BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURES MANUAL

TABLE OF CONTENTS

Administration
Section OP100

OP101 Policy, Procedure & Written Directives
OP102 Modified Duty Assignments
OP104 Job & Shift Assignments
OP106 EJD Testing
OP110 Field Training Program
OP111 Uniform Budget Disbursement
OP112 Operations Staff Duty Officer
OP114 Extra Duty and Special Events
OP116 Minimum Staffing Requirements

Information Management
Section OP200

OP203 Report Completion Case Assignment and Review
OP205 Pass On
OP207 On-Line Reporting - Rescinded

Specialty Assignments
Section OP300 Specialty Units

OP301 School Resource Officer Program
OP306 Canine Unit

Equipment/Vehicles
Section OP400

OP406 Shotgun and Rifle Cruiser Ready
OP415 Bicycle Patrol

Operations
Section OP500

OP501 Directed Patrols
OP502 Arrest Standards and Procedures
OP503 Addiction Recovery Hold
OP504 Trespass Affidavits
OP504 Trespass Affidavits Addendum
OP505 Home Detention Checks
OP506 Cover Officers
OP507 Vehicle Impounds
OP508 False Alarm Response

OP508a Model Alarm
OP509 Escorts
OP510 Reporting of Use of Force and Vehicle Pursuit
OP511 Call Response/Telephone Reports
OP515 Radio Usage
OP517 Domestic Violence Response
OP519 Detective Call Out
OP527 Private vs. Public Roadways
OP529 Employee Of The Month

Traffic
Section OP600

OP603 Vehicle Impound Appeals
OP604 Technical Accident Investigation Team
OP606 Mobile Video Recording
OP607 Automatic License Plate Reader (APLR)

Criminal Investigations
Section OP700

OP704 Child Abuse Investigations
OP705 Elder and At-Risk Adult Investigations
OP706 Emergency Background Checks for HHS Placements
OP709 Check Fraud Investigations
OP721 Eyewitness Identifications

Secondary Enforcement
Section OP800

Major Events
Section OP900

Animal Control
OP1000

OP1001 Service of Animal Control Summonses
OP1002 Rabies Vaccinations
OP1003 Animal Bites
OP1004 Dog at Large
OP1006 Release of Impounded Animals
OP1016 Use of Force on Animals

Victim Assistance
OP1100

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURES MANUAL

Civil

OP1200

OP1201 Civil Fees & Billing
OP1204 Civil Standbys & Keep the Peace Requests

Court Security

OP1300

OP1302 Court Alarm Response

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Policy, Procedure & Written Directives **NUMBER:** OP101

EFFECTIVE DATE: January 3, 2017 **SUPERSEDES:** [New]

POLICY: The Operations Division has established a divisional policy and procedure to supplement the department's *Written Directive System* policy, to aid in the development, maintenance, and consistency of divisional policies and procedures. If a conflict is found to exist between a divisional and a departmental policy and procedure, the departmental policy and procedure shall always control and take precedence.

RELATED PROCEDURES:
Policy 201 – Written Directive System

DEFINITIONS:
FTO Manual: A manual containing written directives, procedures, and checklists, utilized by a recruit-level employee throughout their new employee training. FTO manuals are specific to each job type, although some procedures may be common between programs.

Ops Command Staff: The command group of the Operations Division, which includes all of the division's commanders and is led by the Operations Division Chief.

PROCEDURE:

I. Written Directive System

A. The Operations Division shall incorporate the format and structure for divisional policies and procedures outlined in Policy 201(III) for all divisional written directives, procedures, and policies.

B. The Operations Division administrative commander is the designated divisional representative responsible for the oversight, maintenance, revision, and management of the division's policy and procedure, as required by Policy 201(V)(B)(1). This includes maintenance of the master list of all divisional policies and procedures, including revision dates, and assigning policy and procedure numbers.

C. The Operations Division's various FTO manuals contain a number of procedures that are not formally codified in the division's policy and procedure manual because of the frequency of changes they undergo.

The call type procedures outlined in the divisional FTO manual(s) are considered written directives and have the same effect as a formal divisional procedure.

1. It is the responsibility of the Operations Division training sergeant to make sure the call type procedures in the FTO manual(s) outline current practice and procedure, and to publish periodic updates of each FTO manual.

D. Decisions about policy and procedure made by the Operations Division command staff and/or the Operations Division chief should be memorialized and codified into the Operations Division policy and procedure manual for both record-keeping and a single point of reference for divisional staff that may need to research or consult policy and procedural decisions and guidance.

II. Policy and Procedure Process

A. Any employee of the division may propose a divisional policy, procedure, or written directive, or an amendment thereof, consistent with this policy and the department's written directive policy.

B. Prior to the implementation of a new or revised policy and procedure, subject matter experts may have an opportunity to review and comment on the proposed policy, procedure, or amendment, prior to it being forwarded for final review.

1. The opportunity for review or input may be accomplished in a number of ways, including, but not limited to, a briefing discussion, by phone, by reviewing a manual draft of the document, or any combination thereof.

C. Once impacted work groups or subject matter experts have had a chance to provide input or comment, all proposed policy and procedures are forwarded to the Ops Command Staff for final review, comment, and discussion, prior to the Operations Division Chief approving the policy.

D. The Operations Division Chief is responsible for determining what, if any, proposed divisional policies or procedures or amendments – including

policy statements – require the Sheriff's, Undersheriff's, and/or Executive Staffs' review, approval, or comment prior to implementation.

E. The Operations Division Chief is the sole authority for authorizing written policies and procedures for the division.

III. Availability of Divisional Policies and Procedures

A. All current divisional policies and procedures are made available to sheriff's employees, unrestricted, through the sheriff's policy website on InsideBC.

B. Operations Division policies and procedures are publically available on the sheriff's external website (www.boulder sheriff.org), unless a determination has been made that general public disclosure would be contrary to public safety (e.g. a policy or procedure contains tactical, strategic, or operational information that is law enforcement sensitive, etc.).

1. A determination is made at the time a divisional policy or procedure is signed as to whether it should be restricted from public access or not and is indicated on the policy below the division chief's order. The decision to withhold public dissemination of a divisional policy or procedure must align with the requirements of the *Colorado Open Records Act* and the *Criminal Justice Records Act.*

C. It is the responsibility of the division's administrative commander to ensure that updates to the public and internal websites are made through the Sheriff's Computer Support (SCS) group.

1. The administrative commander must specify in the message if the policy and procedure is authorized to be published externally or not.

D. The administrative commander is responsible for dissemination of new/revised policies to the impacted work groups, as well as to the members of the sheriff's policy working group.

IV. Record-Keeping

A. All prior versions of written policies and procedures shall be maintained in accordance with the department's retention schedule.

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

1/3/2017
Date

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Modified Duty Assignments **NUMBER:** OP102

EFFECTIVE DATE: 1/9/2006 **REVISION DATE:** 1/9/2006

POLICY: The Boulder County Sheriff's Office recognizes that, due to the nature of the services we provide to the community, there will be times when officers are unable to fulfill the essential functions of the job for which they were hired as a result of physical restrictions resulting from an injury or other medical condition. Modified duty assignments are used to assist employees in the transition back to full duty status.

RELATED PROCEDURES:

Department Policy: 316.2

County Policy: V.9

DEFINITIONS:

PROCEDURE:

I. To be eligible for a modified duty assignment an employee must have a medical clearance to return to work, which specifies their limitations, but does not allow the resumption of full job duties. There must also be a prognosis that the employee will return to full duty status within two weeks.

II. Modified duty assignments will be made at the discretion of the division chief-and may include reassignment to a different supervisor, section, or division.

   A. When determining whether or not to grant a modified duty assignment, the division chief will weigh the needs of the organization, and the primary duty of the employee.

   B. When making modified duty assignments, on the job injuries will take precedence over non-duty related injuries and/or other medical conditions.

   C. Modified duty assignment are normally granted only when the employee is expected to return to full duty within two weeks, with the exception of pregnancy and on the job injuries within the first ninety-days.

   D. The division Chief may grant other exceptions to the two-week rule based on the needs of the division.

III. The supervisor assigned to supervise an employee on modified duty will be notified of any re-assignment and is responsible for:

   A. The employee's time sheet, schedule, DFAR and case review.

B. Assignment of special projects.

C. Primary contact and coordination with risk management, Sheriff's personnel and the employee concerning the employee's status on returning to full duty.

IV. Responsibilities of officers assigned to modified duty:

A. The primary duty for officers assigned to modified duty is to take telephone reports and assist citizens who present themselves at the Justice Center Records or Operations counter to make a report.

B. Other tasks may be assigned to the officer or other employee on modified duty to ensure optimum use of their time.

C. The regular work hours for employees on modified duty are 0800-1630 Monday through Friday.

1. These hours may be adjusted, on a day-to-day basis, so as to allow the employee to make all appointments with physicians, physical therapists, or other health care providers outside of regular work hours. The time used for appointments with physicians, physical therapists, or other health care providers is not compensable.

2. The division chief approves exceptions to the regular work hours.

V. Return to duty

A. Essential Job Function verification is required for all Deputy Is and Deputy IIs prior to return to full duty anytime they have been placed on restricted duty for more than two work weeks due to injury or medical condition, with the exception of pregnancies and the birth of a child.

B. Firearms qualification is required for deputies who missed a mandatory qualification event during their period of restricted duty prior to return to full duty.

By Order of the Division Chief,

_____ _____
Dennis Hopper, Division Chief Date

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Job & Shift Assignments **NUMBER:** OP104

EFFECTIVE DATE: November 10, 2016 **SUPERSEDES:** September 20, 2016

POLICY: The Operations Division has established the following guidelines for determining divisional job assignments and duties, including assignments to shifts, specialty units, and collateral duties. The Operations division chief has sole authority to assign any member to any position based upon the needs of the organization.

RELATED PROCEDURES:
301 – Classification & Assignment
304 – Conditions of Employment

DEFINITIONS:
Collateral Duty: An ancillary duty outside of an employee's primary job assignment that requires specialized or on-going training (e.g. Honor Guard, K9 handler, SWAT Team, EOD Technician, etc.).

Core Assignment: An appointment to a specialized assignment that is not subject to periodic rotation.

Longevity: The length of time a person has been employed by Boulder County with no more than a thirty-day break in service.

Seniority: The length of time an FTE employee has in a job classification (time-in-grade) with no more than a thirty-day break in service.

Shift Bid: An expressed desire to work specific shifts or schedules available within a job assignment for an upcoming year or other defined term, which are typically provided in rank order.

Specialized Assignment: A primary job assignment for sworn personnel in a specialized unit, function, or role.

Specialty Unit: Units or sections within the Operations Division that are outside of normal patrol operations.

PROCEDURE:

I. Job Assignments for Sworn Personnel

A. Patrol Section

1. The Patrol Section is the core job assignment for sworn personnel assigned to the Operations Division. All specialty job assignments, unless approved by the Operations division chief or the sheriff, are filled with deputies currently assigned to the division.

B. Specialty Units

1. Job assignments to specialized units are made through a competitive selection process.

    a. The Operations division chief and sheriff retain the authority to waive a competitive selection process, conduct a competitive selection process externally, and/or appoint a sheriff's employee to a specialized assignment based upon organizational need.

2. To provide a variety of opportunities for deputies and sergeants, the term of assignment to a specialty unit is three years. If mutually beneficial to both the employee and the division, the employee may be extended in the specialty job assignment on an annual basis for two additional years, for a total of five years.

    a. Partial years in a specialty assignment are not counted toward the employee's eligible term. Terms, with the exception of school resource officers, are calculated based upon the February pay period, which is when shift rotations occur annually. If a specialty job assignment start date does not occur within the February pay period, the term does not start until the following February for purposes of calculating rotation dates.

        1) School Resource Officer (SRO) assignments are based upon the school year, not the shift year. Therefore, SRO terms are calculated based upon the July pay period (July 26 – August 25).

    b. The following sections, units, and positions, are considered specialized job assignments for sworn personnel and are subject to rotation:

1) Detective Bureau: One detective sergeant and three detectives

2) Boulder County Drug Task Force: One detective sergeant and three detectives

   i. One detective position assigned to the DTF is on a contractual basis and is contingent on the availability of funds.

3) Boulder County Parks & Open Space Unit: Two deputies

4) Emergency Services Unit: One deputy

5) Civil Unit: One sergeant and three deputies

6) Training Unit: One sergeant

7) Court Security Unit: One sergeant and three deputies

8) Personnel Unit (Administration Division): One sergeant

   i. The undersheriff oversees the Administration Division and will make the determination on the rotation timeline of any employees who rotate into the division, including any requested extensions.

9) Municipal Contracts (Lyons & Superior): The contract deputy positions are considered specialty assignments due to their nature, as they don't require backfill and are not subject to calculation in minimum patrol staffing requirements. The work schedules for these positions are set by the sergeant assigned to oversee the contract municipality and may vary throughout the year based on the contracting municipality's needs.

   i. Town of Superior: One sergeant and two deputies

   ii. Town of Lyons: One sergeant and one deputy

10) School Resource Officers (SROs): Three deputies

11) Mountain Program: Four deputies

c. At the conclusion of the maximum term of a specialty assignment, the specialized job assignment must be posted for the competitive selection of a successor, or the successor must be selected from an existing eligibility list.

1) If no suitable successor candidates are identified through a competitive selection process, at the discretion of the Operations division chief, the incumbent may be extended for an additional year beyond their maximum term provided the continued assignment is mutually beneficial for both the division and the employee, or the Operations division chief may select any deputy off probation.

i. An employee can be extended in this manner perpetually, provided the position is posted annually, and no suitable successor candidates are identified.

2) If an employee has announced a planned retirement in the months following their mandatory rotation date, at the discretion of the Operations division chief, the employee may be extended in the specialty assignment until their retirement.

3. The Operations division chief may extend the maximum term of a deputy or sergeant assigned to a rotating specialized job assignment for cause (e.g. an employee is due to retire six months after they would be due to rotate out of an assignment, numerous rotations in a unit or section will occur simultaneously and result in a lack of stability, etc.).

4. In certain units and sections there is a need for tenured, career-track employees who are not subject to periodic rotation from the specialized assignment in order to develop subject-matter depth and expertise.

a. The following specialized assignments are core, non-rotating assignments in the Operations Division for sworn personnel:

1) Detective Bureau: One detective sergeant, seven detectives, and a forensic analyst.

2) Emergency Services Unit: One sergeant* and one emergency services coordinator [deputy]*.

3) Court Security Unit: Two deputies*.

4) Training Office: One range master/armorer

5) Boulder County Parks & Open Space Unit: Two deputies

6) Mountain Program: Four deputies

b. Deputies appointed as “core” in their specialized assignment are not subject to periodic rotation without cause, unless they request re-assignment.

c. Prior to being designated as a “core,” non-rotating position in units or sections with a blend of both core and rotating positions, the incumbent must first serve in a rotating capacity.

5. *There are several specialty unit positions currently occupied by deputies who did not enter the specialty assignments as patrol-qualified deputies, or having served in the Patrol Section prior to being assigned to a specialty assignment [cf. I(B)(4)(a), subsections (2) and (3)]. These individuals are not subject to rotation out of the specialty assignment they currently occupy; however, their specialty positions will convert to rotating assignments through attrition.

C. Command Assignments

1. Commanders are assigned by the Operations division chief over the following sections:

a. Administrative Section
b. Boulder County Drug Task Force

c. Detective Bureau (general investigations)
d. Patrol (2)
e. Special Operations

2. The term of command assignments is typically between three and five years, but is at the sole discretion of the Operations division chief, and is based on divisional needs.

3. Command job assignments within the division are made by the Operations division chief, in consultation with the sheriff, and are not subject to a competitive selection process.

II. Shift Bids

A. When conducting shift bids or schedule assignments for sworn and non-sworn staff, regardless of job assignment, seniority is the primary consideration.

1. The prevailing consideration for all shift and job assignments are overall divisional or department needs (e.g. vacancies may need to be carried on patrol shifts to allocate personnel equally to ensure appropriate patrol coverage around-the-clock, when an employee would otherwise have seniority to fill a vacancy on a shift).

a. In recognition of the complexities of the job of a deputy assigned to the Patrol Section, proficiency in nightshift operations (e.g. handling in-progress calls, intoxicated persons, DUI investigations, etc.) cannot be obtained during the course of the Field Training Program. Deputies must be assigned to a powershift or nightshift for one full shift year before they are eligible for assignment to a dayshift position. For purposes of shift bid, seniority will not be considered until one year after completing the FTO Program and shift assignment will be at the discretion of the Operations division chief.

B. In order to balance the availability and impact of certain collateral duty or specialty positions (e.g. SWAT tactical operators and negotiators, K9 handlers, mountain deputies, etc.), these specialized collateral duties may be assigned specific shifts or schedules (i.e. two SWAT tactical operator

positions may be allocated to each shift, or one K9 handler is allocated per shift). These positions are filled by those deputies assigned to the corresponding collateral duties or specialty assignments, with seniority being the primary consideration in filling the designated role(s).

C. Shift and job rotations occur annually during the February pay period (i.e. on or about January 26th, the start of the February pay period).

1. For patrol shift bids, the following timeline guides the shift bid and assignment process in anticipation of the February shift rotations, absence an emergency or extraordinary circumstances:

a. Identify what specialty job assignments will have vacancies the following year by September 1st.

b. Conduct competitive selection processes – or if an eligibility list for a specialty job assignment is in effect, select personnel for appointment to the specialty job assignment – by the end of September.

c. Shift bids for patrol sergeants will be posted by October 1st, and assignments determined by mid-October.

d. Shift bids for deputies assigned to the Patrol Section are posted by mid-October and are due no earlier than ten days after posting. Final shift assignments, effective the following February pay period, are announced by mid-November.

1) Shift bids for deputies and animal control officers not assigned to the Patrol Section but who will bid for shift (e.g. Parks & Open Space Unit) will follow the same timeline.

III. Eligibility Criteria for Specialized Assignment or Collateral Duties

A. The following criteria, at a minimum, shall be included in all specialized job assignment and collateral duty selection processes in the Operations Division:

1. The employee must have served for two years in the Operations Division;

2. The employee must be off probation;

3. The employee must not be the subject of an active performance agreement;

4. The employee must have a standard evaluation or greater for the prior evaluation period;

5. The employee must not have been the recipient of significant discipline (a written reprimand or greater) within the preceding year; and

6. The employee must receive a supervisory endorsement through their chain-of-command (sergeants and commander).

    a. A supervisory endorsement is an affirmation that the employee meets the basic criteria of the specialized job assignment or collateral duty; possesses and has consistently demonstrated the requisite character, competence and communication skills required to be successful in the specialized job assignment or collateral duty being sought; and has the full support of the supervisor to seek appointment.

    b. Any supervisory reservations or concerns about the application are to be made in writing and forwarded with the application.

B. Additional application requirements may be included at the discretion of the unit or section commander.

C. The Operations division chief has sole authority to grant exceptions or waivers to basic application criteria. All waiver and exception requests are to be made in writing and a decision on the waiver or exception request will be returned in writing.

D. The affected unit or section commander is responsible for the design, content, elements, and scope of the competitive selection process.

E. The final appointment authority for any specialized job assignment or collateral duty is the Operations division chief, in consultation with the Operations Division commanders.

   1. It is the responsibility of the affected unit or section commander to provide a copy of the written appointment to the Personnel Unit for placement in the appointed employee's personnel file.

F. The resulting documentation from a competitive selection process is submitted to the Operations Division administrative commander for retention in accordance with the division's established records retention schedule.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

11/10/2016
Date

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Essential Job Demands Testing **NUMBER:** OP106

EFFECTIVE DATE: January 3, 2017 **SUPERSEDES:** [New]

POLICY: The Boulder County Sheriff's Office has established a fitness and essential job test for certain enforcement positions within the organization. This divisional policy and procedure supplements the department policy and outlines how the essential job demand testing is carried out in the division as required by Policy #305(I)(B).

RELATED PROCEDURES:
Policy 305 – Fitness & Essential Job Demand Testing

DEFINITIONS:
Essential Job Demand: The minimum physical demands required for each position to effectively perform the job; it may also be informally known as the "EJD."

Fitness for Duty: The establishment of an individual's ability to effectively perform the essential job demands of the position they are assigned.

PROCEDURE:

I. Testing Requirements

A. In order to comply with the requirement that the EJD be successfully completed annually, all Operations Division personnel subject to the EJD test shall complete the test prior to June 30th of each year.

1. Requiring the test be completed in the first half of each calendar year will allow an employee who fails the test, either through injury or level of fitness, to recover and complete the testing within the calendar year as required.

2. An Operation's Division supervisor, or their designee, shall administer the EJD test.

B. Those Operations Division employees who are required to take the EJD test as a condition of hire for their job classification are required to successfully complete the test annually.

C. Operations Division employees required to successfully complete and pass the annual EJD test are required to successfully complete the test prior to returning to full duty from an injury leave, whether duty related or not, regardless of the number of successful tests they've completed prior to the injury.

1. The Operations Division Chief may waive the return-to-duty EJD requirement for an off-duty injury or medical condition that in no way relates to any physical performance tested or measured by the EJD test.

D. If an employee elects to voluntarily terminate the EJD testing once it has begun, it shall be treated as an unsuccessful testing attempt. Any reasons provided for the termination of the test will be noted on the EJD testing form by the test proctor.

II. EJD Reporting & Record Keeping

A. The Operations Division EJD compliance records are maintained by the Training Unit.

1. The Training Unit will electronically record all EJD testing attempts, whether the testing is successfully or unsuccessfully completed, prior to distributing the EJD paperwork to the employee as prescribed in Policy 305.

a) If the Training Unit receives the EJD testing reports prior to endorsement by the division chief, they will ensure their endorsement is obtained prior to further distribution of the forms.

2. The Training Unit will send out periodic compliance and status reports to the divisional supervisors.

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

1/3/2017
Date

ATTACHMENTS OR ADDENDUMS:

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURES MANUAL

SUBJECT: Field Training Program **NUMBER:** OP110

EFFECTIVE DATE: July 20, 2016 **SUPERSEDES:** December 27, 2011

POLICY: The Boulder County Sheriff's Office utilizes a field training program to orient new employees to their duties and job obligations, enhance skills and improve job performance, and ensure consistency in the quality of service provided to the citizens of Boulder County. The programs are tailored to the different sections to meet specific needs and criteria, emphasizing standardized training and evaluations.

RELATED PROCEDURES:
306 – Recruitment & Selection
401 - Training

DEFINITIONS:

Daily Observation Report (DOR): A report completed on a daily basis by the Field Training Officer documenting the recruit's activities and performance relative to departmental expectations, which are outlined in the *Standard Evaluation Guidelines*. The DOR also serves to document any problems and/or remedial training conducted.

Field Training Manual: A compendium of modules, resource lists, procedures, outlines, and other instructional materials, organized so as to provide the recruit a comprehensive overview of basic job functions for their job-specific training program.

Field Training Officer (FTO): An experienced employee specially selected and trained to act as an instructor and mentor of recruits. The FTO is selected by virtue of exemplary performance and experience, and serves as a role model and mentor for recruits.

Field Training Program: An organized program of specific duration and standards, designed to orient new employees to their job functions and duties through instruction, demonstration and testing.

Standard Evaluation Guidelines: A rubric describing performance behaviors in various evaluation categories germane to a specific job. Descriptions of performance behaviors are provided in three categories: unacceptable, acceptable, and exceptional, and are used by FTOs to objectively rate performance and behavior.

PROCEDURE:

I. Administration

A. A commander oversees the Field Training Program and is assisted by the divisional training sergeant. Additionally, each patrol shift will have a designated sergeant to oversee field training efforts and timely, accurate documentation of recruit training.

1. The FTO commander is responsible for the overall administration of the Field Training program, to include planning, budgeting, personnel selection, monitoring the performance of the recruits in training, and program review and revision.

2. The training sergeant is responsible for the assignment of the FTO's shift and task scheduling, the review and maintenance of program records (including DOR and Weekly Evaluation Reports), coordinating meetings between FTO's and recruits, and the periodic review and revision of lesson plans, task book, FTO manual, and instructional materials.

3. The shift sergeants assigned as FTO sergeants are responsible for the day-to-day supervision of the FTO's and recruits assigned to their shift. The shift FTO sergeant is expected to meet with the recruit and the FTO weekly, both individually and collectively. The shift FTO sergeant is to prepare a weekly summary memo describing the recruit's overall progress in the program, and any remedial training strategies and issues being implemented.

4. The FTO's are responsible for the instruction and supervision of the recruit and the daily evaluation of the recruit's performance, as measured against specific standards and departmental expectations.

II. FTO Selection

A. FTO sergeants are selected based upon their exemplary performance, ability to manage tasks and supervise people, and organizational skills. Where possible, it is preferred that the FTO sergeant has prior experience as a Field Training Officer. The assignment of FTO sergeant is made by the FTO commander.

1. FTO sergeants are required, at a minimum, to have completed a basic FTO school. Attending training focused on supervising FTO training or in an FTO program is strongly encouraged.

B. The FTO is an experienced employee (two years operational experience preferred) selected by virtue of their exemplary performance, status as a role model, and ability to effectively instruct recruits in the obligations and performance of their job function. Following appointment, they receive specialized instruction in training and performance evaluation. The selection of FTO's is made by the Operations Division Chief in consultation with the FTO commander.

III. Patrol FTO Program

A. Prior to entering the field-training portion of an FTO program -- which includes being in public in a uniformed and/or an armed capacity – the recruit deputy must successfully complete pre-service training requirements. This is most often achieved through a "mini-academy." Pre-service training requirements shall include, but are not limited to:

1. The basic new handgun shooter training program;

2. Use of force training, including use of force decision-making (department policy, Colorado statutes, and current case law);

   a. Use of force training shall included basic testing to confirm a recruit's basic understanding and ability to apply proper decision-making when selecting appropriate levels of force by circumstance.

3. Defensive tactics orientation, which shall include basic personal defense, handcuffing, and basic handgun retention.

4. The following policies: 202- Authority & Jurisdiction; 310 – Code of Conduct; 502 – Use of Force; 313 - Harassment and Discrimination; 503 – Boulder County Critical Investigation Team; 506 – Emergency Response; and 513 – Authorized Weapons, Use and Proficiency.

B. Prior to entering the field-training portion of an FTO program in an armed or uniformed capacity, the recruit deputy must have completed his written oath of office.

C. The patrol field-training portion of the program is 16 weeks in duration, which is divided into four phases, all of which are four weeks long.

D. During each phase, the FTO is expected to cover specific topics and materials with the recruit, ensuring their understanding of the material through instruction, demonstration, and performance until proficiency is attained.

E. In each phase, the recruit assumes greater responsibility until, during the final evaluation phase, they are acting as an autonomous employee under the watchful eye of the FTO.

F. Recruits are assigned to different shifts, environments, and activities, with exposure to different instructional styles, which is accomplished by assigning them to different FTO's throughout the program.

G. An orientation meeting or messaging precedes each change in FTO's, during which the recruit's progress and any performance deficiencies are discussed, so as to ensure continuity and accountability. This meeting includes the recruit, the current FTO, the upcoming FTO, the current FTO sergeant, and the upcoming FTO sergeant.

H. Recruits meet weekly with a FTO sergeant to discuss their performance and progress through the program. The FTO sergeant will consult with the FTO and ensures that the recruit is progressing on pace through the program, and when necessary, will provide guidance and suggestions to correct the recruit's performance deficiencies.

1. The FTO sergeant is responsible to document the weekly meeting and recruits overall progress in the program, as well as any remedial or alternative training strategies utilized. This weekly summary is distributed to all of the FTO program supervisors and is considered part of the recruit's training record. As such, the FTO sergeant is responsible file a copy of the weekly summary in the DOR notebook.

IV. Security Deputy FTO Program

A. The security deputy position does not require P.O.S.T. certification but is an armed position in the Court Security Unit. Whether P.O.S.T. certified or not, prior to carrying a duty weapon or entering uniformed training, a recruit security deputy must successfully complete pre-service training. This training includes, but is not limited to:

1. The basic new handgun shooter training program;

2. Use of force training, including use of force decision-making (department policy, Colorado statutes, and current case law);

a. Use of force training shall include basic testing to confirm a recruit's basic understanding and ability to apply proper decision-making when selecting appropriate levels of force by circumstance.

3. Defensive tactics orientation, which shall include basic personal defense, handcuffing, and basic handgun retention.

4. The following policies: 202- Authority & Jurisdiction; 310 – Code of Conduct; 502 – Use of Force; 313 - Harassment and Discrimination; 503 – Boulder County Critical Investigation Team; and 513 – Authorized Weapons, Use and Proficiency.

B. Prior to entering the field-training portion of an FTO program in an armed or uniformed capacity, the recruit deputy must have completed his written oath of office.

C. The security deputy FTO program is six weeks in duration, which is divided into two phases, each consisting of three weeks.

D. During each phase, the FTO is expected to cover specific topics and materials with the recruit, ensuring their understanding of the material through instruction, demonstration, and performance until proficiency is attained.

V. Modified FTO Programs

A. 48 hour Second-Officer Certification

1. Deputies who have attended a P.O.S.T. certification academy, but who have not completed the Operations Division's FTO program and who are not assigned in an enforcement capacity, may complete an abbreviated 48-hour FTO program.

2. The program is designed to provide a rudimentary orientation to the job functions of Operations deputies.

3. The training focuses on officer safety practices, use of force in an operational environment, routine forms, radio protocols, traffic control, and arrest procedures.

4. The goal is to qualify the deputy to serve as a "second officer" for special events and extra-duty functions, with the understanding that they will always function under the direct supervision of a deputy who has completed the full Operations Division FTO program.

B. 336-hour Reserve deputy training

1. Reserve deputies who have attended a P.O.S.T. certification

academy and who may be assigned in an enforcement capacity, but who have not completed the full Operations Division FTO program may complete an abbreviated 336-hour (minimum) FTO program.

2. This program is designed to train the reserve deputy to function as a “second officer”, under the direct supervision of a deputy who has completed the full Operations Division FTO program.

3. The program emphasizes officer safety, defensive tactics, arrest procedure, radio protocols, traffic control, and response to the specific events and high priority calls that the reserve deputy may encounter as a “second officer.”

4. Reserve deputies who have completed the abbreviated 336-hour FTO program are deemed eligible to serve at special events.

5. Reserve deputies must be able to perform critical skills (e.g. firearms proficiency, defensive tactics, handcuffing, etc.) at the level of a full-time deputy prior to attaining “second officer” status, as there may be occasions when a reserve deputy is required to take immediate enforcement action without the opportunity to consult with a full-time deputy.

VI. Training

A. The training of recruits is documented through field performance evaluation, written or scenario/simulation testing, end of phase memorandums, weekly meeting summaries, and task book or performance checklists.

1. All training checklists must, at a minimum, be discussed between the recruit and the FTO. It is acknowledged, however, that it is extremely unlikely that the recruit will have the opportunity to experience every call type prior to completing the FTO program. Proficiency must be demonstrated in high-frequency call types (e.g. traffic contacts/investigations, routine arrests, burglary investigations, etc.) and all critical skill areas prior to completing the training program.

2. Written module tests are administered periodically to test retention of cognitive skills and information, as well as test application of cognitive information.

3. Failure to meet expectations and/or attain passing scores on any testing will result in remedial training. Continued or repeated failure to meet expectations, following remedial training, will result in the

re-evaluation of the recruit's ability to successfully complete the program and a review of their suitability for continued employment in their assigned capacity.

4. All recruit training classes and certifications completed, including pre-service training topics, will be recorded in the recruit's electronic training record in the sheriff's training database.

B. Evaluation of Recruit Performance

1. Recruits will be evaluated daily through a DOR by their FTO. DORs will include performance ratings under the SEGs as well as a narrative describing their performance.

    a. A recruit deputy and FTO review the daily DOR together and discuss any concerns. Both the recruit and the FTO sign the DOR before forwarding it to the shift FTO sergeant. DORs should be reviewed and discussed on a daily basis in order to provide the most meaningful feedback to the recruit.

    b. Ratings of "1" (unacceptable) or "7" (exceptional) require articulation in the accompanying DOR narrative.

2. Upon successful completion of the training phase (phases 1 – 3), the recruit will enter the final evaluation phase (phase 4).

    a. During the final two weeks of the evaluation phase, the FTO will typically evaluate and observe the recruit deputy while dressed in plain clothes.

3. Upon completion of the evaluation phase, the FTO will make a written recommendation to the FTO commander either:

    a. Endorsing the recruit as having successfully completed the program and having demonstrated proficiency in all critical job skills;

    b. Recommending that the recruit's training period be extended to achieve proficiency or to demonstrate proficiency in all critical job skills on a consistent basis; or

    c. Recommending that the recruit be terminated from the program.

3. In the event that either option (b) or (c) is recommended, the FTO commander will consult with the Operations Division Chief

regarding a course of action.

C. Documentation

1. All documentation relating to the recruit's performance during the FTO program will be preserved in a recruit notebook.

2. The notebook will be available to FTO's and FTO sergeants throughout the training period.

3. At the conclusion of the evaluation phase the documentation will be forwarded to the recruit's personnel file via the training sergeant.

   a. The only original documentation preserved in the recruit's personnel file is the final phase performance memorandum and the memorandum documenting the completion of the field training program. All other performance documentation is preserved in an electronic format and stored on optical media (e.g. CD or DVD) and is included in the personnel file.

VI. FTO Evaluation and Compensation

A. Each recruit will complete a written evaluation of the FTO's performance following the completion of each Phase of the FTO program

B. The FTO will be allowed to review the evaluations once the recruit has completed the program, or has been terminated for failing to meet performance standards.

C. The FTO evaluations will be forwarded to the FTO's working file for consideration and inclusion in their annual performance evaluation.

D. FTO's who routinely receive substandard evaluations are subject to remedial training or removal from the program, at the discretion of the FTO commander.

E. FTO's receive $20.00 per completed DOR, revised lesson plan, or completed policy re-write in compensation for the additional demands and expectations placed upon them. It is the obligation of the shift FTO sergeant to enter the "FTO DOR" pay code into the FTOs timecard for each day worked (or note which dates the FTO is being compensated for in the notes section of the pay code entry if the DOR pay is being aggregated and entered as a single entry).

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURES MANUAL

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

7/20/2016
Date

ATTACHMENTS OR ADDENDUMS:

OP110-A FTO Daily Observation Report (DOR)
OP110-B Patrol Standard Evaluation Guidelines (SEGs)

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Uniform Budget Disbursement **NUMBER:** OP111

EFFECTIVE DATE: 3/8/2005 **REVISION DATE:** 3/8/2005

POLICY: The Operations Division maintains a budget for the purchase and maintenance of uniforms, uniform accessories, and equipment for all uniformed, commissioned employees of the division. The Division Captain, or his/her designee maintains the uniform budget. The budget is administered in such a way that it is not overspent at the end of any fiscal year.

RELATED PROCEDURES:

DEFINITIONS:

Accessories: Any item that is commonly identified with, or is a part of, the Boulder County Sheriff's uniform and is authorized for wear on or with the uniform.

Authorized Uniform: For the purposes of this procedure any article of clothing, or worn accessory that is to be worn by uniformed employees and volunteers that is approved by the Operations Command Staff in consultation with the Sheriff.

Equipment: Any item authorized and purchased by Boulder Sheriff's department policy or procedure for use by any employee in the performance of their primary job assignment.

Special Uniforms: Authorized articles of clothing and equipment required to be worn by employees assigned to special units or teams, as approved by the Operations Command Staff.

PROCEDURE:

1) Budget Apportionment

   a) A portion of the uniform budget is designated for use in the replacement of uniforms, accessories or equipment for newly hired officers.

   b) A portion of the uniform budget is designated for use in the purchase of uniforms, accessories, or equipment lost or damaged, through no negligence of the affected employee, while in the performance of their duties, or as a result of other unforeseen circumstances or events.

   c) A portion of the uniform budget is designated for use in the purchase and replacement of special uniforms and equipment.

2) Disbursement

   a) When a uniformed, commissioned officer requires a new, or replacement uniform,

equipment, or accessory the officer makes a request through their direct supervisor.

b) When the supervisor approves the purchase they notify the secretary authorized to contact venders.

c) The secretary contacts the vender and authorizes the purchase.

d) Detectives receive a set amount as determined by the division Captain of the uniform budget annually with which to purchase “plain clothes” to be worn in performance of their duties.

e) Newly hired, or transferred, uniformed and commissioned employees are provided a full set of uniforms and any authorized accessories and equipment as needed.

By Order of the Division Captain,

_____ _____

Dennis Hopper, Captain Date

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Operations Staff Duty Officer **NUMBER:** OP112

EFFECTIVE DATE: 6/13/06 **REVISION DATE: October 25, 2013**

POLICY: The Operations Division of Boulder County Sheriff's Office has a Staff Duty Officer to augment and enhance the effectiveness and efficiency of the organization by providing resources and guidance to on-duty shift sergeants and to act as the agency representative during non-duty hours.

RELATED PROCEDURES:

BCSO Policy 515

DEFINITIONS:

Staff Duty Officer: Operations supervisor in the rank of commander or above.

PROCEDURE:

1. The Operations Division Chief will administer the program and is responsible for preparation of the staff duty roster. Designated Operations Division Commanders and the Operations Division Chief will serve as Staff Duty Officers.

