neither this contract or any of the rights and obligations of Contractor hereunder shall be assigned or transferred in whole or in part without the prior written consent of the City of Nixa. Any such assignment or transfer shall not release Contractor from its obligations hereunder.

# CONTRACT

17. **Entire Contract/Modification:** This contract sets forth the entire agreement between the parties with respect to the subject matter hereof and shall govern the respective duties and obligations of the parties. This contract may be modified only by written amendment executed by all parties and their signatures hereto.
18. **Governing Law & Venue:** This contract shall be governed by the laws of the State of Missouri. Proper venue for any lawsuit arising from a dispute involving this contract shall be brought in a court of competent jurisdiction in Christian County, Missouri.
19. **Severability:** Should any provision of this contract be declared to be invalid by any court of competent jurisdiction, such provision shall be severed and shall not affect the validity of the remaining provisions of this contract.
20. **Effective Date:** This contract shall not be binding upon the parties until it has been signed first by the Contractor and then by the City Administrator or his/her designee. When it has been so signed and filed, this contract shall be effective as of the date first written above.

Contractor:

City of Nixa:

BY:

BY:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
(Print name)

**CONTRACT**  
**ATTACHMENT “A”**

**Contract for Police Services**

**NIXA POLICE DEPARTMENT**

**AND**

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Effective **January 1, 2023**, Contractors utilizing the services of the Nixa Police Department police officers shall reimburse the City of Nixa in accordance with the following single hourly rate:

<b>Fee</b>	<b>Organization</b>
\$55.00	All Contracts

The above amount includes cost of pay, benefits, vehicles, equipment, and all other applicable expenses.

## Line-of-Duty Deaths

### 1023.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Nixa Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

#### 1023.1.1 DEFINITIONS

Definitions related to this policy include:

**Line-of-duty death** - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing their assigned duties.

**Survivors** - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

### 1023.2 POLICY

It is the policy of the Nixa Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

### 1023.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the ~~Shift Supervisor~~ [Shift Supervisor and the Communications Center](#).
  1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others ([see the Public Information Officer section of this policy](#)).
- (b) The ~~Shift Supervisor should~~ [Shift Supervisor should](#) ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.
- (c) If the member has been transported to the hospital, the ~~Shift Supervisor or~~ [Shift Supervisor or](#) the designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.

# Nixa Police Department

## Law Enforcement Policy Manual

### *Line-of-Duty Deaths*

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- (d) The ~~Chief~~ Chief of Police or ~~Police~~ Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the ~~Department Liaison~~ Department Liaison as soon as practicable (see the Notifying Survivors section and ~~the Department Liaison~~ the Department Liaison and Hospital Liaison subsections in this policy).

#### **1023.4 NOTIFYING SURVIVORS**

~~Survivors~~ Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The ~~Chief~~ Chief of Police or the authorized designee should review the deceased ~~member's~~ member's emergency contact information and make accommodations to respect the ~~member's~~ member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the ~~member's~~ member's wishes.

The ~~Chief~~ Chief of Police, Shift Supervisor or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the ~~Department~~ Department Chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the ~~child's~~ child's age, maturity, and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in ~~department vehicles~~ department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital ~~and should~~ . Notifying members should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities, and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a ~~survivor's~~ survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

# Nixa Police Department

## Law Enforcement Policy Manual

### *Line-of-Duty Deaths*

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- (g) Offer to call other survivors, friends, or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting childcare or other immediate needs.
- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes, and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the ~~Department Liaison~~ Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the ~~survivor's~~ survivors' names and contact information, as well as the time and location of notification. This information should be forwarded to the ~~Department Liaison~~ Department Liaison.
- (m) Inform the ~~Chief~~ Chief of ~~Police or~~ Police or the authorized designee once survivor notifications have been made so that other ~~Nixa~~ Nixa Police ~~Department members~~ Department members may be apprised that survivor notifications are complete.

#### 1023.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

#### 1023.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the ~~Chief~~ Chief of ~~Police~~ Police are responsible for notifying ~~department~~ department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support ~~group~~, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

# Nixa Police Department

## Law Enforcement Policy Manual

### *Line-of-Duty Deaths*

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Supervisors should direct members not to disclose any information outside the ~~Department~~ - [Department](#) regarding the deceased member or the incident.

#### **1023.6 LIAISONS AND COORDINATORS**

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, ~~may include,~~ [including](#) but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison. ~~Critical~~
- (d) ~~Incident Stress Management (CISM) coordinator~~ [Wellness Support Liaison](#).
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

##### **1023.6.1 DEPARTMENT LIAISON**

The Department Liaison should be a Bureau Commander or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.
- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-mast.