2. Staff Duty Officers will be assigned for a period of 7 days. Duty will commence at 0800 on Wednesday end at 0800 on the following Wednesday.

3. Staff Duty Officers are responsible for finding a replacement if they are unable to work their scheduled staff duty assignment.

4. Staff Duty Officer Responsibilities

   A. Augment the on-duty shift sergeant as a resource to assist the supervisor in the performance of his/her duties when there is no operations commander on duty. When in an "on-call" status the SDO will:

      i. Remain available by pager and telephone.
      ii. Maintain a reasonable time to return a telephone call (15-minutes), or to initiate a field response (30-minutes).
      iii. Adhere to the off duty use of Sheriff's vehicles as outlined in BCSO policy 515, Section II.B.2.

   B. Respond to the scene of an unusual major event when notified and requested by the on-duty shift supervisor. This is a judgment call

and may be in addition to the on-call detective supervisor.

C. Assure the notification of the Sheriff's Executive Staff in major events.

D. Act as the media contact on major news events if the public information officer is not available and the on-duty shift supervisor is unavailable due to current activities.

E. Act as the agency representative during off duty hours or when no other executive staff member is present.

F. If activated, respond to the emergency operations center (EOC) upon request and provide assistance to EOC management and request additional emergency support function personnel as required.

By Order of the Division Chief,

_____

Tommy L. Sloan Date

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
PROCEDURE MANUAL

SUBJECT: Extra Duty and Special Events **NUMBER:** OP114

EFFECTIVE DATE: 02/09/2009 **REVISION DATE:** 12/01/2010

POLICY: It is the policy of the Boulder County Sheriff's Office that the Sheriff's Office support legitimate special events promoted by private, public, governmental, and charitable organizations, consistent with the Sheriff's obligation to ensure the public's safety.

Recognizing that the demands for public safety assistance at special events frequently exceeds routine, available staffing, the Sheriff allows deputies the opportunity to work, for additional pay, authorized special events that require the involvement of law enforcement.

RELATED PROCEDURES:

BCSO Policies 305, 314

DEFINITIONS:

Solo-Qualified Deputy: A POST certified deputy that has completed the Boulder County Sheriff's Office Field Training Program (FTO) and meets the standards of the the Essential Job Demands(EJD) policy.

Non Solo-Qualified Deputy: A POST certified deputy that has completed the Boulder County Sheriff's Office basic 48-Hour Certification Program but hasn't completed the Boulder County Sheriff's Office FTO program. The deputy must meet the standards of the Essential Job Demands (EJD) policy.

Stationary Assignment: An assignment that doesn't require the deputy to move from one point to another.

Non Solo-Qualified Assignment: A stationary assignment staffed by a non solo-qualified deputy who is acting under the supervision/ direction of a solo-qualified deputy or supervisor. At least one solo-qualified deputy must be present at every event.

PROCEDURE:

I. The Operations Division coordinates extra duty and special events. Upon the receipt of an extra-duty request, the designated Divisional extra duty coordinator, commander or administrative assistant, evaluates the event to ensure that it is an appropriate function for the Sheriff's Office to be involved in, and if so, what type of staffing and equipment the event will require.

II. The extra duty coordinator meets with the promoter and ensures that:

A. If the event requires a permit, that the Boulder County Transportation Department's application process is followed, including the issuance of necessary insurance certificates and security deposits for the County.

B. The impacted fire protection districts are notified.

C. Adequate provisions for staffing, both paid and volunteer, are met and that the specific functions that Sheriff's deputies will be expected to perform are outlined in an approved operations plan.

III. The extra duty coordinator's responsibilities:

A. Provide the promoter with a quote of estimated costs for deputy time and vehicle costs and a letter stipulating the expectations and obligations of both the promoter and the Sheriff's Office that addresses:

1. Date of the event.

2. Starting time and duration of the event.

3. Location of the event.

4. Number of deputies working the event.
   a) Hours and cost per hour for each deputy scheduled. Costs are calculated upon a fixed contract rate. Deputies are paid at their overtime rate.

5. Number of supervisors working the event (with the expectation that a supervisor be provided for approximately every five deputy positions staffed).
   a) Hours and cost per hour for each supervisor scheduled. Costs are calculated upon a fixed contract rate. Supervisors are paid at their overtime rate, so long as they are working in a supervisory capacity.

6. Number of departmental vehicles required for the event. The cost of supplying a departmental vehicle is calculated upon a fixed rate.

7. Estimated total manpower and equipment cost for the event for the Sheriff's Office' services

8. Requirements that the Boulder County Transportation Department's permit processes are followed and necessary permits are issued.

9. Requirements for the promoter to make notification to all the fire departments/fire protection districts that will be impacted by the event.

10. Requirements for ambulance and first aid support at the event (if necessary).

11. Requirements for sanitary facilities for participants and spectators.

12. Requirements that the promoter provide an adequate number of support personnel, such as road marshals, race officials, support vehicles, motorcycle escorts, and event coordinators.

13. Requirements that the promoter will provide adequate communication equipment, ensuring reliable contact between the deputies working the special event and event personnel.

14. Post event clean up requirements.

B. Complete a written Operations Plan for the event and provide such to the Divisional administrative assistant to post on the Special Event Calendar.

IV. The promoter will be required to:

A. Sign the letter and return it to the extra duty coordinator before the coordinator will authorize the Sheriff's Office' involvement.

B. Provide the Sheriff's Office with guaranteed funds for the invoiced total at least two weeks prior to the scheduled event (additional costs incurred will be billed, or overages refunded after the event).

V. The Divisional administrative assistant posts an announcement of the event, soliciting deputies who are interested in working the extra duty assignment to sign up.

A. The announcement includes the date, time, location and type of event. It specifies which event assignments require a solo-qualified deputy.

B. Assignments are made by lottery. The extra duty coordinator and administrative assistant reserve the right to make assignment changes as circumstances require.

C. The administrative assistant notifies deputies as to whether or not they are working the event and will disseminate copies of the Operations Plan, including posting it on the Special Event Calendar.

VI. Expectations when working Extra Duty Assignments

A. Skill, Knowledge, and Ability Requirements

1. Only deputies that possess the required skills, knowledge, and abilities for specific extra duty assignments are authorized by the Sheriff's Office to work such events. Specifically, deputies must be POST certified. Deputies who have completed the Operations Division's Field Training (FTO) program are eligible to work solo-qualified assignments. Deputies who have completed only the basic 48-hour Certification program are eligible to work non solo-qualified assignments.

2. Only supervisors assigned to the Operations Division or those specifically authorized by the Operations Division Chief, Undersheriff, or Sheriff may fill supervisory positions for extra duty special events.

3. Supervisors who opt to work a line level assignment will be compensated at the top deputy overtime pay rate.

4. Deputies not assigned to the Operations Division may only work as a non solo-qualified deputy in a stationary assignment unless authorized by the Operations Division Chief, Undersheriff, or Sheriff to work in a solo-qualified position.

B. Submitting documentation for payroll and billing purposes

1. In order to allow for the timely processing of extra-duty billing and payroll paperwork, deputies who have worked an extra-duty special assignment must submit their DFARs documenting their activity to the Divisional administrative assistant within three days of the event.

C. Reporting Requirements

1. For any event in which a supervisor is assigned the supervisor completes an agency assist report (for events where the primary jurisdiction is someone other then the Sheriff's office), or officer information report, documenting any and all significant events that occur during the event.

2. All officers who take any type of enforcement action at any extra duty event document that action as a supplement to the case report

3. Crimes or other significant events occurring during a special event are individually documented and case related to the special event report

4. Any other significant event that occurs during an extra duty event should be documented in an officer information report, with the

exception of crime reports, which are documented in a crime report and related to the special event report if one exists.

VII. Departmental Vehicles

A. If the extra duty event requires the use of departmental vehicles, this will be indicated on the operations plan. The deputies working the event make arrangements for the use of a vehicle ensuring that their use of the vehicle doesn't interfere with the normal use of the vehicle by other deputies.

B. Deputies from the Jail Division who are working an extra duty special event that requires the use of a departmental vehicle, should make arrangements to use a vehicle from the Jail Division. If this is not possible, they should contact an Operations Division supervisor and make arrangements to use a vehicle assigned to the Operations Division.

By Order of the Division Chief,

_____ _____

Phil West, Division Chief Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Minimum Staffing Requirements **NUMBER:** OP116

EFFECTIVE DATE: August, 26, 2016 **SUPERSEDES:** December 26, 2012

POLICY: It is the policy of the sheriff's office to ensure that there are adequate manpower resources provided to respond to anticipated/routine call loads, meet public expectations regarding response and visibility, ensure the safety of deputies assigned to the various sections of the Operations Division, and promote consistency among the different sections' work teams. To that end, the Operations Division has adopted minimum staffing standards.

RELATED PROCEDURES:
[None]

DEFINITIONS:
Minimum Staffing: The lowest number of deputies, animal control specialists, or fire management staff scheduled to be on-duty over the course of a specific shift or time period in a specific section. Minimum staffing levels are established according to several criteria including historic data, anticipated special events, a predictive analysis of call load levels, contract obligations, and directives from the sheriff or Operations Division chief.

PROCEDURE:
Minimum staffing levels are established following an in-depth analysis of recent/historic call load data, informed anecdotal evidence, and contract obligations. They are reviewed for sufficiency at least once every two years. Established minimum staffing levels for specific periods may be adjusted so as to take into account special events, anticipated needs, and holidays. Variations from the established minimum staffing levels require the authorization of the sheriff or Operations Division chief.

I. Patrol Section

A. Personnel assigned to patrol-equivalent positions (e.g. civil deputies, deputies assigned to county parks or hourly contract deputies) are not counted toward meeting minimum Patrol Section staffing levels. Supervisors are not counted as patrol deputies toward meeting minimum staffing levels. Commanders may fill in for sergeants as shift supervisors on an intermittent or sporadic basis, consistent with meeting the other obligations of their position. This should not occur on a routine basis.

B. Municipal Contracts for Law Enforcement

1. By contract, the deputy assigned to Lyons/District 3 is expected to spend the majority of their shift within the Town of Lyons when not handling calls in the unincorporated area of the County.

2. By contract, deputies assigned to the Town of Superior are expected to patrol the town, except when obligated to respond to emergency calls outside of the town limits.

3. Sergeants assigned by contract to the Town of Superior or the Town of Lyons may fill in for shift sergeants on an intermittent or sporadic basis, consistent with meeting the other obligations of their position. This should not occur on a routine basis.

4. The Town of Superior pays for two additional contract deputy positions to supplement traffic enforcement efforts and weekend evenings. These positions are not counted toward meeting shift minimums and need not be filled in the event that the assigned deputies are absent.

5. The Town of Lyons pays for one additional contract deputy position that focuses on traffic enforcement. This position is not counted toward meeting shift minimums and does not need to be filled in the event that the assigned deputy is absent.

C. Shift Staffing

1. Dayshift

   a. Each 12-hour dayshift patrol team is staffed with two sergeants and eight deputies. Each 10½ -hour dayshift patrol team is staffed with three deputies. Minimum staffing levels for dayshift are one sergeant and seven deputies, including a deputy assigned to the Town of Superior. Deputies assigned to the K-9 Unit or SWAT Team as tactical operators and are assigned to dayshift work four 10½ hour shifts.

2. Powershift

   a. The A-side powershift (Sunday-Wednesday) is staffed by four deputies. Minimum staffing levels for the A-side powershift are two deputies.

   b. The B-side powershift (Wednesday-Saturday) is staffed by three deputies. Minimum staffing levels for the B-side powershift is one deputy.

   c. Preference for assignment to the powershift belongs to those deputies assigned as mountain officers – as powershift requires two – and those who are assigned to a collateral specialty assignment that has a high training impact (e.g. SWAT or Bomb

Squad).

3. Nightshift

   a. A-side nightshift (1800-0600) is staffed by two sergeants and nine deputies. Minimum staffing levels are one sergeant and six deputies, including a deputy assigned to the Town of Superior. The K-9 deputies assigned to the nightshift work four 10½ hour shifts (1800-0430). When a K-9 deputy goes off duty, minimum nightshift staffing drops to one supervisor and five deputies from 0430-0600.

   b. B-side nightshift (1800-0600) is staffed by two sergeants and ten deputies. Minimum staffing levels are one sergeant and seven deputies, including a deputy assigned to the Town of Superior. The K-9 deputies assigned to the nightshift work four 10½ hour shifts (1800-0430). When a K-9 deputy goes off duty, minimum nightshift staffing drops to one supervisor and six deputies from 0430-0600.

D. School Resource Officers

   1. SROs are assigned to specific schools during the course of the school year. They are not counted toward meeting patrol shift minimums. During school breaks and vacations, the SRO's may be temporarily re-assigned to patrol or other uniform duties.

E. Animal Control Unit

   1. The Animal Control Unit is staffed by five Animal Control Specialists (four full-time) and an Animal Control Supervisor, for a total of five full-time equivalent (FTE) positions. Animal Control provides seven day-a-week coverage. Minimum staffing levels are one Animal Control specialist each day. They are not assigned to work the County's "premium holidays" (Christmas Day, New Year's Day, and Thanksgiving Day).

II. Investigations

A. The Detective Section provides on-duty coverage Monday-Saturday, county-designated holidays excepted, with an established on-call schedule for after-hour responses. Minimum staffing is one supervisor and three detectives, Monday and Friday; one supervisor and five detectives, Tuesday – Thursday; and one detective on Saturdays.

B. A commander, sergeant, and three detectives (two sheriff's FTEs and one contract FTE position) are assigned to the multi- agency Boulder County Drug Task Force. Due to the nature of the assignment, schedules and work days

must remain flexible. No minimum staffing requirements are established by the division for the personnel assigned to the Drug Task Force.

1. The DTF supervisors are available via pager 24-hours a day for consultation and resource requests.

III. Administrative Section

A. Civil Unit

1. The Civil Unit is staffed full-time by a sergeant, three deputies, a paralegal specialist, and two law enforcement technicians. Coverage is provided Monday-Friday, from 0800-1700, with county-designated holidays excepted. As their work is dependent upon the volume of civil process received for service and the need to complete specific tasks (e.g. evictions, writs, garnishments, court-ordered mental holds, etc.), their individual schedules must remain flexible. Minimum staffing is established at two deputies and two civilian staff during business hours. Hourly deputies and civilian personnel may be used as required to ensure minimum staffing needs are met.

B. Court Security Unit

1. The deputies and security deputies assigned to the Court Security Unit maintain security at the Boulder County Justice Center and Longmont Court annex, Monday-Friday, from 0730-1800, county-designated holidays excepted. A sergeant, four deputies, and five security deputies are assigned to the unit on a full-time basis. Minimum staffing is set at five deputies/security deputies on any given day. Hourly deputies and security deputies may be used as required to ensure minimum staffing needs are met.

IV. Special Operations Section

A. Emergency Services Unit

1. A sergeant and two deputies are assigned to the Emergency Services Unit. Minimum staffing for the Emergency Services Unit is one member on-duty Monday-Friday during business hours, county-designated holidays excepted, with an established on-call schedule for after-hours and weekend responses.

B. Fire Management Unit

1. The Fire Management Unit is led by the Fire Management Officer (FMO) and is staffed with three full-time fire operations specialists and

wildland firefighters. Additionally, the unit is supplement by a number of seasonal and hourly, part-time wildland firefighters. During off-peak fire season, minimum staffing is three personnel during regular business hours, Wednesday – Saturday, county-designated holidays excepted. Minimum staffing can be achieved through full-time staff, part-time, seasonal staff, or a combination thereof.

2. During high/critical fire weather, “severity patrols” may be implemented at the discretion of the unit commander and FMO. When severity patrols are implemented, the daily minimum staffing is six personnel from the Fire Management Unit and coverage is provided seven days per week. Minimum staffing can be achieved through full-time staff, part-time, seasonal staff, or a combination thereof.

C. Parks & Open Space Unit

1. Four deputies are assigned to the County’s Parks and Open Space Unit. Their schedules are flexible based on season and the needs of Boulder County Parks & Open Space. Minimum staffing is one deputy working daily, Sunday – Saturday, with county-designated holidays excepted.

D. Gross Reservoir Rangers

1. Gross Reservoir Rangers are seasonal employees assigned to Gross Reservoir through a contract with Denver Water. The ranger season typically runs late-April through early-October, but is budget dependent. Minimum staffing during the ranger season is one ranger on-duty daily. Hours may vary based upon need, but are set by the Special Operations commander.

V. Scheduling to Meet Minimum Staffing

A. Supervisors are expected to ensure that minimum staffing standards are met.

B. Supervisors are authorized to approve time off for anticipated vacations, compensatory days, and holidays and adjustments for projected training obligations, consistent with meeting the established minimum shift staffing levels.

1. Sergeants and first-line supervisors review and approve time-off requests for the current month and the following month. Unit commanders review and approve all other time-off requests.

C. As best they are able, supervisors will anticipate other likely absences (maternity/paternity leave, surgeries, retirements, etc.) and will make

allowances for them in their projected scheduling.

D. In the event that unanticipated absences occur prior to or at the beginning of a shift (e.g. illness, injury, funeral leave, etc.), supervisors will ensure that minimum staffing levels are met. They may accomplish this by cancelling training, asking for voluntary cancellation of previously approved time-off, or offering other deputies the opportunity to fill in for compensatory time. As a last resort, they may fill the vacancy by offering overtime compensation, but only with the approval of a commander, and consistent with other payroll calculations.

E. In the event that an unanticipated absence occurs during the course of the shift (e.g. a deputy goes home sick midway through the shift), putting the shift below minimum staffing levels for less than six hours, the supervisor may, in their discretion, elect to run down one position for the balance of the shift.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

8/29/2016
Date

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
PROCEDURE MANUAL

SUBJECT: Report Completion, Case Assignment, and Review **NUMBER:** OP203

EFFECTIVE DATE: 12/29/2009 **REVISION DATE:** 12/29/2009

POLICY: It is the policy of the Boulder County Sheriff's Office to accurately document criminal and non-criminal incidents in a timely fashion and to complete all necessary follow up investigation within a reasonable amount of time.

RELATED PROCEDURES:

DEFINITIONS:

Reports: Detailed narratives that document the activities of Sheriff's employees, specifically with regard to their investigation of crimes and/or other significant incidents that warrant documentation, either under law, by policy or procedure, or common expectation. The term "reports" includes original reports completed by the responsible deputy or specialist as well as all supplemental reports detailing other employees' involvement in the investigation and any ensuing follow-up investigation. Reports are prepared and submitted following a specific format and are entered into the Tiburon records management system (RMS) for supervisory review, approval, and preservation.

PROCEDURE:

1) Report Completion:

   a) Unless specific prior approval by a supervisor is obtained, all reports are completed and submitted for entry into the Tiburon system prior to the deputy's end of shift.

   b) A complete report includes, but is not limited to:

      i) Complete index information on all involved persons, vehicles, and property. This includes names, dates of birth, addresses, phone numbers, employment information, driver's license information, and social security numbers (as available).

      ii) A detailed, chronological narrative of the event.

      iii) Any necessary supplemental information and paperwork such as associated domestic violence paper work, DUI packets, felony packets, arrest reports, etc.

      iv) An appropriate closing status indicating whether the report is complete as it stands or requires additional follow-up investigation and documentation.

   c) As a means of promoting efficiency, most report narratives are dictated on audio

recorders and are submitted for entry into the Tiburon system by the Division's clerical staff. However, short supplements may by typed into Tiburon by the employee using the proper format.

2) Report review:

   a) Reports are reviewed by a supervisor within a week of the report being submitted.

   b) The supervisors assigned to the Detective Section are responsible for reviewing and assigning the following reports:

      i) All reports documenting a felony (with the exception of felony criminal mischief reports)

      ii) All incidents involving a death.

      iii) All domestic violence reports (criminal or non-criminal).

      iv) All runaway and missing person reports.

      v) All vehicle thefts and recovered stolen vehicles.

      vi) All check fraud and identity theft reports.

      vii) All child abuse report involving serious injury or unusual circumstances.

   c) Supervisors assigned to the Patrol Section are responsible for reviewing and assigning the following reports generated by their respective shifts:

      i) All reports documenting misdemeanors, traffic offenses, and DUI investigations.

      ii) All reports generated by Animal Control specialists, Reserve deputies, and deputies assigned to the Civil Section.

      iii) All incident reports not involving death investigations or domestic violence incidents.

      iv) All Child Abuse reports that do not involve serious injury or unusual circumstances.

      v) Any other report completed by a deputy assigned to their shift that is not reviewed and assigned by a detective supervisor.

   d) The supervisor assigned to the Emergency Services Section is responsible for

reviewing and assigning reports generated by personnel assigned to that unit except for those that fall within the purview of the Detective supervisors.

e) e) A supervisor assigned to the Detective Section can review any of the above reports and Patrol supervisors can request that Detective supervisors review and assign specific reports that may require the involvement of the Detective Section.

f) Supervisors are also responsible for checking and remedying the Tiburon “failed transfer” list, ”in-progress” list, and “unapproved” report list on a weekly basis.

g) Supervisors review the submitted reports critically for detail, accuracy, and sufficiency. Reports that are deemed inaccurate or insufficient are disapproved and are returned to the author for correction, with a notation as to the perceived problems.

3) Report assignments:

a) All reports (criminal, incident, and warrant arrests) are assigned to a deputy. All reports detailing animal control violations or incidents are assigned to an Animal Control specialist.

b) Reports are assigned using the case management module of the Tiburon records management system and can either be left “open”, “closed”, “unfounded”, “cleared by arrest”, or “exceptionally cleared” depending upon whether or not follow up investigation needs to be completed.

c) The proper disposition of incident reports is either “open” or “closed”; no other status may be reflected. The proper disposition of criminal reports is either “open”, “unfounded”, “exceptionally cleared”, or “cleared by arrest”; no other status may be reflected.

4) Report Corrections

a) Deputies and specialists will submit corrections to disapproved reports by the end of their next working day.

5) Follow up investigations:

a) Supplemental information on any active investigation (eg. escapes, WIDALS, misdemeanors that are assigned to deputies and specialists) is documented in a supplemental report on the day that the information is received. The supplemental report may be left “open” and added to during the workweek as an “in progress” (IP) report. At the end of the deputy’s or specialist’s workweek, the supplemental report is “owner approved” (OA) by the author, indicating that it is complete, and allowing it to be reviewed by a supervisor.

b) Detectives are allowed greater latitude in the completion of supplemental reports detailing their follow-up investigation; however, should submit a completed supplemental report for each assigned case at least once a month (with exceptions granted for “cold” homicide and missing persons cases).

c) Supplements with substantial or time-sensitive information pertaining to the case should be submitted and “owner approved” immediately.

d) Absent mitigating circumstances, follow-up investigations into incidents and misdemeanor criminal cases should routinely be concluded within three months of the report having been taken. Follow-up investigations into felony criminal cases should routinely be concluded with six months of the report having been taken.

6) Case Review

a) Supervisors complete monthly case reviews with each deputy, specialist, or detective.

b) During the case review, the supervisor evaluates the progress made in the investigation and provides the deputy, specialist, or detective with expectations, direction that may be needed for a given investigation, and suggestions or comments for each case.

By Order of the Division Chief,

_____ _____

Phil West, Division Chief Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURES MANUAL

SUBJECT: Passon **NUMBER:** OP205

EFFECTIVE DATE: 3/8/2005 **REVISION DATE:** 4/1/2010

POLICY: The Boulder County Sheriff's Office recognizes the value of open communication to be informed of crimes and incidents occurring that may impact our jobs, or require additional attention. To this end Deputies enter passon into the LAN computer system.

RELATED PROCEDURES:

DEFINITIONS:

Executive Summary: Summary of significant events for a shift entered by the Shift Supervisor prior to the end of watch.

LAN Computer System: The primary computer messaging system utilized by the county and the Sheriff's Office.

Passon: Information deputies entering pertinent information on crimes, incidents and reports taken during their tour of duty, into the LAN System.

Significant Activity: is any incident of call resulting in a Tiburon report; activity in response to a directed patrol; traffic accidents involving fatalities or serious injuries; intelligence information; significant events occurring within a municipality that may have an impact on Sheriff's Deputies (e.g. bank robberies, serial burglaries, etc); and complaints that were not resolved with complainant contact and in which a deputy/supervisor is likely to received a fallow-up call.

PROCEDURE:

1. Entering passon

    a. Expectations:

        i. Deputies and Animal Control Officers are expected to make a daily Passon entry, reporting significant activity, events, or other information in which they were involved over the course of their shift.
        ii. Detectives enter a summary of their activity in Passon on a weekly basis. Specific, noteworthy or critical information is documented as it occurs.
        iii. Patrol Supervisors make daily entry into the Executive Summary e-mail on a daily basis in the following format (which may also be used by deputies for their passon):
            1. Line one the crime or brief description of type of call
            2. Line two the address or location of the event
            3. Line three the case number and/or officer involved

4. Line four a brief description of the event limiting personal comments and describing briefly what occurred. If additional follow up is necessary that information should be detailed in an e-mail to the appropriate sergeant or deputy.

b. Steps for entry:

i. Log into the LAN system.
ii. Go to the County Home page.
iii. Click on “Departments” then “Sheriff” then “Operations” “Pass on”.
iv. Click on "new" at the top left corner under "Pass on"
v. Enter your badge number
vi. Use drop down list to select your district
vii. Enter the information using <p> for paragraph breaks
viii. Use the drop down calendar to select the day of the month for the entry
ix. Click "OK" to submit

2. Content

a. Passon should contain information on all significant activity.
b. Entries are made in a concise, coherent, appropriately punctuated, grammatically correct sentences and include the case number, location, names of those primarily involved, and a short synopsis of the event.
c. Events such as baking dogs, dogs at large, animal impounds, alarms, abandoned vehicles, etc. are reported to the extent that they are likely to be directly useful information for other deputies or officers.
d. In the event a deputy has nothing significant to report, an entry is made saying, “noting to report.”

3. Retrieving passon

a. Supervisors, Deputies (including School Resource Officer’s and Parks Deputies) and Animal Control Officers are expected to review Passon daily.
b. Steps for retrieval
i. Log into the LAN system.
ii. Go to the County Home page.
iii. Click on “Departments” then “Sheriff” then “Operations” “Pass on”.

iv. Click on the date you would like to review

4. Requirements

a. Passon is entered at the end of every tour of duty.
b. Passon is reviewed at the beginning of every tour of duty.
c. Passon is the primary resource for communicating information between shifts and units within the division.

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURES MANUAL

By Order of the Division Chief,

_____	_____
Phil West, Division Chief	Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Online Reporting **NUMBER:** OP207

EFFECTIVE DATE: December 8, 2016 **SUPERSEDES:** December 13, 2006

POLICY: **RESCINDED**

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

12/08/2016
Date

ATTACHMENTS OR ADDENDUMS:

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: School Resource Officer Program **NUMBER:** OP301

EFFECTIVE DATE: November 10, 2016 **SUPERSEDES:** [New]

POLICY: The Operations Division has assigned deputies to work as school resource officers (SROs) in the Boulder Valley School District and the St. Vrain Valley School District. Deputies assigned as SROs, and deputies who take enforcement action on school property, shall comply with the requirements outlined by the Colorado Revised Statutes.

RELATED PROCEDURES:
OP104 – Shift Bid & Job Assignments

DEFINITIONS:
School Resource Officer: A deputy sheriff who's primary job assignment is to serve in an assigned school or set of schools.

PROCEDURE:

I. Assignment of school resource officers

A. St. Vrain Valley School District

1. The St. Vrain Valley School District contracts with the sheriff's office for school resource officer services within their district. The school resource officer services contract is designed to help off-set SRO salaries, and determines the allocation of school resources officers to the district.

2. Deputies are assigned as school resource officers to the following schools within unincorporated Boulder County, or within municipalities where the sheriff's office provides contract law enforcement services. One deputy is assigned to each of the following school sets:

a. Lyons Middle/Senior High School, Lyons Elementary and Hygiene Elementary School.

b. Niwot High School and Niwot Elementary

B. Boulder Valley School District

1. The Boulder Valley School District does not provide off-setting revenue for school resource officer services, which directly impacts the available resources available for assignment to the district.

2. Deputies are assigned as school resource officers to the following schools within unincorporated Boulder County, or within municipalities where the sheriff's office provides contract law enforcement services. One deputy is assigned to the following school sets:

   a. Arapahoe Ridge High School, Nederland Middle/Senior High School, Nevin Platt Middle School, Heatherwood Elementary, Douglas Elementary, Superior Elementary and Eldorado K-8 School.

C. School resource officers are selected in accordance with the *Shift Bid and Job Assignment* policy. To the extent possible, administrators from the affected schools or security office of the involved school district should participate in the candidate selection process.

II. School resource officer training

A. Every deputy assigned as a school resource officer shall complete a basic school resource officer training program approved by Colorado P.O.S.T. to ensure compliance with the requirements of § 24-31-312, C.R.S.

   1. Approved curriculums that meet current statutory requirements are located on the Colorado Peace Officer Standards and Training (P.O.S.T.) website.

B. School resource officers shall be familiar with the provisions of the conduct and discipline code of the school(s) at which they are assigned, as required by § 22-32-146(3), C.R.S.

C. School resource officers are required to maintain attendance at all other deputy-required training in the Operations Division.

III. Reporting of incidents on school grounds or involving students

A. Incidents on school grounds

1. Any deputy, including SROs, acting in their official capacity on school grounds, at a school-sanctioned activity, or in a school vehicle, who makes a custody arrest shall notify the involved school's principal of the arrest within 24 hours pursuant to § 22-32-146(1), C.R.S.

2. Any deputy, including SROs, acting in their official capacity on school grounds, at a school-sanctioned activity, or in a school vehicle, who issues a ticket or summons for an incident that occurred on school grounds, at a school-sanctioned activity, or in a school vehicle, shall notify the involved school's principal of the summons within 10 days pursuant to § 22-32-146(2), C.R.S.

3. Deputies are authorized to report summonses and arrests to the school resource officer assigned to the affected school, provided the school resource officer has a reasonable amount of time to report the incident to their principal as required by statute.

B. Reporting to the Colorado Division of Criminal Justice

1. On or before August 1st each year the sheriff's office is required to report all arrests, tickets, or summonses issued to students on school grounds – at any public elementary school, middle school, or high school – at a school-sanctioned activity, or in a school vehicle, for the prior academic year, including summer months, to the Colorado Division of Criminal Justice.

2. The following information shall be reported before the annual deadline, pursuant to § 22-32-146(5)(c), C.R.S.:

   a. The student's full name;
   b. The student's date of birth;
   c. The student's race, ethnicity and gender;
   d. The name of the school where the incident occurred or the name of the school that operated the vehicle or held the activity or event;
   e. The date of the arrest or taking of a student into custody;
   f. The date of the issuance of the summons or ticket;

g. The arrest or incident report number;

h. The single most serious offense for which a student is arrested, issued a summons, or issued a ticket for, using the corresponding NCIC crime code;

i. The type of weapon involved, if any, for offenses classified as Group A offenses under NIBRS;

3. The commander assigned to oversee the SRO Program is responsible for compliance with the reporting requirements, and for determination of the reporting frequency to the division of criminal justice, as prescribed by § 22-32-146(5), C.R.S.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

11/10/2016
Date

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS MANUAL
PROCEDURES MANUAL

SUBJECT: Canine Unit **NUMBER:** OP306

EFFECTIVE DATE: 11/10/2008 **REVISION DATE:** 12/30/2009

POLICY: It is the policy of the Sheriff's Office to maintain a Canine Unit to assist the agency and its members in performing public safety services in Boulder County.

RELATED PROCEDURES:

DEFINITIONS:

Canine Unit: All of the Sheriff's Office canine teams.

Canine Unit Commander: A Commander, appointed by the Operations Division Chief, to oversee the functions of the Canine Unit.

Canine Unit Sergeant: Appointed by the Canine Unit Commander and approved by the Operations Division Chief, to supervise the activities and training of the Canine Unit.

Canine Team: A commissioned deputy, hereafter known as handler, and a Sheriff's Office approved canine.

Canine Unit Trainer: An individual who has received a formalized and documented education in the training of police working dogs and the training of handlers. This individual may be a current employee of the Sheriff's Office or may be a private individual under contract with the Sheriffs Office to train handlers and canines.

Certified: A Canine Team that has demonstrated to the satisfaction of the Unit Commander, Unit Sergeant, and Unit Trainer that the Team is qualified to operate in an official law enforcement capacity for the Boulder County Sheriff's Office.

PROCEDURE:

I. Administration

A. The canine unit is assigned to the Operations Division under the oversight of the Division Chief.

B. The canine unit Commander oversees the allocated budget and overall functions of the unit.

C. The unit sergeant's responsibilities include, but are not limited to, the following:

1. Scheduling and coordinating unit training; deployment for special events,

coordinating requests for service and demonstrations.

2. Maintaining training records, narcotic and explosive training aid inventories

3. Maintaining the unit's policy and procedures, certifications, use forms and files.

4. Advising the Division Chief and unit Commander of any awards or citations received by any canine team.

II. Eligibility and Selection of Handlers

A. Handler Eligibility

1. Upon notification that a vacancy exists in the canine unit, any Operations deputy interested in becoming a canine handler will submit a letter of application via their chain of command to the canine unit Commander.

2. Qualified applicants must be currently assigned to the uniform Patrol Section with a minimum of eighteen months of patrol experience and be off probation. (The Division Chief may waive the 18 month experience requirement)

3. Applicants must have the approval and support of their supervisors and must have met, at a minimum, the "consistent" level of performance in all categories of the previous year's performance evaluation.

4. Applicants must demonstrate a thorough understanding of the canine unit policies and procedures.

5. Applicants must have no history of substantiated excessive force or citizen complaints.

6. Applicants must be in good physical condition

B. Handler Selection

1. The selection process will include a competitive interview and personnel file review. The interview panel will make a recommendation regarding applicants' suitability for appointment to the Operations Division staff.

2. Operations Division Staff will make the final appointment decision.

III. Canine Ownership, Selection and Retirement

A. Ownership: Canines are purchased or acquired by the county and are considered county property

B. Selection:

1. Evaluation criteria for the selection of a canine includes, but is not limited to, the following

a) Identifying the dog's drives.
b) The dog's temperament, personality and sociability.
c) A physical examination by a veterinarian.
d) Documentation of health history.

2. Only canines of acceptable breed, temperament, age, size and physical condition will be selected for inclusion in the unit.
3. The canine unit trainer, in consultation with the unit supervisory staff, is the final authority on selection.

C. Canine Retirement

1. If, for any reason, a canine is no longer able to meet the unit's performance standards, the canine may be retired to a suitable home. The Sheriff's Office may require the new owner to sign a waiver releasing the Sheriff's Office of any and all liability.
2. Retired canines will receive no benefits (eg. food or veterinary treatment) from the Sheriff's Office.

D. Canine Re-Assignment

1. If, for any reason, a handler is no longer able to participate in the unit, or becomes ineligible due to poor performance, the canine may be reassigned to another handler.
2. If the canine is not reassigned, and the handler wishes to keep the canine as a personal pet, they may be required to reimburse the agency a reasonable amount for the purchase of the canine.

a) The Division Chief must approve the purchase and the price.
b) The Sheriff's Office may require the former handler to sign a waiver releasing the Sheriff's Office of any and all liability.

IV. Handler Obligations and Responsibilities

A. Handlers must maintain a satisfactory level of performance by obtaining at least a consistent rating on all categories of the annual performance evaluations.

1. "Inconsistent" or "Rarely" ratings in any category on a quarterly or annual performance agreement may result in removal from the program.
2. Code of Conduct (310) violations may result in removal from the program.

B. Handlers must attend required unit training and maintain the canine's certification.

1. Report to the unit sergeant and trainer any problems in the canine's performance or ability to maintain certification.
2. Maintain training records of all training

C. Maintains the health, security and safety of the canine, whether on or off duty.

1. The handler provides a secure yard or kennel facility at the handler's residence and maintains this area in a condition that ensures control of the canine and a clean, healthy environment for the canine as well as appropriate protection from the elements. The cost of kenneling or arranging for the care of the canine in the handler's absence is born by the handler unless other arrangements are by the unit Commander.
2. A veterinarian, who has been designated by the Sheriff's Office as the unit's veterinarian, will be used for all vaccinations, annual physical examinations, or other medical treatments. Veterinarian fees are billed directly to the Sheriff's Office. Any other extraordinary medical expenses must be authorized by the unit Commander
3. The on duty shift supervisor and unit sergeant are to be notified immediately if a canine suffers an illness or injury that requires urgent or emergency veterinarian care, or if the canine goes missing.

D. Maintain and care for all assigned equipment and training aids including, but not limited to.

1. Specially-equipped canine vehicle
2. Unit equipment.
3. Other Sheriff's Office property assigned to the handler.
4. Maintain custody of, and safely store narcotics and explosive training aids.

V. Deployment and use of a canine

A. The deployment of a canine by its handler in the performance of his/her duty may be considered use of force, depending upon the circumstances. As such, unless it would otherwise increase the risk of injury to officers, a clearly audible warning to announce that a police canine will be released should be made prior to deploying the canine. The warning should be made at least three times giving a reasonable amount of time for the suspect to respond. The warning should also be repeated as appropriate when searching large or multi-level structures or open areas.

B. The decision to deploy the canine is at the handler's discretion, based on the circumstances of the situation, the handler's knowledge of the canine's specific capabilities, and with consideration given to input from the on duty supervisor or the unit sergeant. Decisions to deploy a canine should be based upon consideration of, but not limited to, the following factors:

1. The severity of the crime;
2. Whether the suspect poses an immediate threat to the safety of officers or others; and
3. Whether the suspect is actively resisting arrest or attempting to evade arrest at the time.

C. Examples of possible canine deployment (not all inclusive):

1. Handler/officer/citizen protection,
2. Structure searches,
3. Open area searches for suspects or missing persons,
4. Tracking of suspects or missing/lost persons.
5. Evidence searches,
6. Narcotics/explosive detection

D. Limitations

1. When a canine is present in a canine vehicle, the vehicle will not be used to transport unruly prisoners or prisoners who will be interviewed while in the vehicle.
2. The canine must remain in the handler's vehicle while other routine duties are being performed (eg. traffic contacts, completing reports, etc). Canines are permitted in the Sheriff's administrative offices and substations, however, must be under the control of the handler at all times. Handlers need the permission of the on-duty supervisors of the Jail and the Communications center to enter either of those facilities with their canine.
3. Canines are not to be used for "non-targeted" sniffs of school lockers or other areas of school property unless specifically approved, in advance, by the Division Chief.
4. Stray and/or injured animals are not to be transported in designated canine vehicles.

E. Requests for canine assistance

1. The Sheriff's Office encourages the use of its canine teams by other law enforcement agencies in Boulder County. However, all requests for the assistance of a canine team are directed to the on-duty shift supervisor

and/or unit sergeant for approval.

2. Requests for the use of canines that fall outside routine deployments are to be directed to the Division Chief for review and approval.

F. Documentation of Deployments

1. A “Canine Usage Report” must be completed for all deployments.
2. An incident report detailing the use of the canine is required when the canine causes any injury to any person or when any injury is alleged. An immediate notification to the on duty shift supervisor and unit sergeant is also required. The on duty shift supervisor is responsible for coordinating the investigation of any injury caused by a canine.

VI. Canine Team Certification

A. Before a Sheriff’s Office canine team is placed in an “operational status”, a qualified and certified police canine trainer must first certify the canine team as meeting basic performance standards.

1. Canine teams are certified annually for basic patrol duties as well as their specialty detection duty such as narcotics, explosive, etc.
2. More frequent certifications may be required at the discretion of the unit sergeant in consultation with the unit trainer and with the approval of the unit Commander.

B. The unit sergeant and unit trainer will determine by practical demonstration whether or not the canine team is qualified to serve in an “operational status.” This demonstration may include the following.

1. Control (obedience)
    a) Heeling on and off lead
    b) Voice commands (voice and hand)
    c) Distance control
2. Confidence Course (agility)
3. Scent Detection
    a) Article search
    b) Tracking
    c) Structure search to locate suspect
4. Criminal Apprehension
    a) False start and recall
    b) Apprehension without gunfire and search without resistance
    c) Apprehension with gunfire and search with resistance
    d) Suspect interview

5. Sociability
6. Narcotic or explosive detection

VII. Team Training

A. In-Service

1. All certified canine teams and teams-in-training attend regularly scheduled canine in-service training unless excused by the unit sergeant.
2. Canine in-service training includes “real” street training to maintain the team’s skills in areas such as structure searches, area searches, handler protection, etc., in situations that simulate day-to-day canine application.

VIII. Team Equipment

A. Canine Vehicle

1. Each canine team will have an assigned vehicle
2. This vehicle will be modified by the Sheriff’s Office to accommodate the canine. The modifications include

a) The vehicle will be marked so as to inform the public of the presence of a police canine in the vehicle.
b) A cage to separate the canine compartment from the passenger compartment so that prisoners and citizens may be transported safely.
c) Window screens will be provided in the canine compartment for ventilation.
d) Automatic “door poppers” that allow the handler to remotely open the car door, releasing the canine from the canine compartment

B. Uniforms

1. Handlers wear the standard Class C uniform.
2. Dues to maintenance issues, canine handlers are allotted one extra uniform
3. When the nature of the canine call indicates a modification of the standard uniform, this modification may be made at the handler’s discretion, as long as the handler can still clearly be recognized as a member of the Sheriff’s Office.

C. Canine Equipment

1. Each team will be issued necessary equipment and training aids as determined by the unit sergeant, to include leashes, collars, harnesses,

muzzle, canine ballistic vest, bite sleeve, canine medical kit, and Camelback Hydration tracking vest, et al.

IX. Expenditures

A. The Sheriff's Office will:

1. Provide equipment needed for approved training, certification fees, association membership fees, and seminar enrollment fees.
2. Provide veterinary care through an approved veterinarian
3. Provide food for the canines.
4. Provide an assigned vehicle to canine teams.
5. Compensate handlers with a monthly special duty pay differential to compensate them for the off-duty home care of their canine.
6. Any additional expenses must have the unit Commander or Division Chief's approval.

X. Conduct of Sheriff's Office Personnel

A. Deputies will follow the directions of the canine handler when a canine team is deployed at a specific incident. Except in emergency situations, commands to the canine are only delivered by the assigned handler.

B. In the event that a handler is injured on-duty and his/her canine is present, the first priority is to attend to the injured handler.

1. If the deputies on scene cannot control the canine, the unit sergeant and trainer are immediately notified. Another canine handler or animal control officer may be requested to respond.
2. Canines are not to be harmed unless the handler is in a life-threatening situation and the canine, because of its defensiveness of the handler, is not allowing any rescue attempts.

C. Canines are not to be teased or harassed. Individuals may pet canines only with the permission of the handler.

By Order of the Division Chief,

_____ _____

Phil West, Division Chief Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Shotgun and Rifle Cruiser Ready **NUMBER:** OP406

EFFECTIVE DATE: 03/13/2009 **REVISION DATE:** 03/25/2011

POLICY: To ensure the safety of employees and citizens, the Boulder County Sheriff's Office takes deliberate precautions to secure all rifles and shotguns that are assigned to the Operations Division, especially those that are routinely stored in patrol vehicles. Only departmentally issued AR-15 rifles and Remington 870 shotguns are authorized for duty use. Personally owned rifles and shotguns are not authorized.

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

Deputies who do not have assigned vehicles must secure their rifle in one of the gun cabinets provided at the Justice Center or a substation at the end of each shift and are not authorized to leave it in the vehicle when they're not working.

1. Shotgun – Remington 870

    a. Clearing and preparing shotgun for cruiser ready:

        i. Point the weapon in a safe direction with the muzzle downward to ensure any unintended discharge will not result in injury or damage. Utilize the weapon clearing barrel or tube, if available.
        ii. Depress the slide release and open the slide to remove any round that may be in the chamber. Check the magazine tube to make sure there are no rounds in the tube. If rounds are in the tube, utilize the shell latch located on the inside of the loading tube and remove the rounds.
        iii. Visually and physically check to ensure there is no round in the chamber or magazine tube.
        iv. Close the slide.
        v. Pull the trigger and leave the safety off.
        vi. Load four rounds into the loading tube.
        vii. Secure the weapon in the vehicle gunlock or truck vault.

    b. Preparing the shotgun for deployment:

        i. Activate the slide and chamber a round.
        ii. Place the weapon on safe until ready to fire.
        iii. Follow the directions for clearing and storing the weapon after deployment.

c. Clearing and storing the shotgun:

   i. Ensure the weapon is on safe.
   ii. Point the weapon in a safe direction muzzle downward to ensure that any unintended discharge will not result in injury or damage. Utilize the weapon clearing barrel or tube, if available.
   iii. Remove any ammunition by depressing the slide release and opening the slide to remove any round that may be in the chamber. Check the magazine tube to make sure there are no rounds in the tube. If rounds are in the tube, utilize the shell latch located on the inside of the loading tube to remove the rounds.
   iv. Visually and physically check to ensure there is no round in the chamber.
   v. Ensure the weapon is still on safe and the bolt in the open position.
   vi. Place the weapon in the gun locker with the shoulder stock down.
   vii. Maintain control of the ammunition by putting the rounds back into the assigned magazine pouch.

2. Rifle – AR15

   a. Clearing and preparing the rifle for cruiser ready:

      i. Ensure the weapon is on safe.
      ii. Point the weapon in a safe direction muzzle downward to ensure that any unintended discharge will not result in injury or damage. Utilize the weapon clearing barrel or tube, if available.
      iii. Remove any ammunition by making sure there is no magazine in the magazine well and by pulling back on the charging handle, remove any round that may be in the chamber. Replace the ejected round into the magazine.
      iv. Lock the bolt back in the open position.
      v. Visually and physically confirm that the chamber is empty.
      vi. Once assured that there is no round in the chamber, move the bolt forward by pressing the bolt release.
      vii. Close the dust flap.
      viii. Place a magazine into the magazine well.
      ix. Ensure the weapon is on safe and there is a magazine in the well.
      x. Place and secure the cruiser ready weapon in the vehicle gun-lock or trunk vault.

   b. Preparing the rifle for deployment:

      i. Chamber a round by utilizing the charging handle.
      ii. Keep the weapon on safe until ready to fire.
      iii. Follow the directions for clearing the weapon and making it cruiser ready after deployment.

c. Clearing and preparing the rifle for storage:

i. Ensure the rifle is on safe.
ii. Point the weapon in a safe direction muzzle downward to ensure that any unintended discharge will not result in injury or damage. Utilize the weapon clearing barrel or tube, if available.
iii. Remove any ammunition by making sure there is no magazine in the magazine well and by pulling back on the charging handle, remove any round that may be in the chamber.
iv. Lock the bolt back in the open position.
v. Visually and physically check to ensure there is no round in the chamber.
vi. Ensure the weapon is still on safe and the bolt is locked in the open position.
vii. Place the weapon in its gun locker storage slot with the shoulder stock down.
viii. Place “AR-15 Chamber Safety Flag” inside the barrel and chamber of the rifle.
ix. Place the associated cable through the magazine well and out the ejection port and lock the cable.
x. Relock the gun cabinet.
xi. Maintain control of the magazine by putting it back into the assigned magazine pouch.

By Order of the Division Chief,

_____ _____
Phil West, Division Chief Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
PROCEDURE MANUAL

SUBJECT: Bicycle Patrol **NUMBER:** OP415

EFFECTIVE DATE: September 29, 2008 **REVISION DATE:** June 3, 2010

POLICY:

The Boulder County Sheriff's Office has established a bicycle patrol program to provide greater interaction with the community and to patrol areas that are difficult to access with vehicles. Fuel savings and sustainability are additional benefits of this program.

RELATED PROCEDURES:

DEFINITIONS:

Patrol Bicycle: A bicycle owned, marked, equipped, and supplied by the Sheriff's Office to be used in law enforcement related activities.

Bicycle Helmet: Headgear designed to provide protection from head injuries. Helmets must meet the Consumer Product Safety Commission (CPSC 16CFR1203) standards.

PROCEDURE:

1) Uniform and qualifications

   a) Uniform

      i) Deputy duty uniform shirt, shorts and protective vest.
      ii) Black low quarter shoes and socks.
      iii) Standard duty belt and equipment.
      iv) Full-length black bicycle pants, sweater, or coat may be worn in inclement weather.
      v) Protective eyewear and helmet are required when operating the bicycle.

   b) Qualifications

      i) Good physical condition and current EJD test verification.
      ii) Completion of a bicycle patrol orientation program established by the Operations Division Command Staff.

2) Duties and Responsibilities

   a) Prior to setting out on bike patrol the deputy will contact the street supervisor and ask permission to perform bike patrol. The street supervisor, after taking into account staffing, other obligations and the need for bike patrol to occur, will make the decision as to allow or disallow the transition to bicycle patrol.

   b) Bicycle patrol deputies are responsible for all calls assigned within their district.

Unless approved by their supervisor, deputies patrolling on bicycle will remain within a reasonable (10-15 minute) riding distance of their patrol car or sub-station in order to respond to calls in their district that are beyond reasonable riding range of the bicycle.

c) Emergency calls within the deputy's district are dispatched to the nearest available unit until the bicycle patrol deputy can either respond to the call or return to their patrol car for response.

d) Deputies notify dispatch when transitioning to and from vehicle and bicycle patrol.

e) Deputies on bicycle patrol are not to conduct traffic stops of motorists.

f) Deputies may engage in pursuits of pedestrians or other bicyclists if the risk of pursuit does not outweigh the public safety benefit to be derived from the subject's apprehension.

g) When patrolling at night, unless employing stealth for cause, deputies are to use the legally mandated lights and reflective equipment.

h) When leaving the bicycle unattended, the bicycle is to be secured with a locking device to an immoveable object, unless in an emergency situation such as a foot pursuit.

i) If damage to a Sheriff's Office bicycle is sustained during operation the deputy will follow the Sheriff's Office policy for reporting damage to County property.

By Order of the Division Chief,

_____ _____D
Phil West, Chief ate

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Directed Patrols **NUMBER:** OP501

EFFECTIVE DATE: 08/01/2005 **REVISION DATE:** 08/01/2005

POLICY: The Boulder County Sheriff's Office recognizes the need for deputies to commit extra time patrolling designated areas to address special issues.

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

1. Evaluation for the need of a Directed Patrol

    a. Directed Patrols must be Problem Specific.
    b. Directed Patrols must be criminal, traffic, or a public safety issue.

2. Documentation for Directed Patrol

    a. Supervisor's Responsibilities:

        i. The supervisor responsible for the directed patrol will contact Communications and have a case number drawn for the directed patrol.
        ii. Complete an ARS (Automated Reporting System) report documenting the directed patrol. Using "Directed Patrol" as the Nature of Call and make the confidential level "L".
        iii. Approve and transfer the report into RMS (Records Management System).
        iv. Document an Operations Plan explaining duration, manpower, area, and any specialized equipment that may be needed.
        v. Enter the Case Management Module in RMS and tab to the Assignment and Management tab. The supervisor will assign the case to the responsible supervisor for management purposes. In the "Charge" field they will enter "Directed Patrol".
        vi. Manage the directed patrol, making sure that deputies are completing the necessary documentation.
        vii. Close the directed patrol once completed. This will consist of completing a short supplemental report documenting the resolution of the addressed issue.
        viii. At the conclusion of the directed patrol will enter the Case Management Module in RMS and tab to the Activity Tab entering the appropriate closure in the "Act Type" field.

b. Deputy's Responsibilities:

   i. Document their activities on their Daily Field Activity Report.
   ii. Turn in all the necessary paperwork associated to the directed patrol, i.e., directed patrol form and any other associated paperwork.
   iii. Turn in directed patrol form to typing pool for entry into Tiburon.
   iv. If additional documentation is needed complete a supplement to the original ARS report drawn for the directed patrol. Information is documented like any other supplemental report in ARS including people, vehicles, and property associated with the activity.

c. Typing pool responsibilities

   i. Enter RMS and tab to the Case Management Module.
   ii. Under the Activity tab enter the Tiburon officer number of the deputy who completed the form in the "Officer Assigned" field.
   iii. For "Act Type" select "DP" directed patrol.
   iv. Enter the appropriate amount of time spent working the directed patrol in the "# Hours" and ""Minutes" fields.
   v. Document a short synopsis of their activities in the "Remark" field. Include information such as number of traffic stops, number of field interview cards, number of summonses issued, or a combination of this information.

By Order of the Division Captain,

_____ _____

Dennis Hopper, Captain Date

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Arrest Standards and Procedures **NUMBER:** OP502

EFFECTIVE DATE: December 12, 2005 **REVISION DATE:** December 12, 2006

POLICY: Deputies of the Boulder County Sheriff's Office are authorized by the Colorado Revised Statutes (CRS) and departmental polices and procedures to make arrests when appropriate. All arrests are made using reasonable, appropriate and necessary force with safety of the deputy and the suspect in mind. Deputies make arrests based on probable cause and they will follow the Boulder County Arrest Standards.

RELATED PROCEDURES:

OP711 (Felony Paper Flow)
OP514 (Warrant Arrests)
OP718 (Juvenile Procedures)

DEFINITIONS:

Arrest: The detention of a person, which culminates in a subsequent court appearance. This arrest may result in the suspect being lodged at the jail, booked and released, or issued a summons and released.

Boulder County Arrest Standards: Standards adopted by law enforcement agencies in Boulder County which provide guidelines as to what type of arrest should be utilized give specific case facts.

Detention: Actions taken by deputies that restricts a person's freedom of movement or ability to leave. Detention may be used for purposes of investigation as defined in CRS 16-3-103 and by case law.

PROCEDURE:

I. Arrests

A. All arrests will be made in accordance with Colorado Revised Statutes (CRS) 16-3-101 through 16-3-110.

B. Deputies follow all laws and policies that pertain to the use of force and entering premises to affect an arrest.

C. Deputies may command assistance from private citizens pursuant to CRS 16-3-202.

D. Deputies utilize the Boulder County Arrest Standards to determine whether to lodge a suspect, book and release, or summons and release a

suspect.

E. Deputies follow laws and procedures pertaining to juvenile suspects.

II. Conducting an Arrest

A. Deputies are cognizant of officer safety and are encouraged to make arrests with a cover officer present.

B. Suspects are advised that they are under arrest and the reason for the arrest.

C. Once arrested, suspects are handcuffed and thoroughly searched for weapons before being transported.

1. Suspects who are not transported may be searched for weapons and handcuffed if reasonably necessary for safety reasons.

2. Although not arresting a person, deputies may search for weapons and handcuff any person if it is reasonably necessary for safety during an investigation.

D. Once taken into custody the arrestee is attended at all times. If placed in the patrol car to be secured awaiting transport the arrestee is to be under the direct observation of an officer.

E. If placed in the front seat of a patrol vehicle, the vehicle and radio is turned off and keys removed from the ignition.

F. If placed in the back seat of a caged patrol vehicle, an officer is assigned to observe the arrestee at all times.

G. If combative the arrestee the option of transporting the arrestee secured in an ambulance is considered.

III. Requirements for Medical Care

A. Any arrestee requiring medical care, whether or not it is the result of the arrest, will be accorded medical care before being transported to the jail.

1. Medical treatment cannot be forced upon anyone, but will be

offered. (CRS 16-3-401).

2. Deputies are responsible for the safety and security of any arrestee while they are being treated. If the arrestee has to be admitted to the hospital, the deputy will contact the on duty supervisor so arrangements can be made for any ongoing security.

3. After receiving medical treatment for an arrestee at the hospital, deputies obtain a signed medical clearance form from the hospital before transporting a suspect to the jail. This form is then presented to the booking room personnel.

4. The on duty supervisor is notified when an arrestee requires medical care and the reasons for the care. The nature and source of the injuries are documented in the deputy's written report.

IV. Arrestee Transportation

A. Once an arrestee has been searched and placed in the patrol vehicle, the deputy should contact the booking room and/or master control using yellow channel. The call sign designation for booking is "1500 Booking". Master control is "1400 Master Control". The deputy advises the estimated time of arrival, the gender of the arrestee and the level of cooperation.

B. Upon arrival at the jail intake garage, jail staff will search the arrestee and remove all of their personal property to be stored until release.

1. Smaller property items will be stored at the jail. Any larger items, such as backpacks, are documented and then placed into evidence for safekeeping.

2. Any evidence found during the search will be turned over to the arresting deputy who is responsible for maintaining the chain of custody, adding any appropriate charges and completing any subsequent reports.

C. Deputies place all personal weapons in the lock boxes provided before entering the jail. This includes all chemical and intermediate weapons along with knives and ammunition.

D. Deputies may transport arrestees to other locations prior to the jail if it is

required for investigatory purposes.

E. Deputies may turn arrestees over to another agency. This occurs when suspects are fugitives or have pending warrants from a neighboring jurisdiction. Outside jurisdictions must agree to meet the deputy to transfer the arrestee. If the deputy has made a probable cause arrest for an offense that occurred in another jurisdiction, and is turning the arrestee over to that jurisdiction, an incident report is completed.

F. Deputies making arrests outside of Boulder County should advise the jurisdiction of their presence and request a local law enforcement officer to assist in the arrest. This does not apply to fresh pursuits as the jurisdiction is advised prior to any transport.

G. A juvenile arrestee is transported according to OP718 (Juvenile Procedures).

V. Arrest Paperwork

A. A deputy completes an arrest report for every arrestee lodged, or booked and released at the jail or Juvenile Detention Center.

1. All arrest reports include probable cause for the arrest, the charges, the identification of the deputy or deputies involved, along with any witness or victim information, the time, date, and location of the crime, and the venue of the crime.

2. Once the arrest report is printed, the deputy signs the probable cause affidavit, swearing to the truth and the accuracy of the information in the report.

3. Warrant arrests are completed in accordance with OP514 (Warrant Arrests).

4. If the computer system is down, the deputy completes a handwritten arrest report using forms supplied at the jail.

VI. Summons Procedures

A. Deputies complete the proper summons from the proper venue when charging any misdemeanor, traffic, petty, county or municipal

violation/offense.

1. Deputies complete a summons with all available personal information on the suspect, including address and vehicle information.

2. The summons also includes the date and time of the offense, the location and venue, the applicable statute or ordinance, correct charging language, and the court date and location.

3. The fine, as well as any benefits and/or procedures for mailing in the summons, are explained to the recipient, as well as the consequences of failing to comply.

4. The deputy has the suspect sign the summons, advising them that they are not admitting to guilt of the violations. (Suspects booked into jail on misdemeanor charges do not sign the summons. "Jailed" is written on the signature line.) The signature is only a promise to appear in court. If the suspect is not required to sign or refuses, the deputy should write on the summons indicating either a "Valid Colorado DL", or that the suspect refused to sign.

5. In the event the suspect refuses to sign a summons for a criminal offense, the deputy should evaluate the probability that the suspect will "Fail to Appear". The deputy will determine if an arrest should be made in lieu of the summons, requiring the suspect to post a bond.

6. When an arrestee is booked and released on misdemeanor, traffic, or petty offenses, or on a violation of county or municipal ordinances, the deputy completes an arrest report and the arrestee is booked into the jail. The deputy also completes a summons. Booking personnel will distribute the summons during the release process.

7. When an arrestee is being lodged in lieu of bond; the original summons is attached to the court paperwork and forwarded for the court file. The court date should be left blank. "Jailed" is written where the defendant usually signs. A photocopy of the summons is made for booking staff. An additional copy is made for use by the operations clerical staff. This copy is attached to the arrest packet.

8. No summons is completed if felony charges are entered from the same criminal episode.

VII. Felony Summons Procedures

A. Deputies making felony arrests may issue a felony summons when appropriate.

1. The deputy who chooses to book and release for felony charges takes the suspect into custody and transports them to the jail to be processed. Arrangements may be made to meet the suspect at the jail to be taken into custody.

2. The deputy completes an arrest report indicating that the suspect will be booked and released. The deputy then completes a Felony Summons Referral Form. The deputy sets a date for the suspect to appear for service on the referral form. The deputy reads the form to the suspect and has him/her sign it. The deputy will explain the consequences should the suspect fail to appear.

3. The deputy distributes the copies pursuant to OP711 (Felony Paper Flow).

By Order of the Division Chief,

_____

_____

Dennis Hopper, Division Chief Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Addiction Recovery Center (A.R.C.) **NUMBER:** OP503

EFFECTIVE DATE: December 12, 2005 **REVISION DATE:** December 12, 2006

POLICY:

The Boulder County Sheriff's Office assists citizens who are adversely affected by the consumption of alcohol and/or drugs, by facilitating their admission to the Addiction Recovery Center.

RELATED PROCEDURES:

DEFINITIONS:

Addiction Recovery Center (A.R.C.): A state approved emergency commitment facility as defined by CRS 25-1-302(2).

Incapacitated by alcohol: A person, as a result of the use of alcohol, who is unconscious or whose judgment is otherwise so impaired that he/she is incapable of realizing and making a rational decision with respect to his/her need for treatment; or is unable to take care of his/her basic personal needs, or safety; or lacks sufficient understanding, or capacity to make or communicate rational decisions concerning his/her person. CRS 25-1-302(9).

Intoxicated person: Any person whose mental or physical functioning is temporarily, but substantially impaired as a result of the presence of alcohol or drugs in the body. CRS 25-1-302(11).

Protective Custody Detainer Form: A form completed authorizing the temporary confinement of an incapacitated or intoxicated person.

PROCEDURE:

I. Deputies may exercise the following options when they contact a person intoxicated or incapacitated by alcohol or drugs:

A. Take the person to the ARC.

1. ARC will accept the person if:

a. They have no visible injuries or signs of illness, or a physician has medically released them.

b. They have space available.

2. If the person becomes violent or mentally unstable at the ARC, the

ARC employees will contact the Boulder Police Department.

B. An intoxicated person with injuries is taken to a hospital to obtain a medical release.

1. The person may be transported by the officer or via ambulance, depending on the degree of injury.

2. If the person requires prolonged treatment and must remain at the hospital, officers need not wait at the hospital. When the person is ready to be released, hospital personnel will contact dispatch.

3. Officers notify hospital security any time an ARC candidate is left at the hospital.

C. Jail.

1. If there is probable cause to charge the person with a crime, or there is a warrant for their arrest.

2 The Jail is not a holding facility for incapacitated individuals who have not committed a crime.

II. Persons taken into protective custody:

A. A Protective Custody Detainer Form is completed in all cases involving the detention of an intoxicated person at the ARC.

1. This may serve as the entire Tiburon report.

2. A separate case number is needed if the Protective Custody hold is related to a criminal event. Protective Custody Records are not public information.

B. Paperwork distribution

1. The pink copy of the Protective Custody Detainer form is left with ARC Personnel.

2. The yellow copy is forwarded to the typing pool for entry into the automated reporting system.

3. The original is filed in records.

By Order of the Division Chief,

_____ _____
____ ___Date
Dennis Hopper, Division Chief

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Trespass Affidavits **NUMBER:** OP504

EFFECTIVE DATE: September 24, 2008 **REVISION DATE:** September 24,2008

POLICY:

The Boulder County Sheriff Office provides a means for individuals, businesses and government entities to protect their person, property, privacy and employees from unwanted trespassers.

RELATED PROCEDURES:

DEFINITIONS:

Trespass Affidavit: A document that relates the intentions of a property owner or his/her designee in the matters of enforcement of unlawful and unwanted trespassers. The document describes the property, any means used to identify the property owner's intentions or conditions of access (signs, fences, written or personal notice, etc.), and authorization for the Sheriff's Office to enforce applicable statutes. The property owner or his/her designee signs the affidavit.

PROCEDURE:

1. Patrol Responsibilities

   a) Sheriff's Deputies provide inquiring property owners and businesses with a handout that explains what information is necessary for a trespass affidavit.

   b) The property owner or business provides a trespass affidavit to the Boulder County Sheriff's Office, authorizing it to act on its behalf in the matter of charging and prosecuting trespassers.

   c) The receiving sheriff's deputy verifies the trespass affidavit provides necessary information to successfully prosecute for trespassing.

   d) A case number is drawn and a report completed, describing the circumstances and any additional information that may be necessary. The property owner or business is listed in the report as the complainant. Any other persons involved, such as property managers, employees, points of contact, etc. are listed as witnesses. The nature of call is "Trespass Affidavit."

      i) The case number will be written on the upper right corner of the trespass affidavit.
      ii) The report will be left in an "open" status.
      iii) The report and trespass affidavit will be turned into the operations division secretaries, pursuant to established report procedures.

Boulder County Sheriff's Office

JOE PELLE
Sheriff

Trespass Affidavits

A trespass affidavit is a document that allows property owners and managers to grant the Boulder County Sheriff's Office the authority to enforce state statutes regarding trespassing without the property owner or manager being present to make the complaint.

To successfully prosecute, would be trespassers need to be made aware and warned of the property owners intentions, such as postings, signs, fences, written and verbal notifications, etc.

To submit a trespass affidavit to the Boulder County Sheriff's Office, the following information shall be included.

1) Accurate description of the property, which may include the name, physical address, unit number, or any other descriptors that identify the property. Example: *Sunshine Apartments, 123 Main Street, Boulder, CO 80301, Fenced pool area.*

2) Any barriers, signage or notifications that alert persons of trespass. Example: *Property surrounded by six foot privacy fence with posting, "No Trespassing after 10 pm" posted at entrance/gate.* - or - *Joe Squatter was informed by Property Manager, Alan Smith on Jan. 5, 2008 that he is excluded from the business.*

3) Name and contact information of owner (victim) or entity in the case of a company or trust. Include address, phone number and e-mail address.

4) Name and contact information of any person (complainant) authorized to act on behalf of the property owner, i.e. Property manager, business employee, family member, etc.

5) Sign and date the affidavit.

To submit your trespass affidavit, you may contact any Sheriff's Deputy. Provide him or her with the original. You may be asked for proof of identification to verify that you are the property owner and have legal standing over the property.

The Boulder County Sheriff's Office will honor your affidavit for 12 calendar months. On the last day of the month, one year after it is submitted, it will expire and a new affidavit will need to be submitted.

2. Administrative Responsibilities

   a) Operations Secretaries

      i) perform the data entry into Tiburon,
      ii) digitally scan the original trespass affidavit into a designated file on the County LAN system,
      iii) forward the original trespass affidavit to Records, and
      iv) make notification via electronic mail to operations and communications, advising of the new a trespass affidavit, its associated case number and location.

   b) Supervisors

      i) assign the report to the Records section,
      ii) assign a follow up date in Tiburon for twelve calendar months (the last day of the month, one year from the month it was received).

3. Communications Responsibilities

   a) Upon receiving notification of a new trespass affidavit, the communications section will review the affidavit and use the best possible means to flag the location, with the case number in the CAD system.

   b) Dispatchers shall advise deputies of the trespass affidavit when responding to the associated addresses.

4. Enforcement

   a) When enforcing trespass affidavits, deputies review the affidavit and charge as appropriate.

   b) When charging;

      i) A new report shall be initiated with,

         (1) the property owner or business listed as the victim and
         (2) other parties authorized to represent the owner or businesses interests be listed as complainants.

      ii) A copy of the trespass affidavit is printed from the LAN and included into the case file.

   c) The property owner, business or any point of contact listed on the trespass affidavit shall be notified of the enforcement action. This may be done in person,

by electronic mail, by phone or any means available.

d) The trespass affidavits remain in effect for 12 calendar months, expiring on the last day of the month, one year after it is submitted or until cancelled by the property owner or business. It is the responsibility of the property owner or business to submit a new trespass affidavit.

By Order of the Division Chief,

_____	_____
Dennis Hopper	Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Home Detention Checks **NUMBER:** OP505

EFFECTIVE DATE: 08/01/2005 **REVISION DATE:** 08/01/2005

POLICY: The Boulder County Sheriff's Office provides Home Detention is an Alternative Jail Sentence program administered by Jail personnel. They have also signed a waiver allowing BCSO staff to enter their homes at anytime in order contact the inmate or inspect BCSO equipment that they have. If they have violated any rules of the program or laws, they can be taken back to jail and referred to the Jail's Disciplinary process.

RELATED PROCEDURES:

DEFINITIONS:

Home Detention Book: Books in each district containing a home detention inmate's schedule, maintained by jail personnel.

Home Detention Check: Contacting a home detention inmate and completing a breath test to detect the use of alcohol.

Home Detention Inmates: Inmates sentenced to the home detention program serving their jail sentence wearing an ankle bracelet connected to the telephone line in their home. Jail staff, via computer, monitors their strict schedule. These individuals are jail inmates and can be taken into custody at anytime at the Jail staff's request.

Home Detention Waiver: The waiver signed by every home detention inmate allowing Boulder County Sheriff's Office staff to enter their homes at anytime in order contact the inmate or inspect monitoring equipment. If they have violated any law, or rule of the program, they can be taken back to jail and referred to the Jail's Disciplinary process

PROCEDURE:

1. Patrol deputies assist Jail personnel monitoring home detention inmates.

    a. Home detention books for each district are kept at the respective substation.
        i. Each book contains a weekly schedule for each inmate in the district on the home detention.
        ii. The schedules are faxed to the substation weekly and placed in the book.
    b. Documentation of home detention checks:
        i. Each year ???????? initiates a Directed Patrol Case in Tiburon to be used for documenting the completion of home detention checks.
        ii. Alcohol breath tests are conducted at the inmate's home in

accordance with the schedule in the home detention book while they are serving their sentence.

1. If no alcohol is detected, the deputy completes a directed patrol form and turns it into the typing pool for entry into the Tiburon directed patrol case report.
2. If alcohol is detected the deputy transports the inmate to booking and completes a supplement to the directed patrol case number.

c. Deputies may also be dispatched to the home to check equipment when problems occur, or when jail staff suspects a rule has been violated.

i. If a rule violation is found the deputy transports the inmate to booking and completes a supplement to the directed patrol case number.

2. Home Detention Program Contact Information
   a. Monday–Friday (0800-1700) Sandy Long: 303-441-4665
   b. Evenings and weekends: 303-441-4668

By Order of the Division Captain,

_____	_____
Dennis Hopper, Captain	Date

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Cover Officers **NUMBER:** OP506

EFFECTIVE DATE: 07/30/2007 **REVISION DATE:** 07/30/2007

POLICY:

It is the policy of the Boulder County Sheriff's Office to ensure that all deputies are cognizant of officer safety at all times. Deputies request cover officers when they are being dispatched to, or are making contact with individuals or vehicles that may pose a potential threat.

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

I. Communications

A. Dispatchers follow the communication policies and procedures that regulate calls in which more than one deputy is assigned.

B. Communications dispatches the primary responding deputy as well as any cover deputies.

II. Deputy Requested Cover

A. On any call where the deputy receives information or feels there is a need for a cover officer, they contact communications and request a cover officer be dispatched.

B. Deputies need to inform communications of the type of response needed. (i.e. Emergency, Non-Emergency, etc.).

C. Deputies may request additional officers as needed.

D. Deputies request cover officers when making suspected DUI/DUID traffic contact, warrant attempts, and any time an arrest is anticipated.

By Order of the Division Chief,

_____ _____
Dennis Hopper, Division Chief Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Vehicle Impounds **NUMBER:** OP507

EFFECTIVE DATE: February 27, 2006 **REVISION DATE:** February 27, 2006

POLICY:

Boulder County Sheriff's Deputies impound vehicles for safekeeping, as evidence, when abandoned, or when creating hazards. Impounded vehicles are released expeditiously, unless a hold is placed for a specific reason. Impounded vehicles are thoroughly inventoried including the contents of any closed containers. Valuable or dangerous property is handled appropriately. Impounds are documented in reports which include the reason for the impound, the existence of any holds, and the disposition of any property taken from the vehicle.

RELATED PROCEDURES:

OP717 (Vehicle Theft Investigations) and Records Section procedures.

DEFINITIONS:

Hold: A notation made by the impounding deputy, or investigating detective, which prevents the release of an impounded vehicle. Holds are placed only when a legitimate need to maintain custody of the vehicle exists.

Inventory: A search conducted on an impounded vehicle, including closed containers and compartments, to determine the presence of valuable and/or dangerous property. Inventory searches are intended to safeguard the property and minimize liability.

PROCEDURE:

I. Reasons for impounding vehicles

A. Abandonment

1. Vehicles left on public property may be subject to impound if statutory requirements are met related to CRS 18-4-512, 42-4- 1803, 42-4-1804, and 42-4-1805, or if it is parked illegally as defined in 42-4-1202 and 42-4-1204, and is a hazard or obstruction to road maintenance.

B. Evidence

1. Vehicles may be impounded to preserve physical evidence. The vehicle itself, contents of the vehicle, or both may be evidence. Vehicles towed for evidence purposes may be taken to either an impound lot, the vehicle cage in the Justice Center, or another location suitable for processing, as appropriate.

C. Safekeeping

1. Vehicles may be impounded for the safekeeping of the vehicle, its contents, or both. This includes impounds pursuant to arrests, medical emergencies, damaged or victim's vehicles, or other circumstances in which a deputy believes it is necessary to preserve the safety of a vehicle or its contents. Vehicles are normally impounded if the driver is arrested and no responsible person is present to take custody of the vehicle.

D. Stolen Vehicles

1. Recovered stolen vehicles are impounded when needed for evidentiary purposes, when they are not drivable, or if the owner cannot be reached or cannot respond in a timely manner to retrieve the vehicle. Refer to OP717 (Vehicle Theft Investigations) for protocols on impounding stolen vehicles.

II. Impound and Report Procedures

A. Deputies needing to impound a vehicle, request a tow truck via purple channel. Dispatch determines the tow company by the location of the vehicle to be impounded.

B. An inventory of the vehicle is conducted. An exception to this is if the impound is for a search pursuant to a search warrant.

C. A case report must be associated with every vehicle impound.

1. If a vehicle impound is related to an existing criminal case or incident, the case number for that report will be used. The circumstances of the vehicle impound are also documented in the report.

a. If the existing report number is from a prior year, the deputy must obtain a new case number and complete an incident report documenting the vehicle impound. The case reports are then related to each other.

2. If a vehicle impound corresponds with an offense or violation related to parking or abandonment, the deputy completes an appropriate criminal report detailing the circumstances of the vehicle impound.

3. If the vehicle impound is not related to a crime or an existing report, the deputy completes an incident report detailing the circumstances of the vehicle impound.