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- (g) Ensuring that department members are reminded of appropriate information—sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.
- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

#### 1023.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Arrange for appropriate and separate waiting areas for:
  - 1. The survivors and others whose presence is requested by the survivors.
  - 2. Department members and friends of the deceased member.
  - 3. Media personnel.
- (b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Nixa Police Department members (except for members who may be guarding the suspect).
- (c) Ensure that survivors receive timely updates regarding the member before information is released to others.
- (d) Arrange for survivors to have private time with the member, if requested.
  - 1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
  - 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.
- (f) If applicable, explain to the survivors why an autopsy may be needed.
- (g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting his/her actions at the conclusion of his/her duties.

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#### 1023.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the ~~Department~~ Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term ~~department~~ department contact for survivors.

The Survivor Support Liaison should be selected by the deceased ~~member's Bureau Commander~~ member's Bureau Commander. The following should be considered when selecting the Survivor Support Liaison:

- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased ~~member's~~ member's supervisor and/or coworkers. The deceased ~~member's~~ member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include ~~;~~ but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes, and other locations, as appropriate.
- (b) Communicating with the ~~Department Liaison~~ Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.
- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased ~~member's~~ member's personal effects from the ~~Department and~~ Department and the hospital to the survivors. The following should be considered when returning the personal effects:
  1. Items should not be delivered to the survivors until they are ready to receive the items.
  2. Items not retained as evidence should be delivered in a clean, unmarked box.
  3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
  4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of ~~department~~ department-issued equipment that may be at the deceased ~~member's~~ member's residence.
  1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the ~~survivors'~~ survivors' wishes.

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- (g) Working with the ~~GISM-coordinator~~ [Wellness Support Liaison](#) to ensure that survivors have access to available counseling services.
- (h) Coordinating with the ~~department's Public Information Officer (PIO)~~ [department's Public Information Officer \(PIO\)](#) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the ~~Public- Public~~ [Information Officer section- Officer section](#) of this policy).
- (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal, and administrative investigations.
- (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
- (k) Introducing survivors to prosecutors, ~~victim's~~ [victim's](#) assistance personnel, and other involved personnel as appropriate.
- (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
- (m) Inviting survivors to ~~department activities~~ [department activities](#), memorial services, or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The ~~Department- Department~~ recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the ~~Department- Department~~ to facilitate communications necessary to the assignment. The ~~department~~ [department](#)-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

#### 1023.6.4 ~~CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR- WELLNESS~~ [SUPPORT LIAISON](#)

The ~~GISM-coordinator~~ [Wellness Support Liaison](#) should work with the ~~Chief of Police~~ [department wellness coordinator](#) or the authorized designee, ~~liaisons, coordinators~~ and other ~~resources~~ [liaisons and coordinators](#) to make ~~GISM- wellness support~~ and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the ~~GISM coordinator- Wellness Support Liaison~~ include, but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for ~~GISM- wellness support~~ and counseling services, including:
  1. Members involved in the incident.

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2. Members who witnessed the incident.
  3. Members who worked closely with the deceased member but were not involved in the incident.
- (b) Ensuring that members who were involved in or witnessed the incident are relieved of ~~department responsibilities~~ department responsibilities until they can receive ~~CISM wellness support~~ as appropriate and possible.
  - (c) Ensuring that ~~CISM wellness support~~ and counseling resources (e.g., peer support, ~~debriefing, grief counselors~~ Critical Incident Stress Debriefing) are available to members as soon as reasonably practicable following the line-of-duty death.
  - (d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available ~~CISM wellness support~~ and counseling services and assisting with arrangements as needed.
  - (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional ~~CISM wellness support~~ or counseling services are needed.

#### 1023.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including, but not limited to the following:
  1. Honor Guard
    - (a) Casket watch
    - (b) Color guard
    - (c) Pallbearers
    - (d) Bell/rifle salute
  2. Bagpipers/bugler
  3. Uniform for burial
  4. Flag presentation
  5. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.

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- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

#### 1023.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the ~~Department~~ Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased ~~member's~~ member's funeral.
- (b) Area coverage so that as many ~~Nixa~~ Nixa Police ~~Department~~ members Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the ~~Mutual Aid and~~ Mutual Aid and Outside Agency Assistance Policy.