D. A vehicle impound form is completed for every impounded vehicle.

1. All information blocks are filled out completely, accurately and legibly.

2. Existing damage is documented.

3. All vehicle identification numbers are verified for proper identity.

4. The disposition of any property removed from the vehicle is documented on the impound form and in the case report.

   a. A property sheet is completed for all items placed into the property section as evidence or for safekeeping.

5. The tow truck driver signs for the vehicle and is given the pink and goldenrod copies for their records.

6. The impound form is relayed to records prior to the end of the impounding officer's shift after the vehicle impound is completed.

III. Vehicle Holds

A. A hold on an impounded vehicle may be placed for specific reasons, including:

1. A pending search or examination, either with or without a search warrant.

2. At the request of another agency when the vehicle itself is evidence and is needed for successful prosecution.

3. Any other reason which can be articulated and approved by a supervisor.

B. Holds are noted on the impound form and described in detail in the case report narrative.

C. A deputy placing a hold is responsible for completing any needed investigation and releasing the hold unless:

1. The hold is placed for another agency in which case that agency is responsible for releasing the hold.

2. The hold is placed for detectives or another deputy. In that case, the impounding deputy ensures that the appropriate detective, supervisor, or deputy is made aware in writing (e-mail is appropriate) of the vehicle impound.

D. Once a case is assigned to a deputy or detective, that deputy becomes responsible for releasing any holds.

E. Deputies or detectives releasing a hold on a vehicle must notify records and the company that towed the vehicle.

1. If the vehicle is released form the basement of the Justice Center, arrangements for payment of the tow fee must be made and records must be notified.

IV. Records Division Responsibilities

A. Upon receipt of a vehicle impound form, records personnel follow their procedures regarding vehicle impound paperwork.

B. Records personnel complete all ongoing activities regarding unclaimed impounded vehicles.

V. Private Property Impounds

A. Normally deputies do not become involved in private property impounds of abandoned vehicles. A deputy only becomes involved in private property impound when the vehicle is determined to be stolen, is obstructing access or is otherwise a hazard.

B. Citizens wishing to have abandoned vehicles towed from private property are referred to the tow company of their choice. It is suggested that citizens attempt to contact the registered owner of a vehicle before impounding it.

C. The law prevents deputies from releasing registration information to the public. Citizens may also contact the Department of Motor Vehicles or the County Clerk for registration information.

D. A tow company has certain responsibilities after completing a private property impound.

1. The tow company must contact the Records Section, or Dispatch after hours, within 30 minutes of a private vehicle impound. They are required to provide pertinent vehicle information including its description with license plate and vehicle identification number, the date and time of the vehicle impound, the location of the impound and current location of the vehicle.

2. The tow company must complete state form DR2008 and mail it to the Department of Motor Vehicles office in Denver within three days of impound.

3. If the vehicle has not been released to the owner within thirty days, the tow company completes state forms DR2008 and DR5001, and sends the to the Department of Motor Vehicles office in Denver.

E. Payment for private property tows is at the property owner's expense, unless an agreement is made between the property owner and the tow company.

F. Upon receipt of information from a tow company regarding a private property impound, Records Section personnel will enter the vehicle into CCIC/NCIC, which automatically checks the license plate and vehicle identification number against the CCIC/NCIC stolen vehicle files.

1. If the vehicle has not been reported as stolen, Records personnel will complete the CCIC/NCIC entry and document the vehicle information in a vehicle impound log. This process uses a Records generated number rather that a Sheriff's Department case number.

2. If the vehicle is determined to be stolen, a Deputy will be sent to conduct an investigation.

VI. Vehicle Impound Releases

A. Vehicles are released to their registered owner, or other persons authorized by notarized documentation signed by the registered owner. Records issues release authorizations per records procedures.

B. Deputies normally do not become involved in the release of impounded vehicles.

C. Deputies may be requested to stand by while owners retrieve personal property from an impounded vehicle. Deputies assigned to conduct a “stand by” should ensure that the person entering the vehicle is authorized to do so, and that there are no evidentiary holds placed on the vehicle.

By Order of the Division Chief,

_____ _____

Dennis Hopper, Division Chief Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: False Alarm Response **NUMBER:** OP508

EFFECTIVE DATE: November 28, 2005 **REVISION DATE:** November 28, 2006

POLICY: The Sheriff's Office endeavors to apply its resources in a balanced response to the effectiveness of commercially installed alarm system. This procedure is administered in conjunction with Sheriff's Alarm Response Policy # 508 and the Boulder County Model Alarm Response Policy.

RELATED PROCEDURES:

DEFINITIONS:

Alarm Administrator: The person designated by the Operations Division Commander to coordinate and administer false alarm reduction efforts.

Alarm Subscriber or User: Any person or designated responsible party, firm, partnership, corporation or other entity controlling a security alarm system at an alarm site.

False Alarm: Any alarm that is not triggered by criminal or suspicious activity. Alarms triggered by weather, faulty equipment, human error, animals, etc., are all considered to be false alarms for purposes of this policy. A false alarm is also deemed to have occurred when the responding officer is unable to determine if evidence of a criminal offense or attempted criminal offense is present because an alarm site is inaccessible.

PROCEDURE:

1. Deputies' Responsibilities

    a. Identifying and Documenting False Alarms

        i. Deputies responding to an alarm will determine if the alarm meets the definition of a false alarm as defined in this procedure.

        ii. If the alarm is determined to be a false alarm, the officer will draw a case number and complete a false alarm warning. The top copy of the notice will be left at the residence/business and the bottom copy will be submitted to the alarm administrator.

        iii. The warning notice will be completed even if contact is made with the property owner or a responsible party.

        iv. After three false alarms at a residence/business the location will be placed on the non-response list.

b. Response to Alarms on the Non-Response List

i. Dispatch will notify officers when an alarm is on the non-response list.

ii. It will be the officer's discretion as to whether or not they will respond to the alarm. Absent exigent circumstances, any response to the alarm will be in an "in-service" status.

2. Alarm Administrator 's Responsibilities

a. Upon receiving the alarm warning, the alarm administrator will enter the information into RMS under the case number.

b. When entering the location of the false alarm, the administrator will check the address for previous warnings. If there have been three false alarm warnings given during a 12 month period then a "non-response notification" will be completed and sent to the alarm subscriber or user.

c. A copy of the "non-response notification" will be forwarded to communications to be entered into CAD.

d. The notification directs the homeowner/business to have their alarm inspected and repaired as necessary to avoid future false alarms. Once this has been done, the homeowner/business may return the notification verifying the causes of false alarms have been remedied with a request to reinstate police response.

e. When the administrator receives a letter verifying that the alarm is functioning properly, notification will be sent to communications removing the address from the non-response list. The alarm subscriber or user will also be notified.

f. After corrective action has been taken to fix a false alarm problem and police response has been reinstated, any future false alarms within 90 days of reinstatement will again result in the address being placed on the "non-response list" again. Continued false alarms may result in an indefinite suspension.

g. The administrator collects annual statistics to determine the impact the policy has had on the rate of false alarms.

3. Communications' Responsibilities

a. Upon receiving a "non-response notification" from the alarm administrator, the address will be flagged as a non-response alarm.

b. When receiving an alarm from an address that has been flagged, the

dispatcher will dispatch the alarm to the officer but indicate it is a non-response alarm. The wording that will be used by the dispatcher will indicate that the address has "had three previous false alarms in the past year."

c. Upon receiving notification from the alarm administrator that the address is no longer on the non-response list, the flag will be removed from the address.

By Order of the Division Chief,

_____ _____
Dennis Hopper, Division Chief Date

Boulder County Law Enforcement
Model Alarm Response Policy

Approved 5/25/05

POLICY

Due to the inherent nature of alarms and the proliferation of alarm systems, the impact on police resources is significant. Without proper use, proper maintenance, and proper monitoring, almost all alarms reported to the police are false. However, when used appropriately, alarms can be useful crime prevention and apprehension tools for law enforcement. Therefore, police respond only to alarms that meet and adhere to respective city codes, ordinances, resolutions, and agency policy. It is Boulder County policy that communications airs all alarms to include the alarm subscriber's status (non-response list or non-compliance list). Upon airing, it is the responsibility of the district officer or field supervisor to determine if and what type of a response is appropriate.

PURPOSE

Police resources are used to investigate residential and business robbery and intrusion alarms. Almost all such alarms are false and result from improper installation or user error. In the interest of reducing the frequency of false alarms, the agencies have instituted a system of response, notification, education and enforcement.

DEFINITIONS

Alarm Administrator – The person designated by the respective Boulder County law enforcement agency to coordinate and administer false alarm reduction efforts.

Alarm Business – Any business by an individual, partnership, corporation or other entity that sells, leases, maintains, repairs, alters, replaces**,** moves, installs, or monitors any alarm system. Alarm business also includes any person, business or organization that monitors security alarm systems and initiates alarm dispatch request, including units or divisions of larger businesses or organizations that provide proprietary security alarm monitoring services only to affiliates of the parent business or organization.

Alarm Site – The premise served by an alarm system.

Alarm Subscriber or User – Any person or designated responsible party, firm, partnership, corporation or other entity controlling a security alarm system at an alarm site.

Alarm System – The device, which transmits, emits, or otherwise notifies an alarm company, law enforcement, or the alarm system subscriber of alarm activation.

Central Station Alarm Association Alarm Verification and Notification Procedures - Standards approved by the American National Standards Institute that define verification procedures for alarm businesses prior to them requesting a law enforcement response.

False Alarm - A false alarm is considered to be any alarm that is not triggered by criminal or suspicious activity. Alarms triggered by weather, faulty equipment, human error, animals, etc., are all considered to be false alarms for purposes of this policy. A false alarm is also deemed to have occurred when the responding officer is unable to determine if evidence of a criminal offense or attempted criminal offense is present because an alarm site is inaccessible

Fire Alarms - A signal initiated by a device that indicates the presence of a fire or fire signature. Fire alarms are exempt from this policy.

Intrusion Alarms – Any system or device detecting and reporting any unauthorized entry or attempted entry or property damage upon real property. Alarms on automatic teller machines are included in this definition.

Robbery and Panic Alarms – An alarm signal generated by the manual or automatic activation of any system, device, or mechanism on or near the premises intended to signal that a robbery or other crime is in progress and that one or more persons are in need of immediate police assistance in order to avoid injury, serious bodily harm or death at the hands of the perpetrator of the robbery or other crime.

Medical Alarm – An alarm signal generated by the manual or automatic activation of any system or device on or near the premises intended to signal a medical emergency. Medical alarms are exempt from this policy.

Protective/Reactive Alarm System – An alarm system rigged to produce a temporary disability or sensory deprivation through use of chemical, electrical or sonic defense, or by any other means, including use of vision obscuring/disabling devices.

PROCEDURES

I. Response to Robbery and Panic Alarms

A. In order for a police response to occur, alarm businesses must be in compliance with all applicable ordinances, codes, and resolutions, and must agree and adhere to established agency policy. If a business is not in compliance the agency may suspend response to any alarms from such business until such time they provide proof to the alarm administrator that they are in compliance.

B. Prior to requesting a response, alarm businesses must adhere to the Central Station Alarm Association Procedures as approved by the American National Standards Institute (Annex A). Upon receipt of a robbery or panic alarm, one patrol unit is dispatched to respond.

1. Officers respond non-emergency unless conditions meet the criteria found in the agencies emergency response policy.

2. Once a building perimeter has been established, and no notice of a false alarm has been received, the primary unit directs the dispatcher to contact the business by

telephone. If such telephone contact is made and a questionable response is received by the dispatcher, officers at the scene are advised and the primary unit, or supervisor, determines the need for additional backup or specialized unit response.

3. If the dispatcher notifies officers that a representative of the business has been contacted and there is an apparent absence of questionable circumstances, the primary officer obtains from the dispatcher identity and description of the representative and waits for that person to exit the facility. The dispatcher advises the representative to exit the establishment with identification in hand and hands visible. Once contact is made with the representative outside of the facility, officers accompany the person into the establishment to verify the status of the interior of the business.

C. After responding to three false alarms at the same location in a year period, the law enforcement agency may suspend responding to alarms at that location until such time that the alarm business can provide evidence that the circumstances causing such false alarms have been identified and rectified.

D. Upon receipt of a mobile personal panic alarm with locator capabilities, communications determines the victim's location from the alarm business. Officers respond non-emergency unless conditions meet criteria found in the agencies emergency response policy, and according to the nature of the circumstances.

II. Response to Intrusion Alarms

A. In order for a police response to occur, alarm businesses must be in compliance with all applicable ordinances, codes, resolutions, and must agree and adhere to established agency policy. If a business is not in compliance the agency may suspend response to any alarms from such business until such time they provide proof to the alarm administrator that they are in compliance. Officers only respond to business intrusion alarms if one of the following conditions exists.

1. An alarm has already been verified as being the likely result of criminal activity through independent means such as third party response, witness verification, listening devices, video monitoring, etc**.**

2. The alarm business has, prior to requesting a police response, attempted verification pursuant to the Central Station Alarm Association Procedures as approved by the American National Standards Institute. On demand the alarm business must provide Boulder Sheriff's Communications with the names and telephone numbers called. The alarm business must also advise communications if a protective/reactive alarm system is installed on the premises.

3. If an electronic cancellation is received, no alarm dispatch will be requested. If an electronic cancellation occurs after a police response has already been requested, the alarm businesses must cancel the request.

B. After responding to three false alarms at the same location in a year period, the law enforcement agency may suspend responding to alarms at that location until such time that the alarm business can provide evidence that the circumstances causing such false alarms have been identified and rectified.

C. Unless an alarm is otherwise verified as listed in paragraph A.1, communications dispatches one officer to respond. On alarms verified as criminal activity, two or more officers are dispatched as circumstances dictate.

D. Should an officer respond and find the business open or occupied by employees, the officer contacts an employee to determine the cause of the alarm.

E. When an alarm is received after business hours and the establishment is not occupied, responding officers conduct an inspection of the exterior for signs of forced entry.

1. It is the responsibility of the alarm business to make any notifications to a representative of the business at the time the alarm notification is made. The business responsible party is advised to respond in order to assist officers as appropriate or to assure the defective alarm is repaired. Once it is determined that an establishment is secure, the officer(s) may leave the scene.

2. If evidence of forced entry or other damage exists, the responding officer requests appropriate assistance to secure the perimeter and coordinate a perimeter and, if necessary, an interior search.

3. If a responsible party does not respond after a reasonable amount of time, or is unavailable, the officers may leave the scene or in the case of forced entry or damage make reasonable attempts to provide extra patrol for the property as determined by the respective law enforcement agency guidelines.

III. Disposition

A. When clearing any alarm, officers provide communications with the appropriate disposition.

IV. Record Keeping and Notifications

A. Boulder County Communications maintains alarm response history in the computer aided dispatch system. The respective law enforcement agency is responsible for tracking alarm histories and determining and notifying communications of suspended and reinstated responses within their jurisdiction.

B. When officers have responded to a false alarm at any given location three times in a year period, a written notice is sent by the law enforcement agency to the alarm user and/or alarm business notifying them that police response to future alarms will be suspended.

C. Once the alarm business has identified the problem or source of the false alarms and have taken corrective action, they may submit written documentation per the respective agency guidelines and request that law enforcement response be reinstated. (see attached sample document)

D. If satisfied that the corrective actions will resolve the false alarm problem, the agency then reinstates police response. If not satisfied, the agency provides information on what additional steps must be taken in order for police response to be reinstated.

E. After corrective action has fixed a false alarm problem and police response has been reinstated, any future false alarms within 90 days of reinstatement will again result in no response. Continued problems with an alarm after corrective actions have been taken may result in an indefinite suspension.

F. Annual statistics are collected and monitored by the respective law enforcement agency to determine the impact the policy has had on the rate of false alarms.

SAMPLE DOCUMENT

_____ Department

Alarm Call Response, Reinstatement Request Form

Date: ____/____/____

Name: _____

Address 1:_____

Address 2:_____

City: _____State:_____ Zip:_____

Contact Name:_____

Phone #:_____E-mail:_____

Call Response History:

Date of Call: ____/____/____ Time of Call:____:____
Cause of Alarm:

[ ] Valid Alarm with explanation, [ ] False Alarm with explanation of remedy
Explanation:

Date of Call: ____/____/____ Time of Call:____:____
Cause of Alarm:

[ ] Valid Alarm with explanation, [ ] False Alarm with explanation of remedy
Explanation:

Date of Call: ____/____/____ Time of Call:____:____
Cause of Alarm:

[ ] Valid Alarm with explanation, [ ] False Alarm with explanation of remedy
Explanation:

We affirm that, to the best of our knowledge, the causes of alarms are accurate and the remedies applied will avoid future, similar occurrences.

Alarm Subscriber/User	Alarm Business Responsible for System
Name:	Name:
Company Name:	Company Name:
Phone:	Phone:
Signature:	Signature
Date: ____/____/____	Date: ____/____/____
Response to be Faxed to:	Response to be Faxed to:

For Dept. use only
Request approved [ ] Date:____/____/____ By:_____
Denied [ ] Reason:_____

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Escorts **NUMBER:** OP509

EFFECTIVE DATE: December 12, 2005 **REVISION DATE:** December 12, 2006

POLICY: Boulder County Sheriff's deputies do not typically provide emergency escorts for ambulances, fire equipment, any other law enforcement agency's vehicles or any private citizen. Non-emergency escorts may be provided as assistance in locating specific addresses or areas within Boulder County.

RELATED PROCEDURES:

DEFINITIONS:

Emergency Escort: To accompany another vehicle with emergency lights and siren in use to expedite movement.

Escort: To accompany another person or vehicle as a courtesy or public service.

PROCEDURE:

I. Out of county emergency vehicles

A. Deputies may provide an emergency escort for an out of county agency if asked to do so, only if the health and welfare of an individual is in danger.

B. When conducting an emergency escort for an out of county agency, the deputy must provide Dispatch with the following information.

1. The location of contact with the out of county vehicle.

2. The destination and planned route of travel.

3. The nature of the emergency.

C. If the deputy determines that the situation does not warrant an emergency escort, a routine escort may be provided, or the assistance of the department may be declined.

II. The department shall not conduct commercial escorts, except when;

A. The escort involves a procession, wide load, house moving, or such, within a municipality that contracts law enforcement services from a law enforcement agency.

1. The department must ensure that proper permits have been obtained, as directed by applicable federal, state, and municipal regulations.

2. The escorting deputy activates the vehicle's emergency lights and uses the siren only when necessary to provide additional safety.

3. The escorting deputy must advise Dispatch of the following information.

   a. The nature of the escort.

   b. The starting point and destination of the escort.

B. The escort will be authorized by the on-duty shift supervisor.

By Order of the Division Chief,

_____ _____
____ ___Date
Dennis Hopper, Division Chief

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Reporting of Use of Force and Vehicle Pursuit **NUMBER:** OP510

EFFECTIVE DATE: TBA **REVISION DATE:** 06/01/2009

POLICY: The Boulder County Sheriff's Office recognizes the value of accurate reporting and record keeping of all use of force and vehicle pursuits

RELATED PROCEDURES:

502 – Use of Force

504 – Vehicular Pursuit

513 – Authorized Weapons, Use and Proficiency

514 – Conductive Energy Devices

DEFINITIONS:

Use of Force Form – Specific documentation on a separate form other than a criminal/incident report. (Attachment "A")

Vehicle Pursuit Form – Specific documentation on a separate form other than a criminal/incident report. (Attachment "B")

PROCEDURE:

I. In accordance with the Use of Force Reporting Requirements detailed in the Use of Force Policy, a Use of Force Form is to be completed and submitted to the on-duty supervisor before the deputy involved ends his/her shift.

A. The Use of Force form shall be electronically sent to the on-duty supervisor via email.

B. Upon approval, the supervisor shall send the Use of Force form electronically to the typing pool via email for Tiburon entry and copy the deputy's Division Chief and Commander for review and evaluation.

C. The typing pool shall enter the Use of Force data into Tiburon and delete the Use of Force form.

II. A Vehicle Pursuit Form is to be completed and submitted to the on-duty supervisor before the deputy ends his/her shift.

   A. The Vehicle Pursuit From shall be disseminated the same as the Use of Force Form.

III. Use of Force and Vehicle Pursuit data is retained permanently in the Tiburon database.

By Order of the Division Chief,

_____ _____

Phil West, Chief Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Call Response/Telephone Reports **NUMBER:** OP511

EFFECTIVE DATE: December 12, 2005 **REVISION DATE:** December 12, 2006

POLICY: The Boulder County Sheriff's Department provides the best and most cost effective services to the citizens of Boulder County. We strive to provide service in the most personal manner. This is best accomplished by personal contact when possible. Telephone contacts may be used on simple reports, or may serve as a prelude to personal contact.

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

I. Citizens may be contacted by telephone when:

A. No suspects are present at the scene.

B. There is no physical evidence or crime scene processing needed.

C. The citizen requests a phone call only.

D. The citizen is not in or near Boulder County, or is otherwise unavailable for personal contact.

E. If after speaking to a citizen on the telephone a deputy determines that personal contact or crime scene processing is needed, the deputy will facilitate that activity.

II. Desk Officer

A. Circumstances may dictate a deputy's assignment as a desk officer. When there is a desk officer, appropriate calls will be handled by that deputy.

B. Calls may be given to a desk officer by pager or radio. Dispatch provides the desk officer with basic information needed to make the call.

C. Desk officers handle any walk-in reports at either the Operations' or Records' counters as practical.

D. Desk officers maintain a Daily Field Activity Report (DFAR) documenting shift activity.

E. Calls that cannot be completed by a desk officer are referred back to dispatch for assignment to a street officer.

F. The desk officer may take an initial report that is received via telephone and arrange later personal contact by a different deputy, if needed regarding crime scene processing or other tasks.

By Order of the Division Chief,

_____ _____
____ ___Date
Dennis Hopper, Chief

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Radio Usage **NUMBER:** OP515

EFFECTIVE DATE: April 5, 2006 **REVISION DATE:** April 5, 2006

POLICY: The Boulder County Sheriff's Office maintains a communications center to ensure the rapid response to those situations requiring Law Enforcement, Fire, Rescue and Ambulance services. In order to expedite the response as well as continuing to update information, the proper use of language on the radio is essential. All members of the department are required to use the appropriate codes and plain concise terminology when utilizing the radio.

RELATED PROCEDURES:

Boulder County Sheriff's Office Communications Center Procedures.

DEFINITIONS:

Code Definitions - A set of twelve codes (Code 0 - Code 11) denoting specific meanings and messages.

Phonetic Alphabet - A system of code words for identifying letters in voice communications.

PROCEDURE:

I. General Radio Usage

A. All deputies and staff of the operations division will be trained in the proper use, care and language of radio communications.

B. All radio transmissions are in plain speech, utilizing the codes and/or the phonetic alphabet when appropriate. All radio traffic will be concise, brief and relevant.

C. The following radio codes will be utilized:

1. Code 0 (Zero) - Use caution. There is a potential for violence.

2. Code 1 - Vehicle disabled or blocking the flow of traffic.

3. Code 2 - Traffic contact. The location and license information, or vehicle description should also be given. (Pedestrian or bicycle contacts will be called out as such.)

4. Code 3 - Stop Transmitting, emergency traffic only.

5. Code 4 - Situation is under control and no further assistance is

needed.

6. Code 5 - Prisoner in custody.

7. Code 6 - Indicates that a person might be mentally unstable.

8. Code 7 - Break advisement.

9. Code 8 - Unit is arrival.

10. Code 9 - Party, vehicle or article is wanted.

11. Code 10 – Immediate help is needed. (The user is compromised from using plain speech.)

12. Code 11 - Deputy held hostage.

D. The phonetic alphabet denoting letters will be used as follows:

(A) Adam	(J) John	(S) Sam
(B) Boy	(K) King	(T) Tom
(C) Charles	(L) Lincoln	(U) Union
(D) David	(M) Mary	(V) Victor
(E) Edward	(N) Nora	(W) William
(F) Frank	(O) Ocean	(X) X-ray
(G) George	(P) Paul	(Y) Young
(H) Henry	(Q) Queen	(Z) Zebra
(I) Ida	(R) Robert	

E. All individuals using the radio identify themselves by use of their radio number at the beginning of their transmission (i.e. #501, Code 4).

F. Radio transmissions are acknowledged by the recipient.

G. All deputies, supervisors and staff will monitor the radio when it is appropriate to ensure they can respond when called.

II. Communications Center Policy

A. All polices relating to and issued by the Boulder County Sheriff’s Office Communications Center will be adhered to.

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

By Order of the Division Chief,

_____	_____
Dennis Hopper, Division Chief	Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURES MANUAL

SUBJECT: Domestic Violence Response **NUMBER:** OP517

EFFECTIVE DATE: November 22nd, 2004 **REVISION DATE:** July 25, 2013

POLICY: The Boulder County Sheriff's Office views domestic violence as a widespread, complex, and potentially deadly problem. This procedure is intended to provide for a consistent response to domestic and family crimes by all Sheriff's deputies. Our objective is to reduce or eliminate intra-family homicides, assaults, return calls to a residence, injuries to deputies, and to disrupt the cycle of domestic violence.

RELATED PROCEDURES:

Sheriff's Office policy #202: Authority and Jurisdiction
OP712: Evidence Processing Procedure
OP502: Arrest Procedures

DEFINITIONS:
Domestic violence: An act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. It also includes any other crime against a person or against property, or any municipal ordinance violation against a person or against property, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

Intimate relationship: A relationship between spouses, former spouses, past or present unmarried couples, or persons who are the parents of the same child regardless of whether they have been married or have lived together at any time (this applies regardless of sexual orientation.)

Child abuse (as related to domestic violence): The perpetration of an injury to a child, risking their life or health, or permitting a child to be unreasonably placed in a situation that poses a threat of injury to the child's life or health, or engaging in a continued pattern of conduct that results in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries that ultimately results in the death of a child or serious bodily injury to a child.

Child: A person under the age of sixteen years.

Shelter: A battered women's shelter, a friend's or family member's home, or such other safe haven as may be designated by the protected person and which is within a reasonable distance from the location at which the victim was encountered.

At-risk adult (juvenile): Any person who is seventy years of age or older, or any person who is eighteen years of age or older and who has a disability (Any person who is under

the age of eighteen years and is a person with a disability), pursuant to C.R.S. 18-6.5-103 (5.5)(7.5).

A person with a disability: Any person who is impaired because of the loss of or permanent loss of use of a hand or foot or because of blindness or the permanent impairment of vision of both eyes to such a degree as to constitute virtual blindness; or is unable to walk, see, hear, or speak; or is unable to breathe without mechanical assistance; or is developmentally disabled; or is mentally ill or impaired; or is blind; or is receiving care and treatment for a developmental disability.

Protection order: Any order that prohibits the restrained person from contacting, harassing, injuring, intimidating, molesting, threatening, or touching any person, or from entering or remaining on premises, or from coming within a specified distance of a protected person or premises or any other provision to protect the protected person from imminent danger to life or health, that is issued by a court of this state or a municipal court, and that is issued pursuant to article 14 of title 13, C.R.S., sections 14-4-101 to 14-4-105, C.R.S., section 14-10-107, C.R.S., section 14-10-108, C.R.S., section 18-1-1001, section 19-2-707, C.R.S., section 19-3-316, C.R.S., section 19-4-111, C.R.S., or rule 365 of the Colorado rules of county court civil procedure, an order issued as part of the proceedings concerning a criminal municipal ordinance violation, or any other order of a court that prohibits a person from contacting, harassing, injuring, intimidating, molesting, threatening, or touching any person, or from entering or remaining on premises, or from coming within a specified distance of a protected person or premises. For purposes of this section only, "protection order" includes any order that amends, modifies, supplements, or supersedes the initial restraining order. "Protection order" also includes any foreign protection order as defined in section 18-6-803.8.

Foreign protection order: Any protection or restraining order, injunction, or other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including temporary or final orders, other than child support or custody orders, issued by a civil or criminal court of another state, an Indian tribe, or a U.S. territory or commonwealth.

Protected person: The person or persons identified in the restraining order as the person or persons for whose benefit the protection order was issued.

Restrained person: The person identified in the order as the person prohibited from doing the specified act or acts.

Violation of a protection order: When a restrained person violates any provision of a protection order after such person has been personally served with any such order or otherwise has acquired from the court actual knowledge of the contents of any such order.

PROCEDURE:

I. Responding deputies:

A. Intervene in any physical altercation, separating the parties involved so as to ensure their safety and to preclude any further violence;

B. Assess the need for medical attention and call for medical assistance if needed;

C. Conduct a thorough investigation, using the domestic violence case summary and/or domestic violence index sheet;

1. Interview the victim, perpetrator, and any involved children and witnesses separately. The deputies should request that each complete a voluntary written statement to supplement the deputies' documentation of their statement;

2. Collect and preserve all pertinent evidence, including, but not limited to, the following:

a. Dispatch tape recording (or computer wave file) relating to the event;
b. On-scene video and/or audio tape recordings;
c. On-scene photographs of the crime scene, victim(s) including children, if applicable, and suspect;
d. Medical records of treatment of the victim and/or suspect (by obtaining a signed medical release from the victim and/or suspect); and
e. Any other relevant physical evidence, weapons, documents, and/or witness statements.

B. Document the investigation under a crime report titled with the appropriate crime(s) including the crime of Domestic Violence, 18-6-801 CRS.

II. Arrest and Charging

A. When the deputy determines there is probable cause to believe a crime has been committed, the officer will, without undue delay, arrest the suspect and charge the person with the appropriate crime.

1. The arrested person will be removed from the scene of the arrest and shall be taken to the jail for booking.

2. When arresting a suspect for a misdemeanor, the deputy will charge all appropriate crimes from the highest class to the lowest

class of crime, as well as charging Domestic Violence, 18-6-801 CRS, and documenting in the narrative of the arrest report that this is a domestic violence arrest.

3. When arresting for a felony, the deputy will charge all appropriate crimes from the highest class to the lowest class of crime, as well as charging Domestic Violence, 18-6-801CRS, and documenting in the narrative of the arrest report that this is a domestic violence arrest.

4. The arrested person may be held or released on bond with a protection order and/or bond conditions restraining the person from contacting the victim of the crime.

B. Nothing shall be construed to require a deputy to arrest either party involved in an act of domestic violence when the deputy determines that there is insufficient probable cause to believe an offense has been committed. However, a written report documenting the incident is still required

1. If the deputy determines that no crime has been committed the report is documented as an incident report titled “Incident-Domestic Dispute.”

C. Deputies are not required to arrest both parties involved in an act of domestic violence when both claim to have been victims of such domestic violence.

2. If two or more parties allege that they have been the victim of domestic violence at the hand of the other(s), the deputy will evaluate each complaint separately to determine if a crime has been committed by one or more of the persons involved.

3. In determining whether a crime has been committed, the deputy will consider the following:

a. Any prior complaints of domestic violence between the parties;
b. The relative severity of the injuries inflicted on each person;
c. The likelihood of future injury to each person; and
d. The possibility that one of the persons acted in self-defense.

D. A deputy is authorized to use every reasonable means to protect the victim or the victim's children to prevent further violence by;

1. Transporting, or obtaining transportation for the victim to a shelter.

2. Upon the request of the victim, the deputy may also transport the

minor child to the same shelter if such shelter is willing to accept the child, whether or not there is a custody order or an order for the care and control of the child or an order allocating parental responsibilities with respect to the child and whether or not the other parent objects.

3. If a deputy determines that an arrestee, suspect, or an involved person in a domestic violence incident owns or has access to a firearm, the deputy will document that information in the deputy's report. Deputies are required to seize firearms when the firearm may be evidence in a domestic violence related crime, when the court has issued an order for seizure of the firearm, or when the court has entered a valid protection order. Deputies may also seek permission to temporarily take firearms for safekeeping purposes following a domestic violence incident.

    a. If the domestic violence situation does not involve a crime, the deputy may seek written and signed consent to take the firearm(s) for safekeeping purposes prior to leaving the scene if the deputy believes that the situation is likely to further escalate or at the request of the owner of the firearm. The deputy will leave a copy of the signed written consent form at the residence or location from which the firearm has been taken. The deputy will place the firearm(s) into the Evidence Section of the Sheriff's Office and will include these actions in the deputy's report documenting the incident.

    b. The Sheriff's Office will not accept guns for safekeeping of a defendant, unless approved by a Commander; individuals must make their own arrangements for private transfer or storage, pursuant to C.R.S. 13-14-102 sec III.

    c. If a firearm is taken by a deputy as evidence of a crime or pursuant to a court order or valid protection order, the person surrendering the firearm must be provided with a receipt. C.R.S. 13-14-102(22) (III). A copy of the property sheet describing the firearm(s) that will be placed into evidence will serve as the receipt for the firearm(s) and must be left with the owner of the firearm. The receipt will include the date, time, and location of the seizure as well as accurately describe the firearm(s) (including the make, model and serial number of the weapon(s).

4. If the Boulder County Sheriff's Office decides that the storage of a weapon obtained pursuant to consent is no longer feasible or desirable, the owner must be notified and allowed to make immediate arrangements for the legal transfer of the possession of the firearm to himself or another person legally able to possess a firearm. The agency may dispose of the firearm if after notification the person has failed to complete the transfer of the firearm within 90 days of notification. C.R.S. 13-14-102(22)(g)(I)-(II).

III. Required Notifications

A. The deputy will provide the victim with a victim's rights pamphlet containing the incident case number and the deputy's name, as required per the state's Victim's Rights Amendment.

B. The deputy will notify the on-call Sheriff's Office Victim Advocate of the event via Communications and arrange for the Advocate to respond to the scene to contact the victim. The Advocates are subsequently responsible for making notification to the Safehouse Progressive Alliance for Nonviolence (if the incident occurred within the boundaries of the Boulder Valley School District) or the Safeshelter of St. Vrain (if the incident occurred within the boundaries of the Saint Vrain School District) as per our agreement with those agencies.

1. Safehouse Advocates will be contacted by requesting dispatch to page the appropriate agency to contact the Sheriff's Office advocate by telephone from the scene.

2. Advocates will be provided with:

a. The victim and perpetrator's names and date of birth;
b. The victim's home address;
c. The victim's home and work telephone numbers;
d. Location of the suspect;
e. Any risk associated with response to the victim's location;
f. The responding deputy's name and case number.

C. The Department of Social Services will be notified of all domestic violence incidents in which children are present and are victims or witnesses to violence involving either or both of their parents. Notification is accomplished via Communications paging the on-call social worker at the deputy's direction.

IV. Victim Advocate Response

A. Upon notification by Communications of a request for a Sheriff's Office Advocate to respond to a domestic violence incident, the on-call Victim Advocate will acknowledge the page and respond as directed by the deputy.

B. The Advocate will provide information and resources to the victim, including referrals to shelters and other social service agencies that provide follow- up care to the victim. Advocates will not provide legal advice to victims.

C. Advocates will not provide transportation to the victims of domestic violence or their dependents. If transportation is required, arrangements must be made through other resources (eg. friends and family, public transportation, etc).

D. The Advocate will make follow-up notification to the appropriate advocacy organization (e.g. Safehouse Progressive Alliance for Non-violence or the Safeshelter of St.Vrain.

V. Follow-up Investigation

A. Every documented incident of domestic violence will be assigned to a Detective for follow-up investigation.

VI. If a law enforcement officer is involved personally in a domestic violence incident and/or crime, the responding deputy shall notify the on-duty shift supervisor. The supervisor will immediately notify a supervisor from the involved officer's agency.

By Order of the Division Chief,

_____ _____

Tommy L. Sloan, Chief Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURES MANUAL

SUBJECT: Detective call out **NUMBER:** OP519

EFFECTIVE DATE: 5/01/2005 **REVISION DATE:** 5/01/2005

POLCIY: The Detective section is available for call out to assist Patrol officers with expertise in complex investigations.

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

1) Responsibility
   a) Detectives become involved in the initial stages of an investigation in the following circumstances:
      i) Violent or suspicious deaths including suspected suicide.
      ii) The death of any child.
      iii) Unattended deaths where there is no clear medical or accidental cause indicated.
      iv) Accidental deaths where there is a clear need for additional follow-up investigation, or on scene documentation.
      v) The suspicious serious injury to, or suspicious illness of any child.
      vi) Significant felony crimes including assaults, sexual assaults, robberies, kidnapping, and burglaries involving:
         (1) Investigative tasks, which need immediate attention such as procuring and/or executing search and arrest warrants.
         (2) Specialized evidence collection or processing requirements.
         (3) Complex crime scenes.
         (4) Multiple criminal episodes.
      vii) At the discretion of the on-duty supervisor when circumstances surrounding a specific incident warrant use of detective resources.

2) Notification and Response
   a) Deputies who become involved in cases, which in the officer's judgment warrant detective involvement first discuss and evaluate the need with the on-duty patrol supervisor. That supervisor then contacts a detective supervisor and they coordinate the necessary response.

i) When detectives are on duty:

(1) The on-duty patrol supervisor contacts a detective supervisor and they discuss the case and the need for a detective response.

(2) If a response is warranted, the detective supervisor determines which personnel will respond.

ii) When detectives are not on duty:

(1) The on-duty Patrol supervisor initiates a page through dispatch for the on-call detective supervisor.

(a) The on-call detective and detective supervisor are listed on the daily log in patrol.

(b) Dispatch also maintains an on-call list.

After discussing the need for a response, the on-duty patrol supervisor and detective supervisor decide if:

(c) An immediate detective response is warranted;

(d) A delayed response will suffice;

(e) Advisement is sufficient and the investigation is handled in the routine course of business.

iii) The final decision for a detective response rests with the detective supervisor.

b) Incidents that require additional detective response:

i) The on-duty patrol supervisor, or initial responding detective contacts and discusses the need for more personnel with the detective supervisor. The detective supervisor may respond, or may designate other detectives to respond.

c) Detective's response

i) Detectives normally assume control of an investigation once they are involved. They are responsible for the long-term outcome and will coordinate the investigation and needed resources to complete the investigation as effectively and efficiently as possible.

ii) Upon notification, detectives will respond promptly to the scene.

iii) On-call detectives are expected to be in-service within 30 minutes of receiving a page for response.

iv) On-call detectives must maintain a state of readiness such that they are able to respond:

(1) Minimal alcohol consumption;

(2) Sufficient sleep;

(3) Access to their pager, telephone, assigned vehicle, or the crime scene truck.

d) Notification Only

i) When a deputy, or on-duty supervisor feels that detectives should be notified of a case, but no response is required, they may do so by sending a message, via e-mail or by paging the on-call detective supervisor. The message should contain the case facts and report number.

3) Drug Task Force Response

a) Deputies who become involved in cases, which in the officer's judgment warrant Drug Task Force involvement, first discuss and evaluate the need with the on-duty patrol supervisor. That supervisor then contacts a Drug Task Force supervisor and they coordinate the necessary response.

By Order of the Division Captain,

_____	_____
Dennis Hopper, Captain	Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Private vs. Public Roadways **NUMBER:** OP527

EFFECTIVE DATE: March 8, 2008 **REVISION DATE:**

POLICY: The Boulder County Sheriff's Office recognizes there exists both public and private roads in unincorporated Boulder County. The Boulder County Sheriff's Office respects the rights of private property owners to access their property while also respecting the public's rights to use and access public roads.

The Boulder County Sheriff's Office will investigate complaints concerning private versus public road disputes. It is not the position of the Boulder County Sheriff's Office to make determinations as to whether a road is public or private. Because a Deputy at the scene can seldom resolve a permanent resolution to these disputes, Deputies will primarily strive to "keep the peace" and direct all parties involved to the appropriate resources.

The public has the right to use roads designated on the County Road Map. A road not appearing on that map may still be available for use by the public. A dispute involving a road not appearing on the County Road Map should be referred to the Transportation Department. The Transportation Department will investigate available information about the road and confer with the County Attorney's Office as to whether the information is sufficient to issue an opinion on whether the road is public or private.

RELATED PROCEDURES:

DEFINITIONS:

Easements: The right to do something or the right to prevent something over the real property of another. The right is often described as the right to use the land of another for a special purpose. Unlike a lease, an easement does not give the holder a right of "possession" of the property, only a right of use.

PROCEDURE:

1) Deputies dispatched to disputes involving public vs. private roads, their possession, status, ownership, or attached easements, will investigate and research the status to the best of their ability and to Sheriff's Office standards. The deputy should attempt to use the following resources to aid in their investigation:

   a) Boulder County Transportation.

   b) Boulder County Attorney's Office.

      i) If a particular road or property is under current review with the County Attorney's Office, the deputy should be informed of its current status.

      ii) Information concerning court decisions, settlement agreements and easements

will also be made available where applicable.

c) Boulder County District Attorneys Office.

2) The investigation should lead to a determination as to whether the case is criminal or civil.

a) If the deputy determines a crime has been committed and has developed probable cause the deputy will:

i) Warn the suspect if appropriate; or

ii) Issue a summons or conduct a custodial arrest according to arrest standards; and

iii) Document the investigation in a crime report.

b) If the deputy determines the issue is civil the deputy will:

i) “Keep the peace”, by taking reasonable steps to prevent the situation from escalating;

ii) Explain to the involved parties the issue is civil and a permanent solution must be sought via civil courts; and/or

iii) Encourage all participants to cease and desist until such time as they are able to obtain a court opinion on the matter; and/or

iv) Direct involved parties to the resources stated in this procedure; and

v) Deputies should not make a declaration as to whether or not the road is public or private; nor

vi) The Sheriff’s Office will not encourage or suggest the removal or destruction of property (for example, locks, chains, etc). After consultation with a supervisor however, the deputy may choose to allow an individual to access the disputed road via means that may include the removal of locks, chains, or other securing devices. This action should be done with the least amount of damage as possible. The deputy will document any and all action he is aware of taken by an individual who accesses via these means.

vii) All disputes should be documented in an incident, “Civil Dispute” report.

3) Emergency access

a) If the road is blocked, gated, closed, etc, deputies are authorized to take whatever reasonable means necessary in order to assure access in emergency situations.

4) Court orders

a) If deputies are presented with papers represented as court orders, deputies will endeavor to determine the authenticity and validity of the order.
b) If the court order is reasonably viewed as valid and enforceable, deputies will in good faith enforce the order.

By Order of the Division Chief,

_____ _____
____ ___Date
Dennis Hopper, Chief

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Operations Division Employee of the Month (EOM) **NUMBER:** OP529

EFFECTIVE DATE: **REVISION DATE:**

POLICY: It is the policy of the operations division to recognize employees for exemplary performance during the performance of their duties on a monthly basis. In that light, the division adopts the following procedures:

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

1) Employee of the Month Nominations

   a) Any Sheriff's employee may nominate another employee for the Operations Employee of the Month. A written memorandum detailing the nominee's performance is completed and forwarded to the Operations Division Chief through the nominated employee's chain-of-command.

   b) The nominations are due to the Division Chief before the last Operations Division Staff meeting of the month. The Operations Command Staff will review the nomination(s) at the last divisional staff meeting of the month.

   c) The Division Command Staff will determine if the nomination(s) warrant consideration for the Departmental Employee of the Month. If so, the nomination(s) will be presented to the Sheriff and his staff for review for the Departmental EOM Award.

   d) If the nominee(s) is selected for the Departmental Employee(s) of the Month, the other Divisional Nominee(s) will be considered for the Divisional Employee of the Month. If no other nominee(s) was considered at the Divisional level, the Division will not have an Employee of the Month for that month.

   e) If the nominee(s) is not selected for the Departmental Employee of the Month, the nominee(s) is automatically awarded the Divisional Employee of the Month. If two or more nominees were considered but not approved, the Operations Division Staff will determine who will be the Divisional Employee(s) of the Month.

2) Documentation of Award

   a) The Law Enforcement Technician Supervisor in the Operations Division is responsible for the documentation of the Operations Employee(s) of the Month Award. The Division Chief or a member of his/her staff notifies the Law Enforcement Technician Supervisor of the award recipient. The Law

Enforcement Technician Supervisor completes the following:

i) An EOM certificate is created and a copy of the award citation is placed on the back of the certificate. The certificate is given to the recipient's Commander for presentation to the recipient.

ii) A copy of the EOM certificate/award citation is given to Boulder County Sheriff's Office Personnel to be included in the recipient's personnel file.

iii) A copy of the EOM certificate/award citation is placed in the recipient's working file

iv) A copy of the approved nomination form is sent to the Boulder County Sheriff's Office Accounting to ensure that the recipient receives the EOM monetary award.

v) A notation, which will include the recipient's name and the month the award was received, is placed in "OpsCmdStaff" folder on the "G" drive under the "EOM file."

vi) A metal plate is removed from the Operations Division EOM plaque and sent to the vendor for engraving. The engraving will include the recipient's name, month and year the EOM award was received. Once the metal plate is returned, is be placed on the EOM plaque.

By Order of the Division Chief,

_____ _____

Dennis Hopper, Chief Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Vehicle Impound Appeals **NUMBER:** OP603

EFFECTIVE DATE: January 3, 2017 **SUPERSEDES:** [New]

POLICY: The Operations Division has established an appeal hearing procedure for vehicle impounds, as required by Boulder County Ordinance 2010-1-1815(3) and § 42-4-1804, C.R.S. Any citizen whose vehicle is impounded by the sheriff's office may appeal the decision to impound and its corresponding cost(s).

RELATED PROCEDURES:
OP507 – Vehicle Impounds

DEFINITIONS:
Appellant: The individual making an appeal of a vehicle impound and/or a vehicle hold placed on a vehicle.

PROCEDURE:

I. Request for an Appeal

A. The request for an appeal of a vehicle impound is typically made to the Records Section in the Support Services Division.

B. Upon receiving a request for a hearing to appeal a vehicle impound and its related costs, the receiving employee will forward the request to the commander of the deputy or detective who completed the impound.

II. Appeal Process

A. Upon the receipt of a request for hearing to appeal a vehicle impound, the receiving commander will contact the complainant as soon as possible. The receiving commander will obtain, at a minimum, the following information:

1. The associated case number, the appellant's name and their relationship or association with the subject vehicle, and the identification of the subject vehicle.
2. The specific points of appeal (e.g. specific costs being appealed, the appeal of a hold placed on a vehicle, etc.).
3. The appellant's basis or rationale for filing the appeal.

4. Whether the appellant desires an in-person hearing or a paper hearing.

B. The involved commander will review the circumstances surrounding the vehicle impound, taking into account, at a minimum, the reason for the impound, the need for retaining custody of the vehicle, and any mitigating factors or argument provided by the appellant, when making their determination.

C. The involved commander will render a prompt decision and notify the appellant by phone of the decision. The commander will also follow-up with a written decision, which can be provided to the appellant by U.S. mail or e-mail.

D. The appellant may appeal the involved commander's decision to the Operations Division Chief. The appeal of the commander's decision must be made within 3 days, in writing, and must address the specific points in the involved commander's decision that are being appealed and the basis for such.

1. The Operations Division Chief decision is not subject to further appeal.

III. Documentation

A. In their written decision, the involved commander will document the appeal request, the basis for the appellant's appeal, the circumstances surrounding the appeal, and their decision and its supporting basis.

1. A copy of the written decision is placed into the case file.

B. If the involved commander makes a determination that the appellant should not be held responsible for vehicle impound and/or storage fees, in whole or part, a copy of the written decision shall be provided to the Sheriff's Accounting Section so that the fees the appellant is not being held responsible for are paid as appropriate.

1. The involved commander is responsible to notify the towing vendor of the portion of the vehicle impound fees that will be billed to the sheriff's office and not the appellant, and obtain an invoice in the

name of the sheriff's office for fees the appellant is not being held responsible for to submit to Sheriff's Accounting along with the written decision.

2. If the appellant has already paid the impound and/or storage fees, they are required to provide a copy of the invoice and proof-of-payment in order to be reimbursed.

C. If the appellant appeals the commander's written decision to the Operations Division Chief, the division chief will similarly reduce their decision to writing. A copy of the written decision will be provided to the appellant and a copy will be placed into the case file.

IV. Abandoned Vehicles

A. This policy does not cover requests for hearings when a vehicle has been impounded as abandoned and a salvage title has been issued by the Department of Revenue. Appeals of this nature are referred to the Department of Revenue's Hearing Office.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

1/3/2017
Date

ATTACHMENTS OR ADDENDUMS:

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Technical Accident Investigation Team **NUMBER:** OP604

EFFECTIVE DATE: June 14, 2016 **SUPERCEDES:** February 12, 2006

POLICY: The Boulder County Sheriff's Office formerly participated with the Boulder County Technical Accident Investigation Team to provide law enforcement agencies with an independent team of skilled investigators specializing in traffic accident investigations for officer-involved traffic accidents that involved serious bodily injury or death. The team was led by the Colorado State Patrol, but was subsequently disbanded and was replaced by the Boulder County Investigation Team.

RELATED PROCEDURES:
503 – Boulder County Investigation Team

DEFINITIONS:

PROCEDURE:

POLICY RESCINDED

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

6/15/2016
Date

ATTACHMENTS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURES MANUAL

SUBJECT: Mobile Video Recording **NUMBER:** OP606

EFFECTIVE DATE: February 24, 2009 **REVISION DATE:** February 24, 2009

POLICY:

The in-car video camera has been proven to be a valuable tool for law enforcement officers. In order to maintain public trust and maximize the effectiveness of this tool, it is the policy of the Sheriff's Office to establish guidelines for the use, management, storage, and retrieval of audio-visual media recorded by in-car video systems.

DEFINITIONS:

CF Card – Acronym for *Compact Flash Card*, a form of digital media.

DVM-500 – Acronym for *Digital Video Mirror*, model 500, manufactured by *Digital Ally*.

Digital Ally Video Manager – The software management system provided with the DVM-500 individual units.

Digital Evidence – Of or relating to a device that can read, write, or store information represented in numerical form (e.g. computer hard drive, CDs / DVDs, magnetic tape, floppy disk, flash drive, memory stick, etc.).

Digital Media – Optical, magnetic, or other device used to store or contain electronic data.

In-Car Video Camera System – Any hardware mounted in a Sheriff's Office vehicle that captures audio and/or video signals.

Mobile Video Recording (MVR) – Recorded audio and/or video signals captured from an In-Car Camera System.

Wiping – Destruction of electronic data specific to re-writable media by which a process of over-writing all physical sectors of the media source with a minimum of one pass of consistent or random data, destroys all previous intelligible electronic data.

Writable Digital Media – Media with the ability to have information in numerical form written one time only.

RELATED POLICIES:

Evidence Procedures / Handling (Department Policy #525)

PROCEDURE:

1) Installation of the In-Car Camera System

   a) The MVR recording equipment is installed in a manner that ensures the MVR system will activate:

      i) Automatically when the emergency lighting equipment and/or audible siren are engaged;
      ii) When manually engaged by a wireless transmitter; or
      iii) When manually engaged by using the "REC" (Record) button on the control panel mounted inside the patrol vehicle.

   b) Installation settings and preferences for the DVM-500 MVR system are set by the MVR technician:

      i) The following functions on the "Display Text Menu" are set to "on": Vehicle Text, Camera, Date/Time, GPS location, Radar Speed, Vehicle Speed, [Emergency] Lights, Brake, Siren, Turn Signals, Mark, Internal Microphone and Wireless Microphone.

      ii) The "Record Mode" is set to "Medium".

      iii) The following function on the "Power Control Menu" is set to "Enable": Power Button Shut Down.

      iv) All methods to retrieve or remove electronic data (i.e. recorded files) are disabled, except for the CF card, which is how the MVR operator will preserve the recording in compliance with the Evidence Handling Procedure (Department Policy #525) and this procedure.

      v) The installing technician ensures that each UserID and corresponding password for every trained operator is installed in the system.

2) Training and Inspection of the In-Car Camera System

   a) No deputy may use the MVR equipment unless the operator is familiar with its use and operation, unless specifically authorized by a supervisor.

   b) Deputies are responsible for inspecting the MVR equipment for proper operation in accordance with the manufacturer's procedure prior to the beginning of their shift. Any malfunction, damage or deviation in operating condition of the MVR equipment will be reported immediately.

      i) Deputies will verify the date and time are correctly displayed.

ii) Deputies will ensure the wireless microphone is synchronized with the corresponding DVM-500.

3) Operation of the In-Car Camera System

a) At the beginning of the assigned DVR operator's shift, they will ensure the following steps have been completed:

i) The DVM-500 is turned off.

ii) Insert the CF Card into the DVM-500 by utilizing the vehicle's assigned key. The CF Card will not be inserted or removed from the DVM-500 while the power to the unit is on.

iii) After powering on the DVM-500, the user will select their appropriate ID and enter their password.

iv) Ensure the windshield and camera lens are clean. If needed, the camera lens will be cleaned with the approved cleaning cloth.

b) MVR equipment will be activated, either automatically or manually, on:

i) Vehicle pursuits and emergency driving;

ii) Traffic stops and contacts, including the performance of standardized field sobriety tests;

(1) In the event of an extended incident or detail (i.e. a deputy is conducting traffic control or is investigating an auto accident scene), the deputy may deactivate the system to conserve recording time. If the MVR system is deactivated, the deputy will document the reason for stopping the tape, either by narrating the reason on the recording, or by written notation on the operator's Daily Field Activity Report (DFAR), or by notation in the corresponding incident/criminal report.

(2) If the standardized field sobriety tests are being conducted other than directly in front of the patrol vehicle (e.g. adjoining sidewalk or parking lot), the operator will turn the camera manually to capture the maneuvers, as best as possible.

(3) Pedestrian and citizen contacts, when practical; and

(4) Any situation or event that the deputy believes through their training and experience should be audibly and/or visually recorded.

iii) Deputies will not activate the internal microphone of the DVM-500, or leave the wireless lapel microphone inside the vehicle or at any other locale, in an attempt to record conversations of two or more people of which they are not party to, unless one or more of the parties being recorded has knowledge the conversation is being recorded.

4) Handling of MVR Recordings

a) Deputies will not erase, alter, reuse, modify, dispose of, or tamper with any In-Car Video Camera System recording.

b) All In-Car Video Camera System recordings will be treated as evidence.

i) If the CF card contains evidence related to a criminal prosecution, the CF card is placed into the Property & Evidence Section in accordance with existing evidence handling procedures, prior to the end of the deputy's shift.

(1) In the event the CF card contains evidence related to multiple investigations resulting in criminal prosecutions, a property and evidence form will be completed for each corresponding case, with a notation as to the approximate date and time of the violation (for use in locating the corresponding recording / file).

ii) If the CF card only contains recordings of contacts and does not contain evidence of any specific crime, the CF card can be submitted to the Property & Evidence Section at anytime, but no later than the end of the deputy's duty week. The CF card can be submitted without a corresponding property and evidence form, but with a form describing the content of the CF card (i.e. assigned deputy, vehicle number, and the date range the recordings span). See "Attachment A".

c) The CF card containing digital recordings will removed from the DVM-500 in the following circumstances:

i) After evidence for a criminal prosecution is obtained (i.e. a DUI arrest, vehicle pursuit, etc.) for submission into evidence;

ii) At the conclusion of the operator's duty week; or
iii) When there is less than one hour of recording time remaining on the media.

5) Storage and Retention of MVR Data

a) The data contained on the CF Card is downloaded onto the designated stand-alone (non-networked) computer system held within the Property & Evidence Section. The CF Card data will only be downloaded and managed in the "Digital Ally Video Manager" software.

b) Data will be managed in such a manner that files can be searched, organized and/or located based upon User ID, Vehicle ID, or date and time of recording.

c) MVR files that correspond to a criminal case are burned to DVD-R and stored separate from the 'Digital Ally Video Manager' system, in order to ease duplication for discovery and for ease in managing cases (i.e. retention schedules, sealed record orders, etc.).

d) Recordings that do not capture evidence of a crime are retained for a period of at least 60 days, after which they may by purged from the computer system housing the 'Digital Ally Video Manager' software, as system resources / storage needs dictate.

e) The technicians assigned to the Property & Evidence Section are responsible for the download of CF Cards, the transfer and/or preservation of recordings to DVD-R, and for maintaining the "Digital Ally Video Manager" software and systems in accordance with this procedure.

By Order of the Division Chief,

_____ _____
Dennis L. Hopper, Operations Division Date

"Attachment A"

In-Car Camera CF Card Submission Form

(Only used for recordings that are not evidentiary in nature and are unrelated to an existing case report)

Deputy:_____ **Vehicle ID:**_____

Date Range of Recordings:_____

Submission Date / Time:_____

EVIDENCE USE ONLY:

Date Downloaded:_____ **By:**_____

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Automatic License Plate Reader (ALPR) **NUMBER:** OP607

EFFECTIVE DATE: May 1, 2012 **SUPERCEDES:** [New]

POLICY: The use of an automated license plate reader (ALPR) system can provide useful documentation in the identification and prosecution of criminal and traffic investigations. ALPR systems enhance productivity, effectiveness, and promote officer safety. In keeping with the Sheriff's Office's commitment to providing efficient, effective public safety services, the agency has adopted the following guidelines governing the use and management of the ALPR.

Deputies must use reasonable discretion as an ALPR "hit" does not automatically provide deputies with probable cause to stop and/or arrest. Enforcement action, stops, detentions and arrests are based on facts and observations the deputy can articulate in addition to the ALPR hit. An ALPR hit relates typically only to the vehicle, not to the person who may be driving the vehicle. Information obtained through the use of the ALPR system is independently confirmed before enforcement action is taken.

DEFINITIONS:

ALPR: The Automated License Plate Reader (ALPR) is a computer-based system that utilizes cameras to capture a color image, as well as an infrared image, of the license plate of a passing or parked motor vehicle. The infrared image is converted into a text file utilizing Optical Character Recognition (OCR) technology. The text file is then automatically compared against an "informational data file" or "Hot List" containing information on stolen vehicles, or wanted vehicles associated with Amber Alerts, wanted parties or other criteria as selected. If a match is found, the operator is notified of the vehicle "hit" by an audible alert and an associated notation on the user's computer screen. When the ALPR captures an image it also logs the data, time and GPS location of the capture.

MDC: Acronym for *Mobile Data Computer.*

Data: When used in this application, data refers to captured images from the ALPR system and associated information.

BOSS: Acronym for *Back Office System Software.* This is the desktop system that allows authorized users to access the data captured.

PAGIS: Acronym for *Police ALPR Graphical Interface System.*

Hot List: A data file containing information on stolen vehicles, or wanted vehicles associated with Amber Alerts, wanted parties, or other criteria as selected.

Hits: License plate "reads" captured by the ALPR system which correspond to data file listings of vehicles of interest, whether stolen, associated with a wanted party, or matching some other established criteria.

PROCEDURE:

I. Installation of the ALPR system

A. The ALPR equipment is installed in a manner that ensures that the ALPR system will activate when the patrol vehicle's MDC is turned on.

B. Installation settings and preferences for the ALPR system are set by the ALPR technician.

1. Only designated users are given access to the ALPR system's administrative functions.

2. The audible tone is turned "on" for each license plate read to ensure license plates are being recorded.

C. Unique user IDs and passwords are assigned to each authorized user of both the PAGIS and BOSS Systems.

II. Training and Inspection of the ALPR System

A. No deputy may use the ALPR or BOSS Systems unless they have been properly trained as an operator on the system.

B. Deputies are responsible for inspecting the ALPR equipment for proper operation in accordance with the manufacturer's procedures prior to the beginning of their shift. Any malfunction, damage, or deviation in operating condition of the ALPR equipment will be reported immediately to the system administrator.

C. Vehicles equipped with an ALPR system must be washed by brushless car washes only so as to protect the alignment of the cameras.

III. Vehicle

A. The patrol vehicle equipped with the ALPR will be assigned to an operator that is trained in the use of the ALPR and it should be used when the vehicle is in service.

IV. Operation of the ALPR System

A. At the beginning of each shift the ALPR operator will ensure the following steps have been completed:

1. The ALPR System in the trunk is turned on.

2. Once the MDC is turned on, the operator logs into PAGIS using their assigned ID and password.

3. The operator clicks on “Begin Shift” twice at the beginning of their shift.

4. The operator ensures that the camera lenses are clean and free of obstructions. If needed, the camera lenses should be cleaned with water and a soft rag. No glass cleaner is to be used on the camera’s lenses.

5. The operator validates all “Hits” from the ALPR by contacting communications or utilizing MDC software, cross checking the hit against CCIC (or other databases).

6. The operator is responsible for entering a disposition on all “hits” from the ALPR.

7. The operator clicks on “End Shift” twice at the end of their shift.

V. Records Access and Retention

A. All ALPR systems may only be used for official law enforcement purposes in the furtherance of public safety and may not be used for any personal reasons.

B. The Boulder Police Department currently provides the server that houses the data generated not only from the Sheriff’s Office but also the other county law enforcement agencies.

C. The retention schedule for the data will be agreed upon by the “command group” comprised of representatives from each of the county law enforcement agencies utilizing the system.

D. The Operations Division Chief will designate a “System Administrator” (typically a patrol sergeant) who will be responsible for authorizing users of the ALPR and access to the captured data via BOSS.

E. One detective each from the Detective Section and Boulder County Drug Task Force will be assigned to input/delete entries on the “hot list” created

for the Sheriff's Office agency. These detectives are responsible for the timely inclusion/deletion of entries in the hot list. All license plates included on the hot list are uploaded to the BPD server. All ALPR systems utilizing this server will automatically query the Sheriff's Office hot list.

F. It is possible for the ALPR operator to enter a license plate via PAGIS while in the patrol vehicle. This license plate will be cleared out after the "end shift" is executed.

G. The Support Services Division Chief will designate an "ALPR computer technician" to maintain the systems at the Sheriff's Office and to issue username/passwords to operators as approved by the System Administrator.

By Order of the Division Chief,

Phil West, Division Chief	5/1/2012 Date

ATTACHMENTS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURES MANUAL

SUBJECT: Child Abuse and Neglect Investigation **NUMBER:** OP704

EFFECTIVE DATE: 11/29/2004 **REVISION DATE:** 6/1/2009

POLICY: The Boulder County Sheriff's Office adopts the countywide guidelines for investigation of child abuse and neglect as our procedure for investigation of child abuse and neglect within our jurisdiction.

RELATED PROCEDURES: Boulder County Child Abuse and Neglect Investigation Guidelines as adopted June 1, 2009

DEFINITIONS:

PROCEDURE:

By Order of the Division Chief,

_____ _____
Phil West, Division Chief Date

Boulder County

Child Abuse and Neglect Investigation Guidelines

Effective June 1, 2009

Table of Contents

Official Endorsements: 3

PREFACE 4
Definitions 4

Responsibility for Investigations 5

General Procedures for Joint Investigations 6

Law Enforcement Investigation Guidelines 7
Cross Jurisdiction Cooperation within Boulder County: 8
Initial Response: 8
Observation of and Treatment of Injuries: 9
Criteria For Medical Examination 10
Protective Custody: 11
Identify and Interview Potential Witnesses: 11
Collecting and Gathering Evidence: 12
Photographic and Video Evidence 13
Interview Evidence 13
Physical Evidence 13
Medical documentation of child abuse/neglect: 14
Other Investigative Techniques: 14
Interviews of Perpetrators: 14
Documentation of Investigation: 15
Charging Guidelines 16
209-9 Summons v. Arrest 16

Housing and Human Services Investigation Guidelines 17
Initial Screening 18
Prioritization of Response 18
Institutional Abuse Allegations: 19
BCDHHS Assessment/Investigative Report: 19
Interviews of Child Victims : 21
Courtesy Interviews 21
Protective Custody 21
Third Party Abuse and Neglect 21
Assessment of Institutional Abuse 22

District Attorney Procedures 23
Sexual Assault Review Team 23
Prosecution 23
Investigations Initiated by the District Attorney's Office 23

Child Fatality Advisory Team 23

Appendix A: Guidelines for Interviewing a Child ……...25
Appendix B: Physical Abuse Indicators ……..27
Appendix C: Neglect Indicators……28
Appendix D: Sexual Abuse Indicators……..29
Appendix E: Emotional Abuse Indicators……30
Appendix F: Drug and/or Alcohol Abuse……31
Appendix G: Notice of Rights and Remedies for Families (English and Spanish)…….32

References Table..... 36
Boulder County Child Advocacy Center 36
Boulder County Child Fatality Advisory Team Members..... 36
Boulder County Criminal Justice Executives 37
Boulder County Department of Housing and Human Services Family and Children Services Administrators 39
Boulder County Department of Housing and Human Services E-Fax numbers 39
Colorado Department of Human Services Child Protection Intake Program Administrator…….40
Colorado Department of Human Services Twenty-Four (24) Hour Monitoring Team……...40

Official Endorsements:

These guidelines are endorsed by the following agencies:

7/15/09
Mark Beckner — Date
Chief, Boulder Police Department

07/15/09
Joe Pelle. — Date
Sheriff, Boulder County

7/15/09
Paul Schultz — Date
Chief, Lafayette Police Department

7/15/09
Bruce Goodman — Date
Chief, Louisville Police Department

07/15/09
John Hall — Date
Chief, Erie Police Department

8-31-9
Mike Butler — Date
Chief, Longmont Police Department

9/04/09
Ken Robinson — Date
Chief, Nederland Police Department
Department

8/20/09
Joe Roy — Date
Chief, University of Colorado Police

7/15/09
Stan Garnett — Date
District Attorney, Boulder County

8-2-09
Thomas J. Faure — Date
Coroner, Boulder County

09.17.2009
Frank L. Alexander — Date
Director, Boulder County Department of Housing and Human Services

CHILD ABUSE AND NEGLECT INVESTIGATION GUIDELINES
June 1, 2009

PREFACE

Cases of child abuse and neglect provoke intense emotion and cause continuing disruption in the daily lives of victims and their families. It is the goal of each agency involved in the creation of these guidelines to hold as our first priority the protection of children in Boulder County. This goal is best accomplished by a coordinated, county-wide effort to serve children and their families. These guidelines also help provide consistency in how investigations into child abuse and neglect cases are handled, providing for more efficient and effective investigations and prosecutions.

These guidelines are general in nature, providing a framework for investigators to follow. It is recognized and accepted that each individual case is different, and may require some variation in how an investigation is handled. Furthermore, the intent of these guidelines is to support and encourage coordination, cooperation, and to establish areas of responsibility for each agency normally involved in the reporting, investigation and treatment of physical and sexual child abuse and neglect cases.

It is the policy of the signatory agencies to this set of guidelines that to the highest extent possible, child welfare actions undertaken by each agency will be cooperative and coordinated in order to better serve the public.

Specific information such as names of programs and individuals and telephone numbers can be found in the References Table which is included at the end of these Guidelines.

Definitions

Colorado law defines child abuse as:

- Any case in which a child (under the age of 16 in criminal cases, C.R.S. §18-6-401) (under age 18 for BCDHHS child protective services, C.R.S. §19-1-103(1) and (18)) exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death, and either: such condition or death is not justifiably explained; the history given concerning such condition is at variance with the degree or type of condition or death; or the circumstances indicate that such condition may not be the product of an accidental occurrence;

- Any case in which a child is subjected to sexual assault or molestation, sexual exploitation, or prostitution;

- Any case in which a child is in need of services because the child's parents, legal guardian or custodian fails to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take;

- Any case in which a child is emotionally abused.

Intrafamilial physical or sexual abuse is defined as:

- Any case of physical, emotional, or sexual abuse of a child that occurs within a family context by a child's parent, stepparent, guardian, legal custodian, relative, or a spousal equivalent, domestic partner, or any other person who resides in the child's home or who has access to the child's home for the purpose of exercising care for the child. It does not include a person who is regularly in the home to provide care for a child and is paid and is not related. A spousal equivalent or domestic partner means a person who is in a family-type living arrangement with a parent and who could be a stepparent if married to that parent.

(Regulations of the Colorado Department of Human Services CDHS Staff Manual, Vol. 7, § 7.202.3(M)

Third party abuse is defined as:

- Child abuse that occurs outside the family, when parental neglect is not a factor, and the perpetrator is ten years of age or older.

Institutional abuse is defined as:

- Any case of abuse that occurs in any public or private facility in the state that provides child care out of the home, supervision, or maintenance. Facility includes, but is not limited to, family child care homes, foster care homes, and any other facility subject to the "Colorado Child Care Licensing Act." "Institutional abuse" does not include abuse that occurs in any public, private, or parochial school system, including any preschool operated in connection with said system; except that, to the extent the school system provides extended day services, abuse that occurs while such services are provided shall be institutional abuse. C.R.S. §19-1-103 (66).

Responsibility for Investigations

Child abuse and neglect are community problems requiring a cooperative, complementary response by law enforcement, social services, and many other agencies. Depending on the situation, agencies benefit from the assistance and cooperation of one another.

The Boulder County Department of Housing and Human Services (BCDHHS) is primarily responsible for assessing the welfare and risk to the child. BCDHHS is responsible for the coordination of all investigations of all reports of known or suspected incidents of intrafamilial abuse or neglect, and shall conduct the investigations jointly and in coordination with law enforcement to the extent a joint investigation is possible and deemed appropriate as outlined in these guidelines. In all cases of abuse, BCDHHS is responsible for assessing the abuse involved and the appropriate response to the report, offering social services to the child and his/her family, and notifying law enforcement for investigation of violations of criminal child abuse laws.

In intrafamilial cases, law enforcement is primarily responsible for conducting investigations of alleged criminal offenses and presenting cases for criminal filing to the District Attorney's Office.

The following intrafamilial cases shall, when possible, be investigated jointly by law enforcement and social services:

Suspicious child death when there are other children living in the home;

Intrafamilial physical abuse;

Intrafamilial sexual abuse;

Severe or repeated neglect, including failure to thrive;

When there is a need to place a child in protective custody;

When a risk of danger to BCDHHS investigator by the perpetrator exists;

When a parent refuses access to a child by BCDHHS or refuses medical examinations;

Abuse in an institutional setting, foster or group home, or child care home or facility; and

Cases involving drug- or alcohol-affected babies.

Department of Housing and Human Services is also responsible for the investigation of the following types of cases:

Child neglect cases that do not meet the statutory elements of abuse;

Emotional abuse;

Lack of supervision complaints;

Physical or sexual abuse complaints when the perpetrator is under ten years of age (unless it is determined that the perpetrator is also a victim of sexual or physical abuse). (See page 22 for further information).

Investigating third party abuse when the alleged perpetrator is 10 years of age or older is the responsibility of law enforcement.

General Procedures for Joint Investigations

The agency receiving the report shall notify the other agency that a joint investigation is indicated.

Each agency shall check its agency's records for previous contacts with the family and suspected perpetrator. This includes a check of the local data base and the state automated case management system by Housing and Human Services and NCIC/CCIC by law enforcement.

Law enforcement will check DMV and other public records upon an agency request and share that information.

Prior to conducting an investigation, the Housing and Human Services case worker and law enforcement officer who will be conducting the investigation must communicate to share information and plan the investigation.

An investigation plan should be developed, including:

- where interviews are to be conducted (child advocacy center, home school, etc.);
- the order of interviewing victims, parents, siblings, relatives, teachers, therapists, suspect(s), and any other witnesses;
- who will take the lead in interviewing each person;
- whether to record the interview and how to record the interview (audio tape, DVD, etc.); and
- what interviewing aids are appropriate (such as anatomical dolls, drawings, etc.).

A determination will be made by law enforcement and/or BCDHHS as to whether a medical and/or psychological evaluation should be obtained.

All evidence should be gathered and preserved by law enforcement. This includes:

- recording all observations accurately and in detail;
- taking of photographs; and
- gathering all relevant physical evidence such as the instrument that inflicted the injury, rape kit, blood and hair samples from the suspect, etc.

Law Enforcement Investigation Guidelines

In cases of intrafamilial child abuse in which access by the alleged perpetrator to the child presents immediate safety concerns, law enforcement agencies shall notify Housing and Human Services immediately. In all other cases, a copy of the law enforcement agency's reports shall be forwarded to Housing and Human Services as soon as possible. When deemed necessary, notification to Housing and Human Services via telephone can be made.

All law enforcement agencies shall notify the District Attorney's Office and Boulder County Coroner as soon as possible on all child death cases in which death may be the result of suspected non-accidental trauma or severe neglect.

In an effort to collect evidence, protect the welfare of the victim, and to expedite the investigation, all law enforcement agencies shall notify the appropriate medical facility when they are transporting an alleged child abuse victim to the medical facility.

When the investigation involves a suspected perpetrator who was acting in his official capacity as an employee of a school district, law enforcement agencies shall notify the Department of Education or the school district. Law enforcement shall assume the primary responsibility for the coordination and investigation in these cases. Law enforcement shall prioritize these cases and

respond and investigate as soon as possible.

When an officer acting in good faith believes that a perpetrator has the potential for contact with other child victims, such as with civic, church or school groups, the officer should consider notifying these entities in an effort to prevent further victimization.

Cross Jurisdiction Cooperation within Boulder County:

Priority shall be to meet the victim's needs. If any part of the offense occurred where it is first reported, that law enforcement agency should take the entire report and share it with the other agencies. If no part of the offense occurred where it is first reported, the law enforcement agency should facilitate the child's report to the appropriate jurisdiction.

Initial Response:

The first priority in a child abuse investigation shall be ensuring the protection of the child.

> Upon receiving a report of child abuse, the law enforcement agency shall dispatch a sworn law enforcement officer to make an initial assessment of the facts of the case. In cases involving serious bodily injury to a child, and child sexual assault cases occurring within the past 72 hours, the officer obtains basic initial information, contacts an appropriate investigator, and completes a detailed report. In child sexual assault cases reported 72 hours or later after the occurrence, and which do not involve child protection issues or other emergency circumstances, the officer is encouraged to obtain the relevant information from sources other than the victim and leave the interview of the child to an appropriate investigator. A detailed report shall also be completed.
>
> When child abuse is alleged, the officer shall observe the child and may interview the child involved. Primary jurisdictional responsibility should be determined at this point. Officers should recognize the potential for cross-jurisdictional investigations and make appropriate notifications prior to interviewing the victim(s). The law enforcement officer should also consider whether a medical examination is appropriate.

Factors to consider in evaluating whether or not a child should be interviewed by law enforcement:

- The child's age and maturity;
- The child's ability to relate what has happened;
- The emotional stability and physical needs of the child;
- The possibility of retaliation by a parent against a child who has "told"; and
- The number of times the child has previously been interviewed, the content of the interview(s), and who conducted the prior interview(s).

See Appendix A, Guidelines for Interviewing a Child.