#### 1023.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and will assist them in applying for benefits. Responsibilities of the Benefits Liaison include ~~;~~ but are not limited to:

- (a) Confirming the filing of ~~workers'~~ workers' compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury and ~~Illness~~ Death Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
  - (a) Public Safety
  - (b) Officers' Benefits (PSOB)  
~~-- Programs~~
  - (a) Program.
  - (b) Public Safety
  - (c) Officers' Educational Assistance (PSOEA) Program.
  - (d) Social Security Administration.
  - (e) Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
  1. Line-of-duty compensation (§ 287.243, RSMo)
  2. Death and burial benefits (§ 287.240, RSMo)
  3. Benefits available under the Police Relief and Pension System (§ 86.010 et seq., RSMo)
- (d) Researching and assisting survivors with application for other survivor benefits such as:

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1. Private foundation survivor benefits programs.
2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by ~~police associations~~ police associations and other organizations.
- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
  1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.
- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

#### 1023.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
  1. Paying survivors' travel costs if authorized.
  2. Transportation costs for the deceased.
  3. Funeral and memorial costs.
  4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

#### 1023.7 PUBLIC INFORMATION OFFICER

~~In~~ In the event of a line-of-duty death, the ~~department's PIO~~ department's PIO should be the ~~department's~~ department's contact point for the media. As such, the ~~PIO~~ PIO should coordinate with the ~~Department~~ Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that ~~Department members~~ department members are instructed to direct any media inquiries to the ~~PIO~~ PIO.
- (c) Prepare necessary press releases.

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1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
  2. Ensure that important public information is disseminated, such as information on how the public can show support for the
  3. ~~department and~~ deceased  
~~-- member's~~
    1. ~~member's~~ survivors.
- (d) Arrange for community and media briefings by the ~~Chief~~ Chief of ~~Police or~~ Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the ~~member's~~ member's survivors with media inquiries.
1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to ~~department members~~ department members, other agencies, and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the ~~member's~~ member's survivors have been notified. If the media ~~has~~ have obtained identifying information for the deceased member prior to survivor notification, the ~~PIO~~ PIO should request that the media withhold the information from release until proper notification can be made to survivors. The ~~PIO~~ PIO should ensure that media are notified when survivor notifications have been made.

#### 1023.8 DEPARTMENT CHAPLAIN

The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

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#### **1023.9 INVESTIGATION OF THE INCIDENT**

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

#### **1023.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL**

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

#### **1023.11 NON-LINE-OF-DUTY DEATH**

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.



## Wellness Program

### 1025.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on establishing and maintaining a proactive wellness program for department members.

The wellness program is intended to be a holistic approach to a member's well-being and encompasses aspects such as physical fitness, mental health, and overall wellness.

Additional information on member wellness is provided in the:

- **Chaplains Policy.**
- Line-of-Duty Deaths Policy.
- Drug- and Alcohol-Free Workplace Policy.

#### 1025.1.1 DEFINITIONS

Definitions related to this policy include:

**Critical incident** – An event or situation that may cause a strong emotional, cognitive, or physical reaction that has the potential to interfere with daily life.

**Critical Incident Stress Debriefing (CISD)** – A standardized approach using a discussion format to provide education, support, and emotional release opportunities for members involved in work-related critical incidents.

**Peer support** – Mental and emotional wellness support provided by peers trained to help members cope with critical incidents and certain personal or professional problems.

### 1025.2 POLICY

It is the policy of the Nixa Police Department to prioritize member wellness to foster fitness for duty and support a healthy quality of life for department members. The Department will maintain a wellness program that supports its members with proactive wellness resources, critical incident response, and follow-up support.

### 1025.3 WELLNESS COORDINATOR

The Chief of Police should appoint a trained wellness coordinator. The coordinator should report directly to the Chief of Police or the authorized designee and should collaborate with advisers (e.g., legal counsel, licensed psychotherapist, qualified health professionals), as appropriate, to fulfill the responsibilities of the position, including but not limited to:

- (a) Identifying wellness support providers (e.g., licensed psychotherapists, external peer support providers, physical therapists, dietitians, physical fitness trainers holding accredited certifications).
  1. As appropriate, selected providers should be trained and experienced in providing mental wellness support and counseling to public safety personnel.

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2. When practicable, the Department should not use the same licensed psychotherapist for both member wellness support and fitness for duty evaluations.
- (b) Developing management and operational procedures for department peer support members, such as:
1. Peer support member selection and retention.
  2. Training and applicable certification requirements.
  3. Deployment.
  4. Managing potential conflicts between peer support members and those seeking service.
  5. Monitoring and mitigating peer support member emotional fatigue (i.e., compassion fatigue) associated with providing peer support.
  6. Using qualified peer support personnel from other public safety agencies or outside organizations for department peer support, as appropriate.
- (c) Verifying members have reasonable access to peer support or licensed psychotherapist support.
- (d) Establishing procedures for CISDs, including:
1. Defining the types of incidents that may initiate debriefings.
  2. Steps for organizing debriefings.
- (e) Facilitating the delivery of wellness information, training, and support through various methods appropriate for the situation (e.g., phone hotlines, electronic applications).
- (f) Verifying a confidential, appropriate, and timely Employee Assistance Program (EAP) is available for members. This also includes:
1. Obtaining a written description of the program services.
  2. Providing for the methods to obtain program services.
  3. Providing referrals to the EAP for appropriate diagnosis, treatment, and follow-up resources.
  4. Obtaining written procedures and guidelines for referrals to, or mandatory participation in, the program.
  5. Obtaining training for supervisors in their role and responsibilities, and identification of member behaviors that would indicate the existence of member concerns, problems, or issues that could impact member job performance.