Observation of and Treatment of Injuries:

Examine the child or children for physical injury and document any injuries. It is recommended that law enforcement officers of the same sex as the victim conduct visual examination for injuries.

In cases involving serious physical injury or suspected sexual abuse, the investigating officer, in cooperation with the social worker (if one is involved), obtains a medical examination of the child for protection of the child, treatment, and documentation purposes. Visible injuries are photographed.

A trained specialist is sought in cases of sexual abuse.

Parental consent is not required to obtain copies of medical records in abuse cases (C.R.S. §19-3-311).

When a parent will not consent to medical examination, the investigating officers may seek a court order from a district court judge to obtain an examination. The BCDHHS and County Attorney's Office assist when seeking such an order. The officer considers placing an endangered child in protective custody while seeking such an order.

Investigators must use extreme care when examining children for signs of physical abuse in intimate areas of the body. Investigators are not relieved of 4th Amendment requirements for conducting searches that do not involve consent or exigent circumstances. Investigators obtain consent from the parent and victim to conduct such a search (a child may be able to give consent without the parent, with consideration given to age, reasoning, and ability to understand what is occurring). These searches are best handled in a medical setting by a nurse or other qualified individual. In any case, investigators have another credible person present during the exam. When the investigator has probable cause to believe a crime was committed, but cannot obtain consent and exigency is not an issue, the investigator seeks a search warrant.

The following procedures are recommended in examining a child for injuries:

1. Before examining a child for injuries, it is important to explain to the child and parent/guardian what you are going to do. Enlisting the help and support of the parent/guardian is helpful.

2. It may be necessary to remove the child's clothing to observe hidden injuries. When this occurs, a second person should be present for the comfort of the child and the protection of the investigator. At no time should the child be completely undressed.

3. Begin at the head and work down to the bottom of the feet in looking for any signs of abuse and neglect.

4. The location, size, and color of all injuries, including old injuries or scars should be documented.

It is optimal that the physical assessment be made by a medical technician; however, at the initial contact it is not always possible and must frequently be carried out by the investigator to determine whether medical care is needed.

Look for indicators of physical abuse and/or neglect. (See Appendix B and C)

Examine the possibility of sexual abuse. (See Appendix D)

Examine the possibility of emotional abuse. (See Appendix E).

Examine the possibility of drug/alcohol exposure. (See Appendix F).

Criteria For Medical Examination

The following circumstances generally require an examination by a health care professional when there is reason to believe or suspect that the injuries are the result of abuse or neglect:

1. When there is an allegation or reasonable suspicion of sexual abuse involving penetration or intrusion, the child should be examined by an appropriate health care professional who has expertise in the area of sexual abuse. If the abuse occurred within the past seventy-two hours, an examination should be done as soon as possible. In all cases of sexual abuse, an examination should be considered when there is a reasonable likelihood evidence will be discovered;

2. With the exception of minor injuries, any injury to a child under the age of three;

3. Any serious injury to the head or face of a child, or reason to believe an internal head injury may be present, especially when force is involved;

4. Any other injuries not minor in nature, including, but not limited to; fractures, excessive bruising, welts, and injuries with swelling or tenderness;

5. Any 2nd or 3rd degree burn;

6. If a child appears ill (fever, vomiting, open wounds, etc), or complains of pain or tenderness;

7. When a child is found in a location where a methamphetamine or other drug lab is or has been in operation, immediate medical testing for methamphetamine and/or other drug toxicity and follow-up medical tests, examinations, or health care;
8. If there is a question as to the need for a medical examination, a health care professional should be consulted. If not available, a referral for treatment and/or examination should be made.

Protective Custody:

Police officers have legal authority (C.R.S §19-3-401) to remove a child from a home or dangerous environment without a court order whenever they reasonably believe that a child is abandoned, lost or seriously endangered and immediate removal appears necessary for the child's protection.

A. The immediate welfare of the child is always paramount to officers investigating these cases, and this legal authority can be exercised whenever deemed appropriate.

B. Social workers do not have this authority without a court order; therefore, in some cases it is necessary for the officer to take this action.

C. In any such circumstance, the officer thoroughly documents the facts and circumstances dictating such a decision in a written report. The child is turned over to BCDHHS immediately for placement. The officer makes him/herself available to testify at all temporary protective custody hearings.

Once a law enforcement officer has placed a protective hold on a child, Housing and Human Services will place the child in a licensed placement facility.

In the event that the law enforcement officer decides not to place a hold and the Housing and Human Services worker decides to request a court ordered hold which is granted, the law enforcement officer shall assist in enforcing the court order.

When the officer takes a child into protective custody, the social worker or officer shall serve the parent or guardian with a NOTICE OF RIGHTS AND REMEDIES FOR FAMILIES. **(See Appendix G)** The officer shall immediately forward a copy of the notice to Social Services.

Strong consideration should be given to placing a protective hold on other children in the environment in cases of child death, serious physical abuse/neglect, or sexual abuse. The law enforcement officer should discuss the necessity for a protective hold on other children with the Housing and Human Services worker.

When it appears reasonable and safe to do so, the officer may allow a child to go with a person designated by the parent in lieu of formal placement in protective custody.

Identify and Interview Potential Witnesses:

These should include where relevant:

The reporting party	Outcry witnesses
Parents	Guardians
Siblings	School Personnel
Counselors	Babysitters

Neighbors Other relatives

Any organization or group where the perpetrator may have contact with children

When interviewing these witnesses it is important to address behavioral indicators of abuse or neglect. The presence of certain behavioral indicators corroborates the child victim's account of abuse or neglect. During the interview of the child victim it is important to observe and document the child's demeanor as well as the content of his/her statements. Observe and record the behavior of the child victim and the suspect toward each other that occurs in your presence. When interviewing outcry witnesses question them about the behavior and demeanor of the child victim during the outcry. Interview witnesses who know the child victim, such as parents, friends, school personnel, etc., concerning any behavioral changes or unusual behavior exhibited by the child victim. Also ask these witnesses to describe the relationship and behavior they have observed between the child victim and the suspect.

All witnesses, including siblings, should be interviewed separately.

Determine the number and identity of other children in the home or the environment being investigated.

If other victims are identified, proceed with the investigation of another criminal episode.

Collecting and Gathering Evidence:

Collect evidence as would be done in any other criminal case. This includes an examination of the crime scene. All Fourth Amendment limitations on search and seizures apply.

Officers should record their observations accurately and in detail so that they will be able to testify effectively in subsequent criminal or civil proceedings. Note such things as:

(a) Physical condition of all children, including their general appearance and any observable injuries or conditions;

(b) Safety of surroundings (unprotected open windows, exposed wiring, vermin, human or animal waste, exposed weapons, caustic fluids or cleaners, drugs or drug paraphernalia, etc.);

(c) General condition of the home, including degree of cleanliness and adequacy of sleeping, eating, and washing facilities;

(d) Availability of food and water; and
(e) Adequacy of heat, light and space.

Observe and record the behavior of the parents and child(ren) toward each other in the officer’s presence.

Photographic and Video Evidence

- All photographic and/or video evidence should be gathered per departmental procedure, and should include photographs taken with and without a scale. If available, a color bar may also be useful.

- Photographs and/or videos of physical injuries should be taken as soon as possible and again when bruising is prominent.

  (a) Use extreme sensitivity when photographing or videotaping injuries on children to prevent alarming the child(ren) any further.

  (b) Take full body and close-up photos of injured area.

- Photograph and/or videotape areas in the environment where the injury occurred.

- Photograph and/or videotape the general conditions in a home where such things as soiled bedding, filth, exposed wiring, inadequate plumbing, etc., may exist.

- Properly mark and identify the photographs and or videos.

- Follow-up photos and/or videos (i.e. bite marks, bruises, scratches, etc.)

Interview Evidence

According to C.R.S. §19-3-308.5 of the Colorado Children's Code, an interview of a child may be audio taped or videotaped. Interviews regarding sexual abuse are strongly encouraged to be videotaped, with consideration given to the age of the child. This interview should be conducted by a trained interviewer *with consideration being given to staff availability and on the job training.*

Videotaping of sexual assault interviews should not be conducted when doing so is impractical under the circumstances, or will result in trauma to the child.

Whenever possible, interviews of victims of child abuse or neglect are done in coordination with the Department of Housing and Human Services. **See Interview Guidelines, Appendix A,** for further details.

Physical Evidence

- All physical evidence should be gathered per departmental procedure and documented as to the location of the evidence when recovered.

  Depending on the circumstances, physical evidence that may be gathered includes:

(a) The instrument that inflicted the injury;

(b) Pubic hair;

(c) Blood on clothing of the victim or suspect;

(d) Sexual aids, pornography, and/or photographs, videos;

(e) Semen on mouth, genitalia, clothing, or bedding of the victim; and

(f) DNA samples from suspects

- In the absence of exigent circumstances, when obtaining non-testimonial evidence from a suspect (i.e. blood, pubic hair, etc.), it is necessary to obtain a Rule 41.1 Court Order or consent from the suspect.

Medical documentation of child abuse/neglect:

- Copies of medical records can be released to the investigating officer, upon the officer signing the appropriate consent for release of medical records.

- Parental consent is not required for release of medical records regarding the allegation. C.R.S. §19-1-120; §19-3-311.

Other Investigative Techniques:

- There are other specialized investigative techniques that may be of value in certain cases. Supervisory review should identify such cases.

Interviews of Perpetrators:

It is generally accepted that initial perpetrator interviews will be conducted by the investigating detective in a one on one setting. However, it is suggested that the detective and social worker meet prior to the interview to exchange pertinent information.

It is strongly encouraged that cases that involve serious bodily injury or sexual abuse have interviews conducted by a detective or an appropriately experienced interviewer.

Consideration must be given to the integrity of the case in assessing the timing of the perpetrator interview; however, the overriding factor in determining timing rests in the ability of BCDHHS and law enforcement to assure that the safety of the children and other potential victims has been secured.

There is a statutory requirement that the perpetrator be advised of the allegation and be given a chance to respond. Timing of the notice should be coordinated between law enforcement and BCDHHS. Final determination of when and how to interview a perpetrator in a criminal investigation rests with law enforcement

Outside limitations such as homicide investigations, manpower limitations, etc., are recognized as legitimate interruptions to the investigation but must not diminish the importance and necessity for a prompt perpetrator interview.

Perpetrators or suspects shall not be brought to the child advocacy center.

Documentation of Investigation:

When investigating a reported child abuse/neglect case, the offense report shall be titled as a child abuse or child neglect case as appropriate. The report shall contain all pertinent facts of the investigation.

Documentation shall be completed whether the abuse/neglect is founded or unfounded and forwarded to the Department of Housing and Human Services.

Upon completion of the law enforcement investigation, the law enforcement agency shall forward a copy of the offense report to Housing and Human Services. Reports should be faxed to the dedicated e-fax numbers at BCDHHS contained in the References Table.

When child abuse/neglect is investigated during the course of an investigation of another criminal offense, the law enforcement agency shall contact the Department of Housing and Human Services.

In cases of third party abuse/neglect, a recommendation to Housing and Human Services concerning entry of a confirmed report of abuse or neglect in the Colorado Department of Human Services automated system may be made if there is probable cause. There must be probable cause to believe a child abuse offense occurred and a specific person committed the child abuse offense. A written report should be forwarded to Housing and Human Services for consideration for entry of a confirmed incident of abuse or neglect in the Colorado Department of Human Services automated system.

Charging Guidelines:

The decision to make an arrest or issue a summons in a child abuse case is sometimes perplexing to the officer. The following guidelines are derived from statutes and have been agreed upon by representatives from law enforcement, the District Attorney's Office, and BCDHHS. Child abuse, the criminal violation, is found in C.R.S §18-6-401. Additional statutory definitions may be referred to when making charging decisions and are found in C.R.S §19-1-103(1).

A. Abuse: an arrest is made or a summons issued when probable cause and one of the following conditions exist:
   1. Skin bruising,
   2. Bleeding,
   3. Burns,
   4. Fractures,
   5. Subdural hematoma,
   6. Soft tissue swelling, or
   7. Death.

B. Neglect: an arrest is made or a summons issued when there is probable cause to believe that a child was permitted to be unreasonably placed in a situation which posed a threat of injury to the child's life or health, or the responsible party engaged in a pattern of conduct which resulted in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries which ultimately resulted in death or serious bodily injury. Children under the age of 12 years are considered at greater risk than older children. These cases may include, but are not limited to:

1. Exposure to illegal drugs, alcohol abuse, or domestic violence;
2. Unreasonable exposure to the elements;
3. Abandonment;
4. Failure to supply adequate food, clothing or shelter; and
5. Placement in a dangerous environment.

209-9 Summons v. Arrest

The following guidelines are generally agreed upon to assist the officer with the decision to make a custodial arrest or issue a summons.

A. Arrest. A custodial arrest is made when:

1. After investigation, it is determined that the child is in continued danger of abuse once the officer

or social worker leaves;

2. A felony (serious bodily injury) has occurred; or

3. Sexual abuse has occurred.

B. S<u>ummons</u>. A summons is issued when:

1. A misdemeanor abuse or neglect has occurred, the parent or suspect is cooperative, and risk of further abuse is minimal; or

2. A third party abuse has occurred and the suspect poses no further threat to the victim, and there is no need for a "no contact" provision of bond.

Housing and Human Services Investigation Guidelines

Housing and Human Services shall notify law enforcement when they reasonably believe that an incident of child abuse or neglect has occurred. This notification will be made as soon as possible when there is an indication for a joint investigation. In cases in which there are immediate safety concerns, BCDHHS shall notify law enforcement immediately. Written or telephone notification shall occur in all other cases.

In all cases where a child has died and there is suspicion of child abuse and neglect, the Child Protection Intake Program Administrator at the Colorado State Department of Human Services will be notified within 24 hours (see References Table at the end of these Guidelines. The Boulder County Child Fatality Advisory Team will be convened by the Boulder County Coroner when the death of a child is imminent and/or within 24 hours following an autopsy. *(See the Boulder County Child Fatality Advisory Team guidelines on p. 23 of this document and the Roster for the Child Fatality Advisory Team in the References Table at the end of these Guidelines)*

The Department of Housing and Human Services will have an emergency social worker available on a 24-hour basis. The emergency social worker will be available to immediately respond to law enforcement requests for assistance. Notification does not necessarily require a physical response. The officer will initially consult by telephone with the housing and human services worker and determine if a physical response is necessary. Requests for emergency assistance are appropriate in the following situations:

- emergency placement when no suitable placement is available to law enforcement;

- serious cases of child abuse requiring immediate response;

- sexual abuse cases where the victim is at continued risk from the perpetrator;
- abandoned children or those at risk of serious neglect;

- situations where children are at immediate risk in the home and need to be removed for their protection (protective hold);

- suspicious child death cases; and

- situations where the child or family is likely to flee the jurisdiction.

Initial Screening

Housing and Human Services shall have staff continuously available 24 hours a day to respond to abuse and neglect reports. Continuously available means the assignment of a person to be near an operable telephone, a paging system, or to have such arrangements made through agreements with the local law enforcement agencies.

After initial screening referrals may be accepted for further assessment and or investigation. CHDS Staff Manual, Vol. 7, 7.202.4(F)

An assessment is made as to the level of risk to any child(ren) involved. Factors to be addressed and documented include: age/vulnerability of the alleged victim; the specified nature and severity of the alleged maltreatment; prior reports; and continuing access of the alleged perpetrator to the victim. A level of risk shall be assigned using the following definitions:

- **"Moderate to severe harm"** refers to the consequence of maltreatment at a level consistent with a medium, severe or fatal level of physical abuse, sexual abuse or neglect.
- **"Safe"** is a condition where there is no present or impending threat of moderate to severe harm to a vulnerable child from current known family conditions, or the protective capacities in the family are sufficient to control existing dangers or threats of danger and protect the vulnerable child.
- **"Threat of moderate to severe harm"** relates to conditions, behaviors or attitudes that could result in moderate to severe harm.
- "**Unsafe"** is a condition where there is a present or impending threat of moderate to severe harm to a vulnerable child from current known family conditions and protective capacities in the family are insufficient to control danger or threats of danger.

CDHS Staff Manual, Vol. 7, §7.202.3

Prioritization of Response

Housing and Human Services shall prioritize the investigation of referrals based upon an initial assessment of risk of further abuse and the current safety of the child. Housing and Human Services shall assign priority in response time using the following guidelines unless there are circumstances that require a different response. In that event, those circumstances shall be documented in the case file.

- **Immediate and/or same day response:** Required when the report indicates that:

a. Without immediate response, the **child is in danger of moderate to severe harm**, or
b. The **child's vulnerability or factors** such as drug and alcohol abuse, violence, isolation, or risk of flight from one county to another county or state, **increase the need for immediate response**.

If the report is received after regular business hours, response is within eight hours:

- **End of the third calendar day (72 hours) following receipt** of the report when the report indicates that:
  a. Without immediate response within three days, the **child is in danger of moderate to severe harm**, or
  b. Factors such as drug and alcohol abuse, violence, isolation, or risk of flight from one county to **another county or state, increase** the need for intervention in the near future;
  .
- **Within five (5) working days from the date the report is received** when the report indicates maltreatment or risk of maltreatment to a child and indicates an absence of safety concerns CDHS Staff Manual , Vol. 7; §7.202.4(J)

Institutional Abuse Allegations:
Children must be seen within 24 hours of receipt of the referral when without intervention there is a risk of moderate to serious harm or risk factors based on the child(ren)'s vulnerability increase the need for immediate intervention CDHS Staff Manual, Vol. 7 ,§7.202.55 (F)(1)

If children are not at imminent risk response should be according to the timetables for non-institutional abuse**.**

Exceptions to responding within the timeframes for institutional abuse may be made for the following reasons:

- Another caseworker, police officer or medical professional responded;
- The child or children are no longer in the facility;
- The alleged PRAN (Person Responsible for Abuse or Neglect) is no longer in the home/facility;
- The alleged incident was in a different home more than three months ago;
- After diligent attempts to locate them, the present location of the child(ren) is unknown; or
- Severe weather conditions prevent travel.

Any exception is documented in ACMS(Automated Case Management System) (Trails).
CDHS Staff Manual, Vol. 7 ,§7.202.55 (F)(3)

BCDHHS Assessment/Investigative Report:
The assessment/investigation shall determine the nature, extent and cause of the alleged abuse or neglect. The initial focus of the investigation/assessment is on whether or not the child is unsafe using the Safety Intervention Model. CDHS Staff Manual, Vol. 7, §7.202.531 .

At a minimum, assessment/investigation of reports shall include the following activities:

- A face-to-face interview with and/or observation of the child.(to be conducted out of the presence of the person alleged to be responsible for the abuse/neglect)

- An examination of the child to include an assessment of the child's overall current physical, mental or emotional condition.

- A listing of the names and conditions of other children living in the same place.

- An interview of the child's parents or other caretakers. siblings, guardians, or custodians, as appropriate.

- A consideration of ethnic, religious and cultural issues. However, such issues may not be accepted when in conflict with the definition of child abuse and neglect.

- In cases of individuals with special needs (i.e., hearing impaired, visually impaired, developmentally impaired, mentally impaired, non-English speaking), the caseworker should seek a legally appropriate person to assist in the interview.

  - An attempt to interview any person alleged at any time during the referral or investigation to be responsible for the abuse or neglect- advising them of the report and giving them an opportunity to respond.

- An assessment may include a visit to the child's place of residence or place of custody if:

  (a) home conditions are the subject of the referral

  OR

  (b) information indicates that assessment of the home environment or of other children in the home is necessary. If access to the home or child is denied, Housing and Human Services may seek a court order or assistance from law enforcement to obtain access.

Assessments/Investigations of reports shall include, in addition to those stated above, the following activities:

- Consideration of the possibility of other forms of abuse or neglect.

- If necessary, arrange a medical evaluation of the child by health professionals. See Criteria For Medical Examination, page 10.

- If necessary, arrange a crisis evaluation of the mental and/or emotional condition of the child by mental health professionals.

Law enforcement assistance and/or an appropriate court order may be sought when one or more of the following criteria exist(s):

- The need for a joint investigation.

- A Housing and Human Services worker is unable to properly investigate a report of suspected child abuse or neglect due to the family's unwillingness to cooperate, or if access to the child or to the home is denied, for purpose of evaluation of the referral.

- The Housing and Human Services investigation indicates the need for removal of the child from the home.

- The family is already under the jurisdiction of the court and a modification is necessary to ensure the child's continued safety.

- It is necessary to restrain an individual from having contact with the child or to exclude an individual from the family home to ensure that the child is protected from physical or emotional harm that would likely result from such contact.

Interviews of Child Victims :
See Appendix A, Guidelines For Interviewing a Child

Courtesy Interviews

When requested by an outside agency, due to the location of the child or perpetrator, Housing and Human Services will conduct and coordinate courtesy interviews. Housing and Human Services will request law enforcement assistance when appropriate.

Protective Custody

A child shall not be removed from the home without being taken into police protective custody, or without a court order, or a signed voluntary placement agreement. Refer to page 11, **Protective Custody,** for further information. When a child is taken into police protective custody, a NOTICE OF RIGHTS AND REMEDIES FOR FAMILIES (Appendix G) must be provided to the parent or guardian.

Third Party Abuse and Neglect

Law enforcement personnel shall assume the primary responsibility for the coordination and investigation of third party abuse and neglect by persons ten years or older.

If the law enforcement agency notifies Housing and Human Services that the protection and safety of a child is at risk, then BCDHHS may conduct an assessment of those protective issues.

If the law enforcement agency refers to Housing and Human Services a report of third party abuse or neglect in which the alleged perpetrator is age nine and under, the case will be referred to BCDHHS Intake for initial screening as described on page 18. Housing and Human Services shall then conduct an assessment to determine if the child is abused, neglected, or needs additional services.

Before an investigation is completed, if a law enforcement agency determines that the assistance of Housing and Human Services is required for the child or the child's family, then BCDHHS shall respond in a manner they deem appropriate.

Housing and Human Services shall review investigative reports of law enforcement regarding third party abuse or neglect, and shall determine whether the report is founded/confirmed and should be entered into the Colorado Department of Human Services automated system. Upon such determination, BCDHHS must enter the confirmation of the report in the CDHS automated system within sixty days of receipt.

Assessment of Institutional Abuse

Housing and Human Services shall coordinate the investigation of reports of institutional abuse. Local law enforcement agencies shall be notified by BCDHHS when the investigation warrants law enforcement involvement. Institutional abuse or neglect includes those reports that occur in any private or public facility that provides out-of-home child care including day care homes and centers and 24-hour child care facilities. School settings shall not be viewed as institutional abuse unless the school also provides after school care and the alleged incident occurred after regular school hours. The county Department of Human or Social Services in which the facility named in the report is located shall be responsible for the coordination of the investigation.

Housing and Human Services initial investigation shall assess the need for emergency intervention and evaluate the safety of the child or other children in the institution.

A report of a minor injury resulting from physical restraint shall not, by itself, require a full investigation unless there are surrounding circumstances that would indicate abusive or neglectful behavior by the care provider. Such circumstances include those reports in which someone is specifically alleging the behavior to be abusive or those reports in which there has been a pattern of frequent injuries by the same caretaker or of similar incidents in the same facility.

BCDHHS shall notify the licensing authority or certifying unit of the report within one working day of receipt of the referral. BCDHHS will also notify the CDHS Twenty-Four (24) Hour Monitoring Team. (See References Table for contact information)

District Attorney Procedures

Sexual Assault Review Team

The Sexual Assault Review Team is available to all law enforcement agencies and BCDHHS for consultation and advice regarding any sexual assault case. The Team reviews both juvenile and adult offender cases. The Team meets weekly in the DA's Office to review sexual assault cases prior to arrest and filing of charges. The team consists of sex crimes prosecutors, victim/witness staff, and the law enforcement officers and Housing and Human Services personnel who present cases. The review process involves evaluating the strength of cases and suggestions for additional investigation that may further strengthen the case. Law enforcement personnel are encouraged to bring cases to the team prior to an arrest, except in cases where child safety is a concern (e.g. when the child is in the same home as the perpetrator). The goal of the team is to make filing decisions as soon as practicable, usually within four to six weeks.

Prosecution

Child sexual abuse cases will be prosecuted by specialized deputies in the Sexual Assault/Domestic Violence Unit. Child physical abuse cases will be prosecuted by a deputy with specialized training in that area who is available to law enforcement and BCDHHS for advice and consultation.

Investigations Initiated by the District Attorney's Office

In the event that the District Attorney's Office initiates an investigation involving child abuse or neglect, it will notify Housing and Human Services and/or the appropriate law enforcement agency, and forward reports to the agencies. The DA Office investigators will adhere to law enforcement procedures when conducting such an investigation.

Child Fatality Advisory Team

The Boulder County Child Fatality Advisory Team exists to review the facts of a case, examine systemic problems, and make recommendations to improve the investigation of child fatality cases in Boulder County which result from abuse, neglect, or when circumstances are unclear and/or suspicious. The Team may also be used in situations involving an imminent child death which result from abuse, neglect, or when circumstances are unclear and/or suspicious.

The team consists of representatives from the following agencies:

- the District Attorney's Office,
- the Boulder County Coroner's Office,
- Law Enforcement,
- the Department of Housing and Human Services,
- a Physician experienced in identification of child abuse , and
- A representative from the County Attorney's Office when there are surviving children in the home.

The Coroner's Office is provided with and maintains a list of agency representatives who participate in the team. (See the **References Table** for roster of members)

The following is the protocol for calling a meeting :

- The Boulder County Coroner's Office is notified of child deaths within the county when a death occurs and in cases when a death is imminent.
- If Law Enforcement or any other team agency becomes aware of an imminent child death meeting the above criteria, she/he notifies the Coroner's Office.
- Meetings are called when the death of a child is imminent and/or within twenty-four hours following an autopsy.
- The Detective assigned to a case and the Coroner's investigator, after consultation with members of the team, set the time and place for a meeting..
- The on-call Coroner's investigator notifies all members of the time and place of the meeting. A "call tree" of names from each agency on the Advisory Team is maintained by the Coroner’s Office

Cases are presented as follows:

- The Coroner or the Coroner's Designee, the Investigator, the Detective and the assigned caseworker from BCDHHS present the preliminary information on the case to the Team.

- The case presentation includes but not be limited to the following:
  *case facts,
  * family background,
  * medical findings,
  * medical history,
  * child safety issues,
  * interviews conducted, and
  *alternative theories as to how the injuries occurred.

  - Agency representatives give input based on their investigation and experience.

Follow-up meetings of the team are held as dictated by the case investigation.

Appendix A

Guidelines For Interviewing a Child

1. In a joint investigation (primarily criminal), investigating officers and Housing and Human Services workers should meet prior to an interview to determine a plan of action: i.e., who should conduct the interview; who should take notes; whether a parent or other guardian's presence would be helpful or a deterrent; the environment in which the interview is conducted; and the time and location of the interview.

2. The person conducting the interview should be trained and experienced in the type of interview to be conducted. In the event there is disagreement as to who will conduct the interview, both Housing and Human Services and Law Enforcement may have an interviewer present to conduct a joint interview. However, it is expected that both Housing and Human Services and Law Enforcement will respect the considerations of each agency and work cooperatively in planning the interview.

3. Boulder County has a child advocacy center that is specifically designed for conducting interviews of abused and neglected children in a supportive, caring environment. When available, the child advocacy center is the preferred location for conducting victim interviews. However, it is always the investigator's discretion to decide where an interview will take place based on factors such as convenience, distance, scheduling, etc. (See the References Table for further information concerning the child advocacy center)

4. Interview the child separate from any potential witnesses and suspects.

5. Attempt to gain the child's confidence by creating a comfortable and non-threatening atmosphere and building rapport.

6. Do not take sides, or indicate horror, disgust, anger, approval or disapproval in response to the child's statements.

7. Conduct the interview in language that the child clearly understands. Particularly in cases of sexual abuse, the interviewer should accept and use whatever terms for genitals and sexual acts the child uses while also asking for clarification and eliciting specific information regarding what has occurred.

8. Permit the child to tell about the incident in his/her way. Remember, the child may have difficulty being specific about dates and locations of alleged offenses. Whenever the child has difficulty verbalizing details, visual aids should be considered and may be of use. The interviewer should limit questions to necessary information and should use open-ended questions whenever possible. Use caution not to lead or further traumatize the child while obtaining needed specific details for criminal prosecution.

9. Question the age and origin of every injury on all children.

10. To ensure that other victims are identified and that items of evidentiary value are seized, question the child about other victims, pornography, photographs, movies, sexual aids, alcohol, drugs, medications, birth control, or any other items used during the assault.

11. Close the interview in an appropriate manner such as by thanking the child, acknowledging the feelings or concerns the child has expressed, assuring the child that he/she is not to blame, answering the child's questions, and telling the child that the information he/she has shared is important. Consider having a Victim Advocate available at the completion of the interview to support the child.

Appendix B

Physical Abuse Indicators

Some indicators to look for when assessing abuse situations:

- Frequent injuries always explained as accidental.
- Multiple bruising in various stages of healing.
- Bruises in specific shapes such as slap marks, belt marks, hanger marks, etc.
- Frequent bruising on the neck, head and face.
- Unexplained, multiple or unusual burns.
- Unexplained fractures, especially to the skull, nose, or jaw.
- Swollen or tender limbs.
- Child complains of pain, soreness, or has awkward movements.
- Unexplained lacerations and abrasions.
- Unexplained abdominal injuries
- Human bite marks, especially when they appear adult sized.
- Child reports injury by parent or caretaker.
- Child is wary of physical contact with adults.
- Behavioral extremes, such as aggressiveness, withdrawal, over-compliance with adults.
- Frightened of parents.
- Afraid to go home.
- Child has made an outcry to another adult.
- May wear clothing to hide injuries.
- Frequent absences from school with flimsy excuse or unexplained.
- Poor peer relationships – few if any friends.
- Parent was abused as a child.
- Immature parent.
- Lack of parenting skills.
- Unrealistic expectations for the child.
- Drug and alcohol abuse
- Frequent crises.
- Parent delays in seeking medical care.
- Parent blames sibling.

Appendix C

Neglect Indicators

Some indicators to look for when assessing neglect situations:

Physical Indicators

- Chronic hunger, poor hygiene, inappropriate dress.
- Chronic lack of supervision, especially in dangerous activities or long periods.
- Unattended physical problems, medical or dental needs.
- Constant fatigue or listlessness.
- Frequent tardiness or absence from school.
- Child reports the need to care for younger siblings for extended periods of time.
- Home is so filthy and unkempt that the health of the child may be in jeopardy.
- May have a nuisance disease such as lice, scabies or impetigo.

Behavioral Indicators

- Begging, stealing for food.
- Extended stays at school (early arrival and late departure).
- Chronic fatigue, listlessness, or falling asleep in class.
- Alcohol or drug abuse.
- Delinquency.
- Child reports there is no caretaker.
- Chronic runaway.

Family Indicators

- Emotional and personality problems of the parent.
- Financial problems.
- Unemployment or underemployment.
- Lack of parenting skills and knowledge.
- Drug and alcohol abuse.
- Dirty, disordered household.
- Problems with neighbors, law enforcement, and others.
- Limited intellectual capacity.
- Social isolation and lack of positive social/family support.

Appendix D

Sexual Abuse Indicators

Some indicators to look for when assessing sexual abuse situations:

- Often, there are no visible indicators of sexual abuse.
- Difficulty in walking or sitting.
- Torn, stained, or bloody underclothing.
- Pain or itching in genital area, including during urination.
- Bruising or bleeding in external genitalia, vaginal, or anal areas.
- Venereal disease, especially in pre-teens.
- Development of frequent urinary problems, such as bladder infections.
- Pregnancy.
- Withdrawal, chronic depression.
- Excessive seductiveness.
- Role reversal, overly concerned for siblings.
- Poor self-esteem, self-devaluation, lack of confidence.
- Peer problems, lack of involvement.
- Massive weight change.
- Eating disorders.
- Suicide attempts.
- Hysteria, lack of emotional control.
- Sudden school difficulties.
- Chronically runs away.
- Inappropriate sex play or premature understanding of sex.
- Threatened by physical contact, closeness.
- Fantasizing or exaggerating.
- Hostile and aggressive actions.
- Unwilling to change for gym class or participate in P.E. classes.
- Sleep problems or disorders.
- Compulsive behaviors, such as taking an excessive number of baths.
- Fear of going home and/or refusal to go home.
- Regressive behavior, such as baby talk, bedwetting, or wetting pants.

Family Indicators

- Overly restricted social activities.
- Blurring of generational boundaries.
- Role reversal of mother and daughter.
- Father overly protective of daughter.
- Close physical contact between father and daughter while mother is completely left out. Father thinks of himself as boyfriend.
- Mother thinks of daughter as a rival.
- Isolation of families.

Appendix E

Emotional Abuse Indicators

Some indicators to look for when assessing emotional abuse situations:

Physical Indicators

- Speech disorders.
- Lags in physical development.
- Failure to thrive.

Behavioral Indicators

- Habit disorders such as sucking, biting, rocking, etc.
- Conduct disorders (anti-social, destructive, etc.)
- Neurotic traits (sleep disorders, eating disorders, inhibition of play, etc.)
- Psychoneurotic reactions (hysteria, obsession, compulsion, phobias, etc.)
- Behavior extremes – compliant, passive, aggressive, demanding, etc.
- Overly adaptive behavior.
- Developmental lags (emotional, mental).
- Attempted suicide.

Appendix F

Drug and/or Alcohol Abuse

A. Physical indicators to look for:

1. Positive toxicology screen.
2. High-pitched cry.
3. Sweating.
4. Small stature, reduced weight, or abnormal features of the face and head.
5. Birth defects.
6. Difficulty in breathing.
7. Reduced muscle tone/lack of muscle control or an increase in muscle stiffness and rigidity.
8. Lethargy/abnormal drowsiness.
9. Vomiting.
10. Diarrhea.
11. Skin abrasions on the knees, toes, elbows and nose (from excessive movement against bedclothes).
12. Skin discoloration.
13. Hepatitis.
14. Pneumonia in infants.
15. HIV positive.
16. Red and/or watery eyes.
17. Frequent yawning.
18. Brain damage (due to poor brain growth and strokes).
19. Cerebral Palsy.

B. Behavioral indicators to look for:

1. Hyperactivity.
2. Short attention span.
3. Abnormal speech.
4. Tremors/convulsions.
5. Restlessness.
6. Irritability.
7. Inconsolable crying/difficult to comfort or cuddle.
8. Abnormal reflexes i.e., marked startle response, poor sucking reflex or voracious sucking, difficulty swallowing, poor grasping ability.
9. Lack of self-control or uncoordinated movements.
10. Impaired learning capacity/learning disabilities.
11. Temper tantrums.
12. Visual problems/poor eye contact/jerky eye movements.
13. Sleeplessness.
14. Feeding/eating problems.
15. Developmental delays, lower IQ, hearing problems, etc.

Appendix G

NOTICE OF RIGHTS AND REMEDIES FOR FAMILIES

Your child(ren) has/have been, or are being removed from your home pursuant to Colorado Revised Statutes, Title 19, C.R.S., the Colorado Children's Code. This notice provides you with important information. **This is an important document, please read it carefully**. If English is not your primary language or you are hearing impaired, you may request an interpreter for all proceedings. If you know or have reason to know that your family is of American Indian heritage, the Indian Child Welfare Act, 25 United States Code, Sections 1901 to 1963, may apply.

The United States Constitution and State of Colorado Constitution guarantee your right to due process which includes a fair hearing.

PARENTAL RIGHTS

1. You have a right to receive this "Notice of Rights and Remedies".
2. You have a right to an attorney. You can hire your own attorney or ask the Court to appoint one. If the Court decides that you cannot afford to pay an attorney, one will be provided for you at no cost.
3. You have a right to participate with the Boulder County Department of Housing and Human Services (referred to hereinafter as BCDHHS) caseworker in developing a case plan. All parties will be requested to sign the case plan.
4. You have a right to a Temporary Custody Hearing within 48 to 72 hours to determine if your child(ren) should return home. This hearing must be held either within 48 or 72 hours, excluding Saturdays, Sundays and holidays. If the Court decides that your child(ren) should not return home, your child(ren) may be placed with their grandparents or other appropriate relatives, or remain in foster care with BCDHHS. You have the right to testify and present witnesses in the Court as to why the child(ren) should be allowed to return home, or whether they should be placed with their grandparents or other relatives. You have the right to compel witnesses by subpoena, to attend all Court proceedings, and ask questions of any witnesses. If the petition is granted, the child(ren) are adjudicated dependent and neglected; legal custody of your child(ren) may be given to BCDHHS. Families may make formal requests, at anytime, for a hearing to regain legal custody of their child(ren).
5. You have the right to request that a District Court Judge instead of a magistrate preside at all proceedings of the Court except the initial Temporary Custody Hearing or an advisement hearing.
6. You have a right to have the Dependency and Neglect Petition filed with the court no later than ten (10) working days after the child(ren) are removed, Rules of Juvenile Procedure, Rule 4(a), unless otherwise directed by the Court.
7. You have a right to a jury trial for the adjudicatory hearing.
8. You have a right to have the People prove that the allegations of the Petition are true by a preponderance of the evidence. In the case of an Indian child, no foster care placement may be ordered in such proceeding in the absence of a determination, supported by clear and convincing evidence, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child. If the Petition is not granted, the Court can order the state to pay all your costs.
9. You have a right to appeal any final decision of the Court.

EMERGENCY REMOVAL

Taking children into custody:

(1) A child may be taken into temporary custody by a law enforcement officer without order of the Court:

___(a) When the child(ren) is/are abandoned, lost, or seriously endangered in such child(ren)'s surroundings or seriously endangers others and immediate removal appears to be necessary for such child(ren)'s protection or the protection of others:

___(b) When there are reasonable grounds to believe that such child(ren) has/have run away or escaped from such child(ren)'s parents, guardian or legal custodian; or

___(c) When an arrest warrant has been issued for such child(ren)'s parent or guardian on the basis of an alleged violation of Section 18-3-304, C.R.S. No child taken into temporary custody pursuant to this paragraph (c) shall be placed in detention or jail.

(1.5) An emergency exists and a child is seriously endangered as described in paragraph (a) subsection (1) of this section whenever the safety or well-being of a child is immediately at issue and there is no other reasonable way to protect the child without removing the child from the child's home regardless of whether reasonable efforts to preserve the family have been made.

(2) The taking of a child into temporary custody under this section shall not be deemed an arrest, nor shall it constitute a police record.

Specify reasons for removal

_____

TERMINATION OF PARENT-CHILD LEGAL RELATIONSHIP

If your child(ren) is/are adjudicated as a dependant and neglected child(ren), the Court must adopt a treatment plan unless no treatment plan can be devised. You have the right to participate in the development of a treatment plan. If you do not comply with the treatment plan ordered by the Court, your parental rights may be terminated at a separate hearing. The burden of proof for termination of the parent-child legal relationship is clear and convincing evidence in all cases, except in cases of Indian child(ren) where the burden of proof is evidence beyond a reasonable doubt. While your child(ren) is/are placed out of the home you have the right to visit your child(ren), as permitted by the Court, and be advised of their well being. There will be regular Court reviews. Periodic reviews take place at the BCDHHS. Reviews in Court can be requested by you or required by the Court.

GRIEVANCE PROCEDURES

If you feel you have been or are being treated unfairly by BCDHHS, call your BCDHHS director or grievance coordinator. Pursuant to Section 19-3-211, C.R.S., the county governing body is required to establish a Citizen Review Panel process to address your grievance.

COUNTY SPECIFIC AND IMPORTANT TELEPHONE NUMBERS:

Caseworker (name and number):_____

Law Enforcement Officer (name and number):_____

County Department of Housing and Human Services Director Frank L. Alexander, phone number: 303-441-1002
County Grievance Coordinator: Jackie Antoine, phone number: 303-441-4964
Other Local Resources: _____

Spanish

AVISO DE DERECHOS Y REMEDIOS PARA FAMILIAS

Su niño ha sido removido de su hogar de acuerdo con las leyes de Colorado (*Colorado Revised Statues, Title 19, C.R.S., the Colorado Children's Code.*)Este aviso le proporciona información importante**. Este es un documento importante, por favor léalo cuidadosamente.** Si el Inglés no es su idioma principal o si Ud. tiene problemas de sordera, Ud. puede pedir un interprete para todos los procedimientos. Si Ud. sabe o cree que su familia es de procedencia amerindia, algunas leyes podrían aplicar. (*Indian Child Welfare Act, 25, United States Code,* Secciones 1901 a 1963.)

La Constitución de los Estados Unidos y la Constitución del estado de Colorado le garantizan su derecho a un proceso imparcial y respetuoso de sus derechos.

DERECHOS PATERNOS

1. Ud. tiene el derecho a recibir este "Aviso de Derechos y Remedios."
2. Ud. tiene el derecho de tener un abogado. Ud. puede contratar su propio abogado o le puede pedir a la Corte que le asigne uno. Si la Corte decide que Ud. no tiene recursos para contratar su propio abogado, se le asignará uno sin costo para Ud.
3. Ud. tiene el derecho a participar con el trabajador del Departamento de la Vivienda y Servicios Humanos (BCDHHS, por sus siglas en inglés) en el desarrollo de un plan para el caso. A todos los participantes se les pedirá que firmen el plan para el caso.
4. Ud. tiene derecho a una audiencia (*Temporary Custody Hearing*) para establecer la custodia temporal dentro de 48 a 72 horas para determinar si su niño deba regresar a su hogar. Esta audiencia tiene que llevarse a cabo dentro de 48 ó 72 horas, excluyendo sábados, domingos y días festivos. Si la Corte decide que su niño no debe regresar al hogar, su hijo puede ser colocado con abuelos o con otros parientes apropiados, o permanecer en una casa hogar del BCDHHS. Ud. tiene el derecho a testificar y a presentar testigos en la Corte atestiguando acerca del por qué el niño debe regresar a su hogar o ser colocado con abuelos u otros parientes. Ud. tiene el derecho a obligar la comparecencia de testigos, a estar presente en todos los procedimientos de la Corte, y hacerle preguntas a cualquier testigo. Si la petición es aceptada, el niño será considerado dependiente y víctima de negligencia (*dependent and neglected*); la custodia legal de su hijo podría pasar al BCDHHS. Familias pueden hacer peticiones formales, en cualquier momento, para una audiencia para recobrar la custodia legal de su hijo.
5. Ud. tiene el derecho a pedirle al Juez de la Corte del Distrito, en lugar del magistrado, a que él presida en la Corte, excepto en la audiencia para establecer la custodia temporal (*Temporary Custody Hearing*) o en la audiencia para escuchar sus derechos (*Advisement Hearing.*)
6. Ud. tiene el derecho a asentar la petición para niños dependientes y víctimas de negligencia (*Dependency and Neglect Petition*) con la corte a más tardar diez (10) días laborables después de que el niño haya sido removido, Reglas de Procedimientos Juveniles, Reglamento 4(a), (*Rules of Juvenile Procedure, Rule 4(a))*, a menos que la Corte decida de otra manera.
7. Ud. tiene derecho a un juicio con jurado en la audiencia para establecer culpabilidad (*adjudicatory hearing.*)
8. Ud. tiene el derecho a que el Estado pruebe que lo expuesto en la Petición es verdadero por la preponderancia de la evidencia. En el caso de un niño amerindio, no se podrá ordenar la colocación del niño en casa hogar si no se ha hecho una determinación clara y convincente, incluyendo el testimonio de testigos expertos calificados, diciendo que si el niño permaneciera con el padre o custodio amerindio el resultado probable sería serio daño emocional o físico al niño. Si la Petición no es aceptada, la Corte puede ordenarle al estado a pagarle todos sus costos.
9. Ud. tiene el derecho a apelar cualquier decisión o fallo final de la Corte.

REMOCIÓN DE EMERGENCIA

Tomando la custodia de niños:

(1) Un niño puede ser removido de la custodia de sus padres por la policía sin una orden de la Corte:
   - (a) Cuando un niño ha sido abandonado, está perdido, o puesto seriamente en peligro por su entorno, o el niño pone a otros en serio peligro y su remoción parece ser necesaria para dicho niño para su propia protección o para la protección de otros;
   - (b) Cuando hay razón para creer que un niño haya huido o haya escapado de sus padres, guardián o custodio legal; o
   - (c) Cuando una orden de aprehensión ha sido girada para dicho niño, padre o guardián por una presunta violación de la Sección 18-3-304, C.R.S. Ningún niño removido en base a este párrafo (c) será encarcelado o puesto en detención.

(1.5) Existe una emergencia y un niño se encuentra en serio peligro como descrito en el párrafo (a) subsección (1) de esta sección cada vez que la seguridad o bienestar de un niño se encuentra comprometida y no hay otra manera razonable de protegerlo sin su remoción del hogar no importando que no se hayan hechos esfuerzos razonables para la preservación de la familia.

(2) El colocar un niño en custodia temporal bajo esta sección no se considerará un arresto, ni constituirá un antecedente de policía.

Especifique las razones para la remoción _____

TERMINACIÓN DE LA RELACIÓN LEGAL PADRE-HIJO

Si se ha determinado que su hijo es dependiente y víctima de negligencia (*dependant and neglected*), la Corte tiene que adoptar un plan de tratamiento a menos que un plan de tratamiento no pueda ser elaborado. Ud. tiene el derecho de participar en el desarrollo del plan de tratamiento. Si Ud. no cumple con el plan de tratamiento ordenado por la Corte, Ud. puede perder sus derechos como padre en una audiencia por separado. En los casos para la terminación de la relación legal padre-hijo, las pruebas tienen que ser claras y convincentes en todos los casos, excepto en casos con niños amerindios donde las pruebas tienen que ser más allá de cualquier duda razonable. Mientras su hijo esté colocado fuera del hogar Ud. tiene el derecho de visitarlo, con la frecuencia permitida por la Corte, y de estar informado de su bienestar. Habrá revisiones regulares del caso jurídico por parte de la Corte. Las revisiones periódicas se llevarán a cabo en el BCDHHS. Revisiones en Corte pueden ser solicitadas por Ud. o requeridas por la Corte.

PROCEDIMIENTOS PARA HACER QUEJAS

Si Ud. siente que se le está o se le ha tratado injustamente por parte de BCDHHS, llame al director de BCDHHS o al coordinador de quejas. De acuerdo con la Sección 19-3-211, C.R.S., el gobierno del condado tiene que establecer un Consejo Ciudadano Revisor y un proceso para recibir su queja.

NÚMEROS TELEFÓNICOS IMPORTANTES EN SU CONDADO:

Trabajador social (nombre y teléfono): _____

Agente de la Policía (nombre y teléfono):_____
Departamento de la Vivienda y Servicios Humanos Director: Frank L. Alexander, teléfono: 303 441 1002.
Coordinador del Consejo Ciudadano Revisor: Jackie Antoine, teléfono 303 441 4964
Otros recursos locales: _____

References Table: Information in this table may be updated periodically as appropriate.

Boulder County Child Advocacy Center	Blue Sky Bridge 303-444-1388 http://www.blueskybridge.org/
Boulder County Child Fatality Advisory Team Members	Coroner's Office Coroner: Tom Faure 441-3535 (H)-499-7068 John E. Meyer, MD 441-3535 (H)-442-5267 Office of the Boulder County Coroner 1777 6th Street Boulder, Colorado 80302 (303) 441-3535 Coroner: Tom Faure **Boulder County Department of Social Services** Division Manager: Terrie Ryan-Thomas 303-441-7023 (C) 720-641-7275 Unit Manager overseeing the case being reviewed. Investigating Caseworker assigned to the case being reviewed. **Law Enforcement** Detective Jessica Steele, Boulder County Sheriff's Office 303-441-3650 Detective Carolyn Roberts, Boulder County Sheriff's Office 303-441-3641 Law enforcement officers assigned to the case being reviewed **District Attorney** Stanley Garnett 303-441-3798 Amy Okubo 303-441-3838 Ken Kupfner 303-441-3708 Other district attorneys involved in the case being reviewed **Physician** The Children's Hospital Kempe Child Protection Team Andrew Sirotnak, M.D. 720-777-6919 Other medical personnel involved in the case being reviewed **County Attorney's Office**: A representative from the County Attorney's Office when there are surviving children in the home

Boulder County Criminal Justice Executives	Chief Mark Beckner x-4370 Boulder Police Department 1805 33rd Street Boulder, CO 80301 (303) 441-3310 (303) 441-1802 - Fax becknerm@bouldercolorado.gov Sec. Laurie Ogden Chief Paul Schultz Lafayette Police Department 1290 South Public Road Lafayette, CO 80026 (303) 665-5571 (303) 664-1873 - Fax pauls@cityoflafayette.com Sec. Carol Wurtz Chief Bruce Goodman Louisville Police Department 992 Via Appia Louisville, CO 80027 (303) 666-8633 x-4633 (303) 335-4683 - Fax goodmab@ci.louisville.co.us Chief Joe Roy Deputy Chief Kevin Thelen University of Colorado PD Campus Box 502 Boulder, CO 80309 (303) 492-2307 (303) 492-4427 - Fax joe.roy@colorado.edu Sec. Molly :303-492-5880 District Attorney Stan Garnett First Assistant DA Ryan Brackley Boulder County District Attorney's 1777 6th Street Boulder, CO 80302 (303) 441-3798 (303) 441-4703 - Fax sgarnett@bouldercounty.org Administrative Deputy Catherine Olguin (303) 441-3774;colguin@bouldercounty.org

	Captain Stephen Bellinger Colorado State Patrol, Troop 6C 7701 West 120th Avenue Broomfield, CO 80020 (303) 469-1966 – Office; (303) 883-0420 – Cell (303) 469-3585 – Fax Stephen.bellinger@cdps.state.co.us Chief Mike Butler Safety and Justice Center Longmont Police Department 225 Kimbark Street Longmont, CO 80501 (303) 651-8533 (303) 651-8651 - Fax Mike.butler@ci.longmont.co.us Asst. to Chief Robin Ericson Robin.ericson@ci.longmont.co.us Chief Ken Robinson Nederland Police Department P.O. Box 396 Nederland, CO 80466 (303) 258-3250 (303) 444-0393 - Fax kenr@town.nederland.co.us Chief John Hall Erie Police Department POB 510 Erie, CO 80516 (303) 926-2800 (303) 926-2805 - Fax jhall@erieco.gov FBI Supervisory Special Agent Todd Pooler U.S. Department of Justice Federal Bureau of Investigation 301 S. Howes Street, Suite 321 Ft. Collins, CO 80521 (970) 482-3422;(970) 692-4168 – Cell Todd.pooler@ic.fbi.gov Sheriff Joe Pelle Boulder County Sheriff's Office 1777 6th Street

	Boulder, CO 80302 (303) 441-4605 (303) 441-4739 - Fax jpelle@bouldercounty.org Admin. Asst. Yo Hendry (303) 441-4605 yhendry@bouldercounty.org
Boulder County Department of Housing and Human Services Family and Children Services Administrators	Director, BCDHHS Frank Alexander P.O. Box 471, Boulder, CO 80306 (303) 441-1002 (Ph) / (720) 564-2283 (Fx) falexander@bouldercounty.org http://www.bouldercountyhhs.org/ Protection, Permanency, and Treatment Team (PPTT) Longmont Services Division– Division Manager Melisa Maling, Longmont 303-678-6058 mmaling@bouldercounty.org Boulder / CORE Services Division-Division Manager Wendy Ingham, Boulder 303-441-1080 0158 wingham@bouldercounty.org Louisville Services Division-Division Manager Terrie Ryan-Thomas, Louisville 303-413-7023 tryan-thomas@bouldercounty.org IMPACT-Division Manager Kit Thompson, Boulder 303-441-1509 kthompson@bouldercounty.org
Boulder County Department of Housing and Human Services E-Fax numbers	Longmont Intake: 866-552-2955 Boulder/Louisville Intake: 866-786-4795 Adolescent Intake: 866-823-9452 (for reports involving children 12 and over)

Colorado Department of Human Services **Child Protection Intake Program Administrator**	CDHS Child Protection Intake Program Manager : Position vacant: Colorado Department of Human Services Family and Children Services 1575 Sherman Street, 2nd floor Denver, CO 80203-1714 Ph: 303.866.5956 Fax: 303.866.4629 Internet e-mail: In the Interim contact: Child Protection Intake Assistance : Carol Wahlgren- carol.walgren@state.co.us Tel. 303-866-3278 Child Fatalities: Carol Wahlgren- carol.walgren@state.co.us
Colorado Department of Human Services **Twenty-Four (24) Hour Monitoring Team**	303-866-4528 , the State Department of Human Services 24 Hour Monitoring Line

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Elder, At-Risk Adult & Intellectual and Developmental Disability (IDD) Investigations **NUMBER:** OP705

EFFECTIVE DATE: September 8, 2016 **SUPERCEDES:** November 1, 2011

POLICY: The sheriff's office recognizes the potential for the elderly, at-risk adults, and those with intellectual and developmental disabilities to be abused and neglected and the barriers to reporting those crimes. We work proactively in concert with other law enforcement and human service agencies to investigate and address any suspected instance of abuse or neglect.

RELATED PROCEDURES:
Boulder County Elder and At-Risk Adult Abuse & Neglect Joint Investigative Guidelines

DEFINITIONS:

At-Risk Adult: Any person who is seventy years of age or older or any person who is eighteen years of age or older and is a person with a disability as defined by C.R.S. 18-6.5-102(11).

At-Risk Elder: Any person who is seventy years of age or older (C.R.S. § 18-6.5-102(3).

Intellectual and Developmental Disability (IDD): A disability that manifests before the person reaches twenty-two years of age, that constitutes a substantial disability to the affected person, and that is attributable to mental retardation or related conditions, which include cerebral palsy, epilepsy, autism, or other neurological conditions when those conditions result in impairment of general intellectual functioning or adaptive behavior similar to that of a person with mental retardation.

PROCEDURE:

I. Referrals from Housing and Human Services (HHS)

A. HHS responsibilities

1. When HHS receives a call from a citizen or required reporter providing them with information regarding the abuse and/or neglect of an at-risk person they complete an Adult Protective Services (APS) Intake Referral Form.

2. The form is emailed to the Operations Division designee, who is assigned by the Detective Section commander, by HHS.

B. Upon receipt of the referral form the designee is responsible for the

following:

1. Review the HHS referral form with attention to the following:

    a. Ensures the location of occurrence is within the sheriff's office's primary jurisdiction. If not, "Reply All" to the emailed referral indicating to which agency the referral should be forwarded.

    b. Determine if the referral needs to be assigned for investigation and what investigation response is necessary:

        i. Need for immediate response.
        ii. Contact with HHS prior to responding.

2. Forward the form to the appropriate sergeant and request it be assigned to a deputy to initiate an investigation. It is preferred that the assignment be given to a deputy who is trained in elder and at-risk adult investigations.

    a. When assigned to a deputy, "Reply All" to the emailed referral – including the deputy assigned to conduct the follow-up investigation – indicating the referral has been assigned for further investigation and/or documentation

    b. If the follow-up required isn't expressly apparent, discuss with the deputy assigned what follow up is needed.

C. Deputy/detective responsibility:

1. All referrals assigned for investigation are documented in a case report. The title of that report is dependent on the circumstances of the referral and follow-up investigation.

    a. In the synopsis of a report involving abuse, neglect, or financial exploitation the deputy should state "this is the report of a crime against an at-risk person (or something similar).

    b. In reports that are taken simply to document the referral because no crime is alleged, the deputy documents in an officer information report or agency assist report and states in the synopsis "this officer information report is to document a Housing and Human Services referral" or something similar.

2. Complete a Tiburon history on all people named in the HHS referral and document pertinent information in the report.

3. Review the referral with a supervisor and determine if there is a need for an immediate response.

    a. If the deputy and sergeant determine an immediate response is needed, contact HHS and speak with the assigned case worker.

    b. Notify the worker that you will be going to the residence and proceed with the appropriate response. Confer with the caseworker their availability to accompany the deputy on the response.

        i. If the HHS caseworker is not available to respond to the residence or victim location, call the case worker and let them know the outcome of your contact and discuss any additional follow-up that will be done.

4. If the information documented in the referral does not indicate an immediate response is required, contact HHS and determine if a case worker will be assigned to the intake.

    a. If a worker is/will be assigned, contact that worker and determine how to proceed with a joint investigation.

    b. If a case worker isn't (or won't be) assigned, discuss with the assigning sergeant, or the detective assigned, the appropriate course of action given the information documented.

5. Document the original intake information and all follow up in a case report.

6. Upon completion of the investigation, a final copy of the investigative report must be provided to the assigned HHS case worker and the district attorney's office. This request can be made electronically via e-mail to #SheriffRecordsTechnicians, but must specify who the report is to be directed to the attention of.

II. Investigations initiated outside of HHS referrals.

A. HHS and the district attorney's office must be notified within 24 hours of the receipt of a report pursuant to C.R.S. § 18-6.5-108(2)(b).

1. For instances that do not require an immediate response notification can be done by completing the “At Risk Elder Abuse Report” form and distributing it by email as prescribed on the form.

2. When an immediate response is required, Adult Protection Services (APS) can be contacted at 303-441-1309. The “At Risk Elder Abuse Report” form should still be completed and sent to the email addresses printed on the form.

B. All investigations involving an at-risk person are documented in a case report.

1. The initial base case report is marked “ASAP” for immediate transcription and entry into the Tiburon report management system.

   a. Once the report is completed the responsible deputy must request a copy of the report be sent to HHS by sending an email request to #SheriffRecordsTechnicians.

2. Deputies who received a report of abuse or exploitation of an at-risk elder or an at-risk adult with and intellectual and developmental disability, shall acquire, to the extent possible, the following information from the complainant, in accordance with C.R.S. § 18-6.5-108(2)(a):

   a. The name, age, address, and contact information of the at-risk elder or at-risk adult with the IDD;

   b. The name, age, address, and contact information of the complainant;

   c. The name, age, address, and contact information of the caretaker;

   d. The name of the alleged perpetrator;

   e. The nature and extent of any injury, whether physical or financial, to the at-risk elder or at-risk adult with an IDD; and

   f. The nature and extent of the condition(s) that required the report to be made.

C. The *County-Wide Elder and At-Risk Adult Abuse and Neglect Joint Investigative Guidelines* should be consulted for additional information useful in related investigations.

D. Follow up

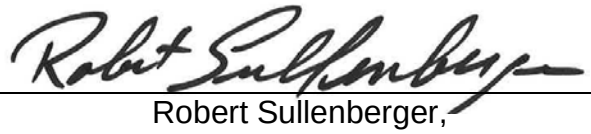
1. Deputies assigned to investigate at-risk persons cases complete a thorough and complete investigation utilizing all of the resources necessary and those discussed in the *County-Wide Elder and At-Risk Adult Abuse and Neglect Joint Investigative Guidelines*.

2. Upon completion of the investigation, a final copy of the investigative report must be provided to the assigned HHS case worker and the District Attorney's Office. This request can be made electronically via e-mail to #SheriffRecordsTechnicians, but must specify who the report is to be directed to the attention of.

III. Training

A. Deputies will receive training in the investigation of crimes against at-risk elders and at-risk adults with an IDD, and their obligations established by HB16-1394 (C.R.S. § 18-6.5-108).

By Order of the Division Chief,



Robert Sullenberger,
Division Chief

9/8/2016
Date

ATTACHMENTS OR ADDENDUMS:
OP705-A [Boulder] County-Wide Elder and At-Risk Adult Abuse and Neglect Joint Investigative Guidelines

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

PAGE INTENTIONALLY

LEFT BLANK

Boulder County

Elder and At-Risk Adult Abuse and Neglect Joint Investigative Guidelines

Effective March 7, 2012

Table of Contents

Official Endorsements: .....**Error! Bookmark not defined.**
Preface..... 6
Definitions..... 6
At-risk adult (criminal definition)..... 6
At-risk- adult (civil definition)..... 6
A person with a disability 7
Elder..... 7
Intimate Relationship 7
APS 7
Cognitive Disability 7
Communication Disability 7
Mistreatment 7
Self-neglect 7
Reporting Requirements for Adults at Risk of Mistreatment or Self-neglect 7
Responsibility for Investigations 10
General Procedures for Joint Investigations 10
Law Enforcement Investigation Guidelines..... 11
Cross Jurisdiction Cooperation within Boulder County 11
Initial Response..... 11
Observation of and Treatment of Injuries 11
Criteria for Medical Examination 12
Medical Documentation of Abuse/neglect..... 13
Identifying and Interviewing Potential Witnesses 13
Interviewing the Victim 13
Photographic and Video Evidence..... 14
Physical Evidence 14
Other Investigative Techniques 15
Interviews of Perpetrators 15
Documentation of Investigations 15
Charging Guidelines 16
Summons vs. Arrest 17
Summons: A summons is issued when:..... 17
Arrest: A custodial arrest is usually made when:..... 17

Protection Orders 17
Domestic Violence 19
Criteria for Notifying Coroner 19
Unattended Death 19
Hospice/Physician Attended/Nursing Home Death Investigation 19
Serious Injury or Illness When Death Occurs 19
Serious Injury or Illness When Death is a Likely Outcome 19
Investigations 19
Coroner's Duty to Notify Law Enforcement 20
District Attorney's Office Guidelines 20
Prosecution 20
The Sexual Assault Review Team (SART) 21
Adult Protective Services Guidelines 21
Adult Protection Review Team (APRT) 22
Referral Process 23
Referral Process to Adult Protective Services 23
Eligibility: In order to be eligible for Adult Protective Services an adult must: 23
Referral Process to Community Resources 24
Help for Residents in Skilled Nursing and Assisted Living Facilities: 24
Domestic Violence: 24
Rape and Sexual Assault: 25
Information and Assistance For Older Adults: 26
Community Resource Specialists 26
Legal: 27
Alcohol and Drug Abuse Services: 27
Counseling and/or Mental Health Services: 27
Services for Persons with Disabilities: 28
Transportation: 28
Food Assistance: 28
In-home Support Services: 28
Housing: 28
Appendix A 29
Guidelines for Interviewing 29
Elders and at Risk Adults 29

Beginning an interview with an older adult 29
General questions 30
Closing the Interview 30
Cognitive/Intellectual Disability: 32
Appendix B 33
Physical Abuse Indicators 33
Appendix C 35
Neglect Indicators 35
Behavioral Indicators: 35
Environmental Indicators: 36
Appendix D 37
Sexual Abuse 37
Appendix E 38
Emotional Abuse Indicators 38
Appendix F 39
Specialist Elder and At-Risk Adult Abuse Deputy District Attorneys 39
Appendix G 40
Financial Crimes Indicators 40
Appendix H 42
Power of Attorney 42
Appendix I 44
Suspects Indicators 44
Appendix J 45
Evidence Collection 45

Official Endorsements:

These guidelines are endorsed by the following agencies:

Joe Pelle — Date 03/07/12
Sheriff, Boulder County

Mark Beckner — Date 5/2/12
Chief, Boulder Police Department

Rick Bashor — Date 3/7/2012
Chief, Lafayette Police Department

Bruce Goodman — Date 3/7/2012
Chief, Louisville Police Department

John Hall — Date 3/7/12
Chief, Erie Police Department

Mike Butler — Date
Chief, Longmont Police Department

Jake Adler — Date 3/7/12
Chief, Nederland Police Department
Department

Joe Roy — Date 3/7/12
Chief, University of Colorado Police

Stan Garnett — Date 3/7/12
District Attorney, Boulder County

Emma Hall — Date 3/9/2012
Coroner, Boulder County

Frank L. Alexander — Date 03/07/2012
Director, Boulder County Department of Housing and Human Services

Preface

It is the goal of each agency involved in the creation of these guidelines to hold as our first priority the safety of elders and at-risk adults in Boulder County. This goal is best accomplished by a coordinated, countywide effort to serve elders and at-risk adults and their caregivers. These guidelines also help provide consistency in how investigations into elder and at-risk adult abuse and neglect cases are handled, providing for more efficient and effective investigations and prosecutions.

The goal of these guidelines is to clarify the coordinated duties and responsibilities of agencies involved in reporting, responding to and investigating reports regarding the mistreatment, exploitation and self-neglect of elders and at-risk adults.

These guidelines will be reviewed and renewed on or before five years from the date of the official signatures.

These guidelines are written and agreed on to encourage a coordinated response during all hours, provide for special requests for assistance from one agency to another, and arrange for joint investigations when needed to maximize the effectiveness of the civil and criminal investigative processes. These guidelines are general in nature, providing a framework to assist investigators in these type cases. It is recognized and accepted that each case is different, and may require some variation in how an investigation proceeds. Furthermore, the intent of these guidelines is to support and encourage coordination, cooperation, and understanding and to establish areas of responsibility for each agency normally involved in the reporting, investigation and treatment of elder and at-risk adult abuse and neglect cases.

It is understood that joint investigations may be used as a means to coordinate the efforts of the involved agencies, and that each individual agency remains accountable to its own rules, policies, and statutes.

It is understood that all agencies shall accept reports of known or suspected abuse or neglect of elders and at-risk adults.

Definitions:

At-risk adult (criminal definition) – (18-6.5-102) means any person who is sixty years of age or older, or any person who is eighteen years of age or older with a disability.

At-risk- adult (civil definition) - (26-3.1-101) means an individual eighteen years of age or older who is susceptible to mistreatment or self-neglect because the individual is unable to perform or obtain services necessary for the individual's health, safety, or welfare or lacks sufficient understanding or capacity to make or communicate responsible decisions concerning the individual's person or affairs.

A person with a disability – (18-6.5-102) a person who is impaired because of the loss of or permanent loss of use of a hand or foot or because of blindness or the permanent impairment of vision of both eyes to such a degree as to constitute virtual blindness; or is unable to walk, see, hear, or speak, or is unable to breathe without mechanical assistance, or is developmentally disabled as defined in section 27-10.5-102 or has a mental illness as defined in section 27-65-102; or is mentally impaired as defined in section 24-34-301.

Elder - any person who is sixty years of age or older.

Intimate Relationship - A relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

APS- Boulder County Department of Housing and Human Services, Adult Protective Services.

Cognitive Disability – an impairment of the mental process of knowing, including all aspects of awareness, perception, reasoning, judgment, and learning whose ability to function is limited.

Communication Disability – an impairment of physical involvement that impairs one's ability to convey information and ideas.

Mistreatment – (26-3.1-101) means an act or omission which threatens the health, safety, or welfare of an at-risk adult or which exposes the adult to a situation or condition that poses an imminent risk of death, serious bodily injury, or bodily injury to the adult. Mistreatment includes, but is not limited to, abuse, caretaker neglect and exploitation.

Self-neglect – (26-3.1-101) means an act or failure to act whereby an at-risk adult substantially endangers the adult's health, safety, welfare, or life by not seeking or obtaining services necessary to meet the adult's essential human needs. Choice of lifestyle or living arrangements shall not, by itself, be evidence of self-neglect.

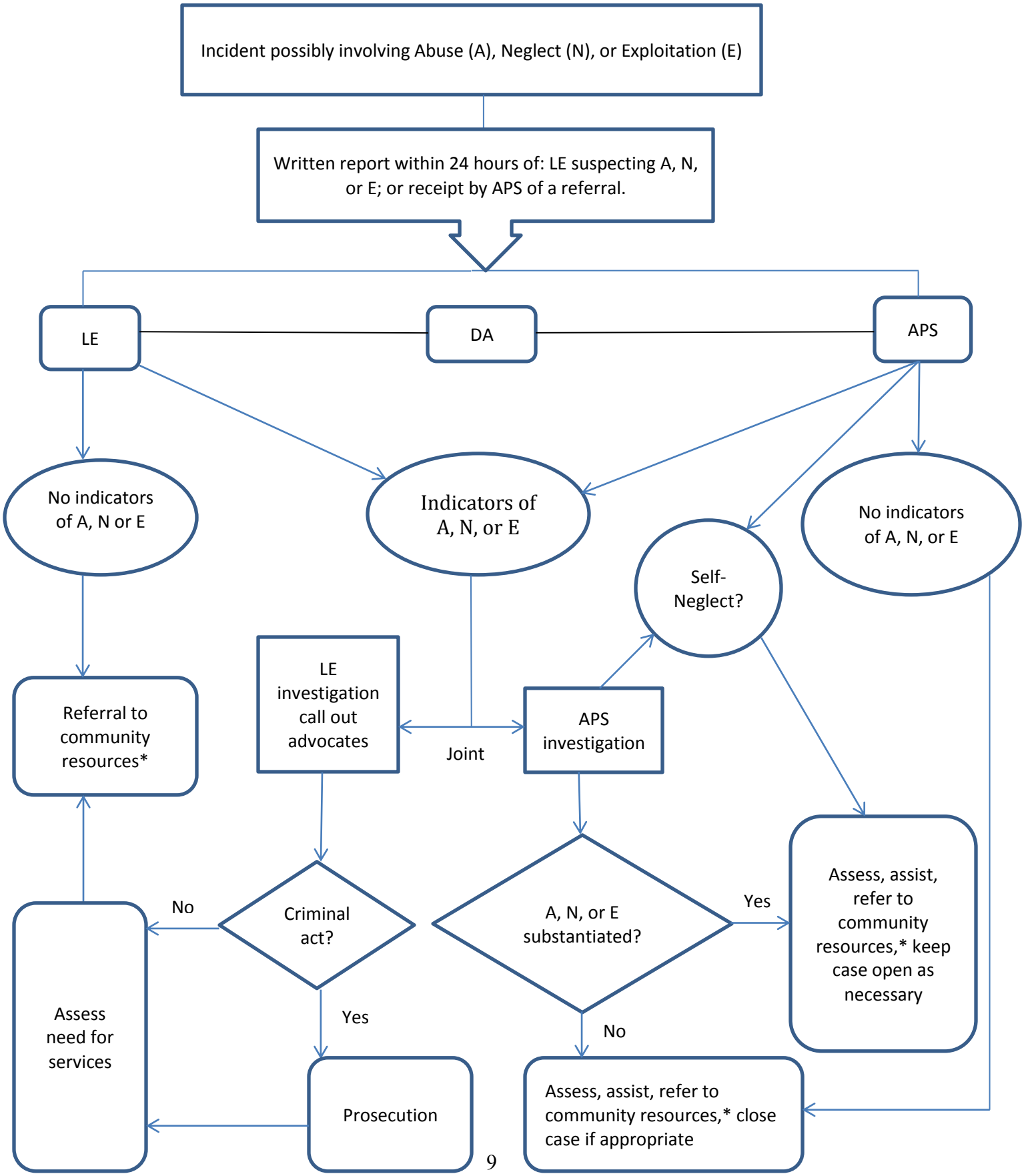
Reporting Requirements for Adults at Risk of Mistreatment or Self-neglect

Pursuant to Title 26 Human Services Code and Article 3.1 Protective Services for Adults at Risk of Mistreatment or Self-neglect: An immediate oral report of abuse should be made or caused to be made within twenty-four hours to the county department or during non-business hours to a local law enforcement agency responsible for investigating violations of state criminal laws protecting at-risk adults by any person who has observed the mistreatment or self-neglect of an at-risk adult or who has reasonable cause to believe that an at-risk adult has been mistreated or is self-neglected and is at imminent risk of mistreatment or self-neglect. Upon receipt of such report, the receiving agency shall prepare a written report within forty-eight hours. This written report shall include: The

name and address of the at-risk adult; the name and address of the at-risk adult's caretaker, if any; the age, if known, of such at-risk adult; the nature and extent of such at-risk adult's injury, if any; the nature and extent of the condition that will reasonably result in mistreatment or self-neglect; and any other pertinent information.

A copy of the report prepared by the county department shall be forwarded within twenty-four hours to the district attorney's office and the local law enforcement agency. A report prepared by the local law enforcement agency shall be forwarded within twenty-four hours to the county department and to the district attorney's office.

The following graphic is to help understand the flow of Elder/At-Risk Adult reports:



**A, N, or E = Abuse, neglect, or exploitation
* See Referral to Community Resources section

Responsibility for Investigations

Adult Protective Services is primarily responsible for investigating reports of suspected mistreatment, exploitation and/or self-neglect of elders and at-risk adults if the situation is civil and does not violate a criminal statute. However, elders and at-risk adults have the right to refuse protective services. If protective services are refused, and APS believes that the adult has the decision-making capacity to refuse services, no further action is taken.

Law Enforcement Agencies are primarily responsible for the coordination and investigation of criminal allegations involving elders and at-risk adults.

The District Attorney's Office is responsible for reviewing law enforcement reports of criminal actions, or reports of threats of mistreatment of elderly and at-risk adults to determine possibility of prosecution.

General Procedures for Joint Investigations

Any agency may request assistance from another agency in the investigation and assessment of the elder or at-risk adult's safety and wellbeing. Additionally, any agency may request stand-by assistance from any other agency. (For example, in cases where an APS caseworker's safety may be in question or where law enforcement needs assistance with a client with dementia). When a joint investigation is required, the APS caseworker, law enforcement officer(s), and/or the District Attorney's Office may conduct joint interviews, compare notes, and clarify information following the interviews. Law enforcement will be considered the lead agency in criminal joint investigations. APS is considered the lead agency in non-criminal joint investigations.

When a joint investigation is deemed to be advisable the appropriate law enforcement agency (that with jurisdiction over the address where the incident is believed to have occurred) is contacted through their communications center. APS caseworkers are contacted between 8 a.m. and 4:30 p.m. through their screening team by calling 303-441-1000; after hours, contact Dispatch and ask for the on-call social worker. Contact with the District Attorney's Office is made during business hours by calling 303-441-3700 and requesting to speak to the charging Deputy District Attorney; if the call is made after 5:00 p.m. on weekdays, or on weekends, the "on call" Deputy District Attorney should be called on the number provided to law enforcement communications centers.

Confidentiality: Reports and investigations shall be confidential. Disclosure of information, including the name and address of the at-risk adult, members of the adult's family, reporting party's name and address, or any other identifying information contained in reports shall be permitted only when authorized by a court of law as outlined in Section 26-3.1-102(7), C.R.S.

Law Enforcement Investigation Guidelines

Cross Jurisdiction Cooperation within Boulder County

The priority shall be to meet the victim's needs. If any part of the offense occurred where it is first reported, that law enforcement agency should take the initial report and share it with the other agencies. If no part of the offense occurred where it is first reported; the law enforcement agency should take a minimal fact report and forward the elder or at-risk adult's report to the appropriate jurisdiction. If possible the receiving agency should facilitate person-to-person contact for the elder or at-risk adult to ensure a seamless hand off to the appropriate agency.