#### 1025.4 DEPARTMENT PEER SUPPORT

##### 1025.4.1 PEER SUPPORT MEMBER SELECTION CRITERIA

The selection of a department peer support member will be at the discretion of the coordinator. Selection should be based on the member's:

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- Desire to be a peer support member.
- Experience or tenure.
- Demonstrated ability as a positive role model.
- Ability to communicate and interact effectively.
- Evaluation by supervisors and any current peer support members.

#### 1025.4.2 PEER SUPPORT MEMBER RESPONSIBILITIES

The responsibilities of department peer support members include:

- (a) Providing pre- and post-critical incident support.
- (b) Presenting department members with periodic training on wellness topics, including but not limited to:
  1. Stress management.
  2. Suicide prevention.
  3. How to access support resources.
- (c) Providing referrals to licensed psychotherapists and other resources, where appropriate.
  1. Referrals should be made to department-designated resources in situations that are beyond the scope of the peer support member's training.

#### 1025.4.3 PEER SUPPORT MEMBER TRAINING

A department peer support member should complete department-approved training prior to being assigned.

### **1025.5 CRITICAL INCIDENT STRESS DEBRIEFINGS**

A Critical Incident Stress Debriefing should occur as soon as practicable following a critical incident. The coordinator is responsible for organizing the debriefing. Notes and recorded statements shall not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a critical incident.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law, or a valid court order.

Attendance at the debriefing should only include peer support members and/or peer support specialists, and those directly involved in the incident.

#### 1025.5.1 PEER SUPPORT SPECIALIST COMMUNICATIONS

Communications with a peer support specialist will be considered privileged to the extent provided in § 590.1040, RSMo. A peer support specialist is a person who has received training in counseling and providing emotional and moral support, and has been designated by the Department to lead, moderate, or assist in a peer support counseling session (§ 590.1040, RSMo).

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#### **1025.6 PEER SUPPORT COMMUNICATIONS**

Although the Department will honor the sensitivity of communications with peer support members, there is no legal privilege to such communications.

#### **1025.7 PHYSICAL WELLNESS PROGRAM**

The coordinator is responsible for establishing guidelines for any on-duty physical wellness program, including the following:

- (a) Voluntary participation by members
- (b) Allowable physical fitness activities
- (c) Permitted times and locations for physical fitness activities
- (d) Acceptable use of department-provided physical fitness facilities and equipment
- (e) Individual health screening and fitness assessment
- (f) Individual education (e.g., nutrition, sleep habits, proper exercise, injury prevention) and goal-setting
- (g) Standards for fitness incentive programs. The coordinator should collaborate with the appropriate entities (e.g., human resources, legal counsel) to verify that any standards are nondiscriminatory.
- (h) Maintenance of physical wellness logs (e.g., attendance, goals, standards, progress)
- (i) Ongoing support and evaluation

#### **1025.8 WELLNESS PROGRAM AUDIT**

At least annually, the coordinator or the authorized designee should audit the effectiveness of the department's wellness program and prepare a report summarizing the findings. The report shall not contain the names of members participating in the wellness program, and should include the following information:

- Data on the types of support services provided
- Wait times for support services
- Participant feedback, if available
- Program improvement recommendations
- Policy revision recommendations

The coordinator should present the completed audit to the Chief of Police for review and consideration of updates to improve program effectiveness.

#### **1025.9 CRITICAL INCIDENT STRESS MANAGEMENT PROGRAM**

The Missouri Department of Public Safety has created the Critical Incident Stress Management Program. Officers are required to meet with a program service provider once every three to five years for a mental health check-in (§ 590.192, RSMo).

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#### **1025.10 TRAINING**

The coordinator or the authorized designee should collaborate with the Training Officer to provide all members with regular training on topics related to member wellness, including but not limited to:

- The availability and range of department wellness support systems.
- Suicide prevention.
- Recognizing and managing mental distress, emotional fatigue, post-traumatic stress, and other possible reactions to trauma.
- Alcohol and substance disorder awareness.
- Countering sleep deprivation and physical fatigue.
- Anger management.
- Marriage and family wellness.
- Benefits of exercise and proper nutrition.
- Effective time and personal financial management skills.

Training materials, curriculum, and attendance records should be forwarded to the Training Officer as appropriate for inclusion in training records.