Initial Response

Under Section 1150B of the Federal Social Security Act, as established by section 6703(b)(3) or the Patient Protection and Affordable Care Act of 2010, requires specific individuals in applicable long-term care facilities to report any reasonable suspicion of crimes committed against a resident of that facility. Law enforcement receiving reports from a facility will investigate the report and take appropriate action.

If an elder or at-risk adult is displaying some of the signs of physical abuse listed in Appendix B, neglect as listed in Appendix C, exploitation as listed in Appendix D, emotional abuse as listed in Appendix E, or financial exploitation as listed in Appendix G further investigation is warranted. Pay particular attention to changes in behavior reported by family members, friends, caregivers, etc.

When speaking with family members, friends and caregivers use the information in Appendix I to help you determine if the person you are speaking with may be the suspect.

Always take the opportunity to interview the victim alone or with a non-offending care giver present. As in any investigation, all witnesses and others who may have information regarding the elder or at-risk adult should be interviewed to obtain a better picture of the situation. See Appendix A for additional tips.

Evidence Collection: Document, photograph, and/or collect all evidence in accordance with your agency's established procedures. See Appendix J for additional information.

Observation of and Treatment of Injuries

Examine the victim for physical injury and document and photograph any injuries. Ask the victim if they have a preference for the gender of the examiner, it is typically recommended that law enforcement officers of the same gender as the victim conduct

visual examination for injuries. Obtain a list of all prescription and over the counter medication and supplements that are being taken.

In cases involving serious physical injury or suspected sexual abuse, the investigating officer, in cooperation with Adult Protective Services (if they are involved), obtains a medical examination of the victim for protection, treatment, and documentation purposes.

A trained specialist [Sexual Assault Nurse Examiner (SANE)] is sought in cases of sexual abuse. Investigators are not relieved of 4th Amendment requirements for conducting searches that do not involve consent or exigent circumstances. Investigators should obtain consent from the victim to conduct such a search and consideration generally should be given to the reasoning ability of the victim as well as their ability to understand what is occurring. A nurse or other qualified individual best handles these searches in a medical setting. In any case, investigators generally should have another credible person present during the exam.

Begin at the head and work down to the bottom of the feet in looking for any signs of abuse and neglect. Before examining a victim for injuries, it is important to explain to the victim what you are going to do. It may be necessary to remove the victim's clothing to observe hidden injuries. When this occurs, a second person should be present for the comfort of the victim and the protection of the investigator. At no time should the victim be completely undressed.

It is optimal that a medical technician makes the physical assessment; however, at the initial contact it is not always possible and must frequently be carried out by the investigator to determine whether medical care is needed.

Criteria for Medical Examination

The following circumstances may require an examination by a health care professional when there is reason to believe or suspect that the injuries are the result of abuse, neglect or self-neglect. As with all investigations these steps are taken only with victim's consent:

- When there is an allegation or reasonable suspicion of sexual abuse involving penetration or intrusion, the agencies sexual assault investigation procedure should be followed and the victim should be examined by a SANE.
- With the exception of minor injuries, any injury to a victim who does not possess the ability to explain what occurred or how the injury was received, or when the injuries location or severity does not match the description of how they were received;
- Any serious injury to the head or face of a victim, or reason to believe an internal head injury may be present, especially when force is involved;
- Any other injuries not minor in nature, including, but not limited to: fractures, excessive bruising, welts, and injuries with swelling or tenderness;
- Any 2nd or 3rd degree burn;
- If a victim appears ill (fever, vomiting, open wounds, etc), or complains of pain or tenderness;

- If there is a question as to the need for a medical examination, a health care professional or EMS should be consulted.

Medical Documentation of Abuse/neglect

If possible, the officer should have the victim sign a medical release form. The form should release information during several months prior to and several months after the incident being currently investigated. This is to establish any preexisting injuries and have access to records of any follow-up visits for an injury.

Identifying and Interviewing Potential Witnesses

These should include where relevant:

- The reporting party.
- Outcry witnesses.
- Guardian or Conservator.
- Friends and relatives.
- Caregivers.
- Medical personnel.
- Neighbors.
- Counselors/mental health personnel (be aware that a medical release may be required).
- Adult services personnel.

When interviewing these witnesses it is important to address behavioral indicators of physical, sexual, emotional or financial abuse or neglect (see Appendixes B, C, D, E and G). The presence of certain behavioral indicators corroborates the victim's account of abuse or neglect. Also ask them about the victim's behavior and demeanor when they were discussing the abuse/neglect, ask them about any behavioral changes or unusual behavior exhibited by the victim. Also ask these witnesses to describe the relationship and behavior they have observed between the victim and the suspect.

All witnesses should be interviewed separately and if possible recorded both visually and audibly.

If the suspect is a caregiver, for example a nursing home employee or an adult services provider, measures should be taken to expand the investigation into identifying other victims.

Interviewing the Victim

Interview evidence in elder and at-risk adult abuse investigation can play a crucial role in an effective prosecution. When interviewing an elder or at-risk adult abuse victim,

special attention should be paid to the possibility the victim might suffer from memory loss, have difficulty communicating, or may expire between the initial interview and the prosecution. For this reason, the use of video recorded depositions may be essential and law enforcement and the District Attorney's Office should be consulted to strategize the best option in each case.

Whenever feasible and useful to the investigation, interviews of victims of elder abuse and or at-risk adult or neglect can be done in coordination with APS. See Interview Guidelines, Appendix A, for further details.

During the interview with the victim it is important to observe and document his/her demeanor as well as the content of his/her statement. Keep in mind that the victim may be hesitant to report or cooperate in an interview if the suspect is in a position of trust or control over the victim. Observe and record the behavior of the victim and the suspect toward each other that occurs in your presence.

Photographic and Video Evidence

The utilization of photographic, and audio and video evidence is crucial in elder or at-risk adult abuse investigations. In certain investigations it could become a critical component if the victim of the crime expires prior to adjudication of the case.

- Caution should be exercised about videotaping the interview with the victim, and it is advised that the District Attorney's office should be consulted. If the victim passes or is unable to give evidence at the trial, it is very likely due to confrontation issues that this evidence could <u>not</u> be introduced by the prosecution at trial. The District Attorney's Office can assist with arranging for a video deposition to be taken immediately after charging. This <u>will</u> be admissible if there are problems with the victim attending trial.
- All photographic and/or video evidence should be gathered and handled per departmental procedure.
- Photographs and/or videos of physical injuries should be taken as soon as possible and again when bruising is prominent.
    - Use extreme sensitivity when photographing or videotaping injuries on elder or at-risk adult victims to prevent alarming them any further.
    - Take full body and close-up photos of the injured area.
- Photograph and/or videotape areas in the environment where the injury occurred.
- Photograph and/or videotape the general conditions in a home where such things as soiled bedding, filth, exposed wiring, inadequate plumbing, etc., may exist.
- Follow-up photos and/or videos (i.e. bite marks, bruises, scratches, etc.)

Physical Evidence

The physical evidence to be gathered is dependent on the crime being investigated. See Appendix J for suggestions.

All physical evidence is gathered per departmental procedure and guidelines and documented as to the location of collection.

Other Investigative Techniques

There are other specialized investigative techniques that may be of value in certain cases. Supervisory review and/or consultation with a detective may be helpful for any of the following suggested techniques:

- Pretext phone calls (could be utilized in a sexual assault investigation or any other investigation where the victim knows the perpetrator and thinks an incriminating statement could develop through this type of call).
- Usage of surveillance (could be utilized where facility/caregiver abuse is suspected).
- Undercover operations (could be utilized in facility abuse investigations).
- Forensic interviews (utilizing the professionals at Adult Protective Services or other resources to conduct a forensic interview).

Interviews of Perpetrators

It is generally accepted that initial perpetrator interviews will be conducted by the investigating officer, detective and/or case worker. All available information should be shared between those investigating the situation prior to the interview. These should be videotaped if possible.

Consideration must be given to the integrity of the case in assessing the timing of the perpetrator interview; however, the overriding factor in determining timing rests in the ability to assure the safety of the victim.

Documentation of Investigations

When investigating an incident that may involve elder or at-risk adult abuse or neglect a report should be made that contains all pertinent facts of the investigation.

Documentation is completed whether the abuse/neglect is founded or unfounded and shared between law enforcement, APS and the District Attorney's Office within 24 hours.

During the investigation of a criminal complaint information is shared with and between the law enforcement agency and the APS. Upon completion of the law enforcement investigation, the law enforcement agency forwards a copy of the offense report to APS.

When elder or at-risk adult abuse/neglect is discovered during the course of an investigation of another criminal offense, the law enforcement agency contacts APS and provides the appropriate reports.

When completing a report of possible elder or at-risk adult abuse/neglect provide the victim with service referrals such as domestic violence assistance, food banks, and information and assistance services (see Referral Process to Community Resources).

Document past violence in as much detail as possible, including but not limited to: The date, offense, suspect, witnesses and any other evidence of past crimes.

Charging Guidelines

The decision to make an arrest or issue a summons in these cases will sometimes be a very difficult one for the officer despite his or her training. Oftentimes, the elder or at risk adult will be opposed to law enforcement action in a way that has some similarities to the reactions of victims of domestic violence. Boulder County has four Deputy District Attorneys who have been specially trained in elder and at-risk adult abuse. Law enforcement is encouraged to contact the District Attorney's Office for advice at any time during the course of their investigation. This can be done by email, by telephone or by calling in without the need for an appointment. General Line: 303 441 3700.

See Appendix F for contact information for the Deputy District Attorneys specially trained in elder and at-risk adult abuse investigation/prosecution.

Be creative in your process. If the victim is reluctant to press charges consider options for the safety of the victim. The benefit/safety of the victim is paramount vs. the wishes/ input from the caregiver. In addition, the following guidelines are derived from the Colorado Revised Statutes.

Statutes concerning elder and at-risk adult abuse are found in Title 18, Article 6.5. The sentence enhancements for elder or at-risk adult abuse crimes are detailed in C.R.S. 18-6.5-103, with additional statutory definitions which may be helpful in making charging decisions are found in C.R.S. 18-6.5-102.

Summons vs. Arrest

Summons: A summons is issued when:

- A misdemeanor abuse or neglect has occurred, the suspect is cooperative and risk of further abuse is minimal.
- A third party abuse occurred and the suspect poses no further threat to the victim an there is no need for a "no contact" provision of the bond.

A felony summons should be considered in cases where the above criteria for summons have been met, but due to the sentencing enhancements the charge is classified as a felony.

Arrest: A custodial arrest is usually made when:

- After investigation it is determined that the elder or at-risk adult is in continued danger of abuse/neglect once the officer or social worker leaves.
- A felony (bodily injury or serious bodily injury) has occurred.
- An act of domestic violence has occurred.
- A sexual assault crime has occurred.

Safety of the victim is paramount in elder or at-risk adult abuse cases. Contact the appropriate advocacy agency to assist the victim with safety planning. It is critical that if the suspect is arrested there is a plan in place to assure the welfare of the victim. This is especially true when the arrestee is the primary caregiver.

In investigations of financial exploitation an arrest is made or a summons issued when probable cause exists for the crime of theft (with or without force) fraud, forgery, or identity theft in which an elder or at risk adult is the victim.

Protection Orders

Protection orders are of great importance to promote safety, reduce violence, and prevent serious harm and death. There are two processes for obtaining protection orders, within the State of Colorado, a simplified civil process and a mandatory criminal process. There are generally two types of protection orders: civil and criminal.

Criminal protection orders are issued pursuant to C.R.S. 18-1-1001.

Civil protection orders are issued pursuant to C.R.S. 13-14-101. These civil protection orders include protection orders against domestic abuse and abuse of the elderly or at-risk adults. Note that under the statute, civil protection orders can be issued to prevent emotional abuse of the elderly. This is defined by the statute to include verbal harassment. It is important for officers to know that the Community Protection Division

of the District Attorney's Office has experience with assisting elders who are feeling threatened or harassed by neighbors or others, and who wish to apply for a Civil Protection Order. Officers can refer any such situation to the Director of Community Protection – contact details in Appendix I

Criminal protection orders restrain a defendant from harassing, molesting, intimidating, retaliating against, or tampering with any witness to or victim of the acts charged. In cases of domestic violence as defined in CRS 18-6-800.3 and cases involving crimes included in the crime victim compensation and victim and witness rights statute as defined in CRS 24-4.1-302, the court may impose any of the following:

- An order to vacate or stay away from the home of the victim or witness and to stay away from any other location where the victim or witness is likely to be found;
- An order to refrain from contact or direct or indirect communication with the victim or witness;
- An order prohibiting possession or consumption of alcohol or controlled substance;
- An order prohibiting possession or control of a firearm or other weapon; and
- Any other order the court deems appropriate to protect the safety of the victim or witness.

Source: C.R.S. 18-1-1001(1) and (3).

In a criminal case, before a defendant is released on bail the court shall, in cases involving domestic violence, state the terms of the protective order, including any additional provisions added, to the defendant on the record and the court shall further require the defendant to acknowledge the protective order as a condition of any bond for the release of the defendant. Unless the court makes a specific provision allowing a person charged with domestic violence to return to the residence for a civil stand-by, a criminal defendant is not allowed to return to the victim's residence. In non-domestic violence cases, a criminal protection order will not typically bar a defendant from having contact with the victim or witness.

In a civil case, during the pendency of the temporary protection order, a respondent who is excluded from his or her home due to a court order may be allowed a civil stand-by. A civil stand-by allows a restrained party to return to residence only one time "to obtain sufficient undisputed personal effects as are necessary for such person to maintain a normal standard of living" during the time until the next hearing. In order for there to be a civil stand-by, a peace officer must be present while the restrained party is at or in the shared residence. C.R.S. 13-14-102(8)(a). If there are other items in the residence which are not those few items subject to the civil stand-by, a restrained party has the ability to file a forcible entry and detainer action in order to obtain the remainder of their property. C.R.S. 13-14-102(8)(c).

Domestic Violence

Domestic violence occurs in elder and at-risk populations as in any other population and the safety of the victim is paramount in elder or at-risk adult abuse cases. If the arrested party is the primary caregiver for an elder or at-risk adult the officer should attempt to locate suitable support for the elder or at-risk adult. The basic needs of the victim or non-offending party should be considered. The department's domestic violence and victim's rights procedures should be followed in all applicable investigations.

Criteria for Notifying Coroner

Unattended Death

The Coroner's Office should be called to respond to all unattended deaths when the decedent was not under hospice care.

Hospice/Physician Attended/Nursing Home Death Investigation

The Coroner's Office does not normally respond to these types of deaths. If there is any trauma, injury, abuse, neglect, overdose or suspicious circumstances the Coroner's Office should be alerted

Serious Injury or Illness When Death Occurs

The Coroner's Office should be called when death occurs due to:

- Injury or illness as a result of care giver abuse or neglect, or self-neglect
- Possible overdose, either self-administered or administered by care giver
- Suspicious circumstances

Serious Injury or Illness When Death is a Likely Outcome

The Coroner's Office should be given a courtesy call on pending deaths due to:

- Injury or illness as a result of abuse or neglect, or self-neglect
- Possible overdose, either self-administered or administered by care giver
- Suspicious circumstances

Investigations

At the scene of a death the Coroner's Office has jurisdiction over the body, and law

enforcement has jurisdiction over the scene. Upon entering, analyze the circumstances and take precautions to preserve the scene and all potential items of evidentiary value, all without handling the body.

Coroner's Duty to Notify Law Enforcement

If the Coroner's Office responds to a death with suspicious circumstances the appropriate law enforcement agency is notified immediately.

District Attorney's Office Guidelines

Prosecution

The prevention of elder and at-risk adult abuse and exploitation, and the prosecution of those who engage in that criminal activity are of critical importance to the District Attorney's Office of the 20th Judicial District. The District Attorney's Office is committed to prosecuting under Colorado's At-Risk statute when warranted.

To that end, if at any time a law enforcement officer has questions about an investigation, warrant, or other issues, or requires advice on the furtherance of an investigation, the District Attorney's Office has attorneys trained in elder investigations to help ensure justice for elder and at-risk victims.

The District Attorney's Victim/Witness Unit has trained its advocates and volunteers in elder abuse and is available to help victims through any prosecutions. The Victim's Compensation Section for the District Attorney's Office can provide information and forms regarding any compensation that might be due as the result of a violent crime. Victim Advocates, Victim's Compensation Specialists, and Restitution Specialists are available to elders and at-risk adults to assist them with filling out and filing any forms that might be required for an investigation or prosecution.

The Community Protection Division of the District Attorney's Office may be contacted to assist an elder or at-risk adult who has been the victim of financial exploitation or identity theft, or thefts involving money wired overseas, stolen credit cards, or other types of financial crimes. The Community Protection staff will assist the elder or at-risk adult with recovering from financial exploitation, restoring credit, and preventing future exploitation or theft.

The District Attorney's Office participates in an Elder Fatality Review Team, drawing from the aging services and/or adult protection staff, the Coroner's Office, and law enforcement for reviewing suspicious elder or at-risk adult death cases.

The Sexual Assault Review Team (SART)

SART is dedicated to ensuring a coordinated and comprehensive response in sexual abuse/assault investigations. The weekly SART meetings are available to provide multi-disciplinary team (MDT) members with consultation and advice regarding any sexual assault investigation. The meetings also allow coordination of victim services. SART is comprised of representatives from prosecution, law enforcement, adult and child protective services, victim advocates from the DA's Office, Blue Sky Bridge, representatives from Moving to End Sexual Assault (MESA) the local rape crisis center, mental health therapists, and medical personnel as indicated. Mental health workers, medical professionals or other professionals involved in a specific case may be invited on a case-by-case basis. The team reviews sexual assault cases prior to arrest and filing of charges and review both juvenile and adult offender cases. Law enforcement personnel are encouraged to bring cases to the team prior to an arrest except in cases where safety is a concern.

Meetings: Every Wednesday at 3:00 p.m. at the District Attorney's Office

Contact: District Attorney's Office (303) 441-3700

Adult Protective Services Guidelines

APS has three primary responses to incoming reports. These include: provide information and/or referral to another agency(ies) when the allegation does not involve mistreatment or self-neglect of an at-risk adult; contact the responsible care provider, who is not the suspected supervisor, to resolve the issue: or conduct an investigation of the allegations and the adult's overall well-being and provide protective services when appropriate.

Once it is determined that an APS investigation is necessary, an APS caseworker will be assigned to investigate. This investigation involves gathering more information about the elder or at-risk adult and the situation by calling or visiting the at-risk adult, the person who made the report, and other persons, such as family, caregivers, or physicians who might have important information about the at-risk adult and/or at-risk adult's situation. If it is determined that the at-risk adult's health, safety, or welfare is in jeopardy, the APS caseworker will seek the at-risk adult's consent to services. The APS caseworker will work with the at-risk adult to resolve the safety concerns, while respecting the rights of the at-risk adult.

APS investigations and services are always provided with strict adherence to program goals that include:

- Self-determination: an at-risk adult may refuse or reject adult protective services.
- Least restrictive interventions: an at-risk adult may expect that interventions will be provided in a manner that will cause minimal disruption to the at-risk adult's life; and

- Confidentiality: reports concerning the mistreatment or self-neglect of an at-risk adult are confidential unless a court orders the release of records. APS caseworkers may also share information with law enforcement or the DA's Office necessary to effectively conduct joint investigations, or collaborate on effective solutions to assist the at-risk adult or provide for his/her safety.

Protective services for at-risk adults may include, but are not limited to:

- Counseling and casework services
- Protection from mistreatment
- Referrals to community service providers
- Arrangement of appropriate services
- Assistance with applications for public benefits
- Initiation of probate proceedings

If an at-risk adult refuses protective services and APS has substantial concerns about the at-risk adult's capacity to make such a decision, APS may:

- Encourage interested and reliable family members or acquaintances of the elder or at-risk adult to petition the court for a determination of the elder or at-risk adult's decision-making capacity; or
- If no appropriate family members or acquaintances are willing or capable of petitioning the court, APS may petition the court for a determination of the at-risk adult's decision-making capacity. Section 15-14-306, C.R.S.

APS Contacts:

APS Screening & Intake: 303-441-1000 (8:00 a.m. – 4:30 p.m.)
After hours: call dispatch and ask for the human services screener.
APS Supervisor: 303-441-1257

Adult Protection Review Team (APRT)

The APRT was established pursuant to Senate Bill 91-84, C.R.S. 26-3-1-103. The purpose of the team is to ensure a broad range of community services and support for at-risk adults and elders, identify gaps in service, support the development of needed community resources, support, and advise the Adult Protective Services (APS) staff. The team reviews cases provided by APS and APRT members as a means of identifying gaps in services. The team reviews applicable regulations and policy changes that may impact elder and at risk adults disabled adults; provides collaborative case management; promotes interagency education, networking; and provides a venue for collaboration among members working with at-risk and elder adults.

Suggested membership may include, but is not limited to, staff representing the following groups:

Physician (health/medical)	Mental Health
Attorney	Hospital Social Worker
Office on Aging	Physically disabled
Law Enforcement	District Attorney's Office
Home Health	Community Representative
Substance Abuse Professionals	Domestic Abuse Professional
Housing Authority	Developmentally Disabled
Senior Center	Financial Institutions
Ombudsman	Health Department
55+ Service	Emergency Room
Basic Needs Provider	Emergency Medical Response
Clergy	Options for Long Term Care
Sexual Assault Professional	

Meetings: The Team meets on the second Thursday of the month from 12:30 to 2:30 p.m. at the Longmont Senior Center, 910 Longs Peak Avenue, Longmont.

Contact: APS Supervisor at 303-441-1257

Referral Process

Referral Process to Adult Protective Services

APS staff investigates reports of abuse, neglect (including self-neglect) or financial exploitation of at-risk adults. APS staff assesses the need for protective services and provides services to reduce the identified risk to the adult. These services may include case coordination, short-term case management, guardianship or representative payee, and information and referral. APS's mission is to protect adults who are at-risk of abuse, neglect, or exploitation, to promote self-sufficiency, and to enhance the dignity and self-worth of all served. If the safety of the elder or at-risk adult requires it, APS will release to law enforcement records provided to them by other agencies, and can work with law enforcement to jointly investigate allegations of abuse, neglect, or exploitation.

Eligibility: In order to be eligible for Adult Protective Services an adult must:

- Meet the definition of an at-risk adult (see above under definitions);
- Be the victim of mistreatment or neglect;
- Consent to receive APS help or be determined by a court to be incapable of providing such consent.

APS will investigate allegations of:

- Physical abuse
- Sexual abuse
- Mental or emotional abuse
- Exploitation or financial exploitation
- Abandonment

APS Intake: 303-441-1000 (8:00 a.m.-4:30 p.m.)

After hours: Call Dispatch and ask for the on-call social worker.

Referral Process to Community Resources

Help for Residents in Skilled Nursing and Assisted Living Facilities:

Long-Term Care Ombudsman Program

Long-Term Care Ombudsmen advocate for the rights of older adults living in long-term care facilities, such as assisted living facilities and nursing homes. Amongst other things, Long-Term Care Ombudsmen can:

- Investigate complaints and concerns that affect the quality of life for residents.
- Help residents obtain necessary legal, social, recreational, physical, and emotional support services.

Ombudsmen by law have access to all residential facilities (ie., the facility cannot prevent the Ombudsman from seeing the resident). However, a resident's *court-appointed* guardian can prevent the Ombudsman from having access to a resident provided the resident doesn't have a complaint against the guardian. (Always seek documentation of the guardianship in such cases.) Confidential Message Line: 303-441-1173

*Confidentiality: The Ombudsman cannot discuss the resident's situation with others, including law enforcement, without the resident's consent.

Under Section 1150B of the Social Security Act, as established by section 6703(b)(3) or the Patient Protection and Affordable Care Act of 2010, requires specific individuals in applicable long-term care facilities to report any reasonable suspicion of crimes committed against a resident of that facility.

Domestic Violence:

Safe Shelter of St. Vrain Valley

Safe Shelter provides a comprehensive system of programs and services to address the needs of victims of domestic abuse. Services include:

- 24-hour crisis line;
- Emergency shelter;
- Individual and group counseling;
- Case management (including transitional housing programs);
- Information and referrals;
- Legal advocacy; and
- Community and peer education

All services are available in both English and Spanish.

24-hour Crisis Line: 303-772-4422

Safehouse Progressive Alliance for Nonviolence (SPAN)

SPAN is a human rights organization committed to ending violence against women, youth and children through support, advocacy, education and community organizing. Services include:

- 24-hour crisis line;
- Emergency shelter;
- Safety planning;
- Individual and group counseling
- Legal advocacy;
- Information and referrals;
- Community education and training; and
- Transitional services.

All services are available in English and Spanish

24-Hour Crisis Line: 303-444-2424

*Confidentiality: Under state and federal law, domestic violence victim advocates like those at Safe Shelter and SPAN cannot disclose any communications from, or information or records about a client without a special release obtained by the advocate from the client. The advocate cannot even confirm or deny that a client is receiving services. (C.R.S. 13-90-107(1)(k).)

Rape and Sexual Assault:

Moving to End Sexual Assault (MESA)

MESA offers comprehensive client services to help sexual assault survivors and their loved ones, and administers prevention education programs. Services include:

- 24-hour crisis and information hotline;
- 24-hour victim advocate response for hospital forensic exams;
- 24-hour victim advocate response for reporting to law enforcement;
- Support through the criminal justice system
- Individual and group counseling for survivors and non-offending family members and friends;
- Emotional support, advocacy, and case management
- Prevention Education

All services are available in both English and Spanish.

24-hour Rape Crisis and Information Hotline: 303-443-7300

*Confidentiality: Under state and federal law, victim advocates at rape crisis centers like MESA cannot disclose any communications from, or information or records about a client without a special release obtained by the advocate from the client. The advocate cannot even confirm or deny that a client is receiving services. (C.R.S. 13-90-107(1)(k).)

Information and Assistance For Older Adults:

CONNECT! Information and Assistance Line

CONNECT! is a collaboration of agencies helping seniors and persons with disabilities obtain information about and access to resources and services. The hotline is staffed by Boulder County Aging Services staff that can answer straight-forward questions, and help someone get started if they do not know where to begin to find needed resources.

English and Spanish: 303-441-1617
TTY: 303-441-3986

Email: infoConnect@bouldercounty.org
Website: www.bouldercountyhelp.org
Seniors and People with Disabilities Website: www.bouldercountyhelp.org

Community Resource Specialists

If a situation involves more complicated questions/issues and requires in-depth problem solving and assistance, or if an older adult prefers to speak to someone in their own community, contact a Community Resources Specialist. Services for older adults include:

- Identifying needs;
- Exploring options;

- Finding solutions; and
- Long-term, in-depth assistance.

Allenspark: 303-747-2592
Boulder: 303-441-4388
Erie: 303-926-2789
Lafayette: 303-665-9052
Louisville: 303-335-4919
Longmont: 303-651-8716
Lyons: 303-823-9016
Nederland: 303-258-3068
Niwot: 303-652-3850

Senior Centers

East Boulder: 303-441-4150
West Boulder: 303-441-3148
Erie: 303-962-2795
Lafayette: 303-665-9052
Longmont: 303-651-8411
Louisville: 303-666-7400

Legal:

District Attorney's Office - Community Protection Division
The Community Protection Division can assist an elder or at-risk victim of financial exploitation or identify theft, or thefts involving money wired overseas, stolen credit cards or other types of financial crimes even if there is not an on-going criminal investigation or prosecution. The Community Protection staff can help the elder or at-risk adult with restoring credit and preventing future exploitation or theft.

Contact: Call the District Attorney's Office at (303) 441-3700 and ask for the Community Protection Division

Boulder County Legal Services: 303-449-7575

Alcohol and Drug Abuse Services:

Alcohol Recovery Center (ARC): 303-441-1274
The Addiction Treatment Center/The Next Step: 303-651-9200

Counseling and/or Mental Health Services:

Mental Health Partners (MHP)

MHP offers county-wide, office and home-based therapy, psychiatric evaluation, and treatment for older adults with mental illness. MHP also offers a Peer counseling program in collaboration with the Boulder and Longmont Senior Centers with services in Boulder, Longmont, Lafayette, and Broomfield.

Emergency psychiatric services: 303-447-1665
Older Adult Services Team: 303-413-6263
Senior Reach: 866-217-5808

Services for Persons with Disabilities:

Center for People with Disabilities (CPWD): 303-442-8662
Imagine!: 303-665-7789

Transportation:

Special Transit: 303-447-9636
Medical Mobility (CareConnect): 303-443-1933 ext. 407
Faith in Action: to arrange transportation to medical appointments call 303-442-2069

Food Assistance:

Boulder Meals on Wheels: 303-441-3908
Boulder Carriage House: 303-442-8300
Emergency Family Assistance Association (EFAA): 303-442-3042
East Boulder County Meals on Wheels: 303-521-8260
Longmont Meals on Wheels: 303-772-0540
Lyons: Golden Gang Meals on Wheels: 303-823-6771
Nederland Area Seniors: 303-258-0799
Sister Carmen Center: 303-665-4342
Carry-Out Caravan (CareConnect): 303-443-1933

In-home Support Services:

CareConnect of Boulder County

Boulder: 303-443-1933
Longmont: 303-772-2262

Housing:
Boulder Shelter for the Homeless: 303-442-4646
Emergency Family Assistance Association (EFAA): 303-442-3042
OUR Center: 303-772-5529

Appendix A

Guidelines for Interviewing Elders and at Risk Adults

- A touch on the arm can help focus an elder or at risk adult if they become distracted. But be aware that some persons with disabilities are touch-aversive and may become agitated if touched.
- Use plain language, avoid jargon and use short sentences. Be careful not to use a condescending or infantilizing tone.
- Avoid interviewing a victim with family or others present, with the exception of advocates, who may be present during the interview if the victim wants this support.
- If the victim is living in a facility, interview them away from staff and other residents.
- Determine when is the best time of day for the older or at-risk adult to conduct an interview and any follow-up interviews. Older or at-risk victims may be taking medications or need to eat or sleep at certain times of the day. Some persons with disabilities may become distressed or upset if their routines are disrupted.
- Plan for and be available for the necessary amount of time. Some interviews with older or at-risk individuals take longer to complete, and more than one interview may be needed to obtain the necessary information.
- Consider glare, noise, and comfort so both of you are able to concentrate.
- Be sure the older or at-risk adult has any needed items, such as eyeglasses, hearing aids or communication board to conduct the interview.
- If using printed materials, or if the older victim needs to sign any forms, consider having documents in large type.
- Convey the message to the older or at-risk victim that the abusers are responsible for their own behavior. The offender's use of abuse is unacceptable and not justified.
- Acknowledge the older or at-risk victim's fears, anxiety, anger, or ambivalence; validate the older adult's feelings. Pay attention to your own body language and reactions, taking care to not appear to blame, accuse, or disbelieve the victim.
- Watch the victim's body language. Reassure the victim that cooperation is important and appreciated. The victim is not responsible for the prosecution of the suspect – that it is the responsibility of law enforcement officers and prosecutors.

<u>Beginning an interview with an older adult</u>

- Make sure the victim knows who you are, why you are there, and how the information will be used.

- Offer to shake hands but allow the elder or at-risk adult decide whether they want to or not (some persons with disabilities and survivors of interpersonal violence may be touch-aversive).
- Explain the reason for audio or videotaping an interview if you are doing so.
- Begin the interview with general, non-invasive questions "How are you feeling?" "How would you like for me to address you?" "I am sorry this happened to you." to show concern for the victim's well-being and to help the victim relax.
- Build rapport with the older or at-risk victim through questions about his/her interests, hobbies, pets, and likes and dislikes. Find a starting point by looking for signs of a pet, family photos, collectibles, magazines, etc.
- For a younger investigator, an older person may feel the investigator does not have enough experience to be helpful. It can be useful to acknowledge the age difference and remind the victim that the investigator is there to help.
- Ask if the victim needs any accommodations to complete the interview, such as eyeglasses, a hearing aid or breaks to take medications, drink water or eat.

General questions

- Ask the victim's name, address, phone number and who lives in the home for documentation. Whether or not an older or at-risk person can answer these questions may provide some information about their cognitive function. Note any difficulties the older person has.
- Ask "What do you do on a typical day?" This will help provide information about how much the victim gets out and who the victim sees.

Closing the Interview

- Ask if there is anything else the older or at-risk adult would like to add or discuss.
- Ask if the older or at-risk adult has any questions for you.
- Avoid abruptly ending an interview with an older or at-risk adult. Instead, bring up topics discussed during the rapport-building stage of the interview.
- Reiterate that the abuser is responsible for the abuse, and that services and assistance are available.
- Discuss safety planning options (e.g., what to do if the abuser contacts the victim, etc.) and provide resources.
- Inform the victim that referrals, such as APS, Aging Services, or a domestic violence or sexual assault program (Safehouse, MESA, etc.) will be made
- Thank the older or at-risk adult, indicate what will happen next, and provide your contact information.

Interviewing elders and at risk adults may be difficult. When you interview any individual with a disability it is appropriate to obtain the assistance or support of a professional versed in that disability. For safety reasons, and to protect the integrity of the investigation, first ensure the professional is not involved in the situation. Following the guidelines may assist the interviewer in obtaining the information necessary to determine if a crime has occurred and the course of action that should be taken.

- **Always** interview the victim. If you initially think an older or at-risk victim cannot be interviewed, seek guidance from a supervisor, and other resources in the community that would allow you to go forward with a successful interview.
- Speech production problems do not signal an intellectual impairment. In most cases, disabilities that affect the mechanism of speech production (e.g., cerebral palsy, stroke) are unrelated to intellect.
- If you have had little interaction with persons with disabilities, in some instances a victim's physical appearance may initially cause you some discomfort. This is normal and only requires time for adjustment.
- The elder or at-risk adult's caregiver (if not the alleged perpetrator) or case worker should be asked to provide a brief summary of the elder or at-risk adult's schedule and routines, ability to communicate and give consent, and information about medications and side-effects.

The following suggestions detail how to interview elders or at-risk adults who may be victims of abuse:

- The interview should be conducted in a familiar or comfortable setting where the victim is most at ease (e.g., in their home). Noisy, threatening, or distracting settings should be avoided.
- The witness should be made to feel safe and be told whom you are and why you wish to speak with him or her.
- Consider cultural and generational differences and their impact on your investigation. Avoid making assumptions and generalizations about cultures and elders or at risk adults or persons with disabilities, and be aware of your own fears and biases. Demonstrate respect for an older or at-risk adult's culture and help prevent misunderstandings by explaining your actions.
- The words you use with persons with disabilities make a difference in how well the interaction will proceed. Use person-first language (e.g., use "the woman with autism" and not "the autistic woman." Don't refer to them by their disability.)
- Speak slowly and clearly, but avoid shouting and over-enunciating. Attempt to minimize distractions.
- Ask questions one at a time and do not rush the older or at-risk adult to answer the questions. Give the victim time to organize and collect his/her thoughts. Be patient in waiting for responses. Realize that silence does not necessarily mean the victim does not understand the question.
- The victim should not be asked leading or suggestive questions.
- If it appears victim does not understand or appear to understand a question, it should be re-worded. The interviewer should ask the victim to repeat concepts to

insure it is understood properly. (A victim with a cognitive disability may not tell you when s/he does not understand a question so it is important to pay attention to whether responses correlate to the question.)

- Ask the elder or at-risk adult to repeat the answer to a question if you do not understand the answer.
- Do not expect a chronological rendition of the victim's experience. Some persons with cognitive disabilities and those who have experienced a traumatic event process information differently.
- Do not demand eye contact. For some elders, at-risk adults, people with disabilities, and trauma survivors, eye contact may be uncomfortable.
- Watch for signs of stress and offer breaks as needed (many persons with disabilities will not ask for breaks). If the interview becomes unproductive, consider politely terminating it and scheduling a follow-up.

Below are some additional factors to be aware of when interviewing persons with different types of disabilities.

<u>Cognitive/Intellectual Disability:</u>

- Many people who have cognitive disabilities have an excellent recall of traumatic or special events in their lives.
- Persons with intellectual disabilities are generally concrete (not abstract) learners. Concrete learners tend to focus on immediate reality and like real-life examples, exact directions, and learning about real people and things. Abstract concepts like "justice" can be difficult to grasp. It may be helpful to keep this in mind when formulating questions.
- Persons with intellectual disabilities generally have short attention spans.
- Persons with intellectual disabilities may not act in an age appropriate manner.
- Persons with intellectual disabilities may have less friendships and social opportunities; they may lack support systems. Thus referrals to community resources and collaboration with APS are important with such victims.

Appendix B

Physical Abuse Indicators

The presence of one or more of these indicators does not constitute probable cause but warrants further investigation.

General Victim Behavior Indicators:

- Suddenly withdraws from routine activities or communications with friends and family.
- Is afraid to speak in the presence of the suspect or looks to the suspect to answer questions.
- Is confined (e.g., kept locked in a room, tied to furniture, or denied access to necessary mobility devices).
- Is isolated.
- Denies, minimizes, or blames self for what has happened, is hesitant to discuss, or gives "coded" disclosures – such as "my husband has a temper."
- Changes in behavior without explanation.
- Waits or fails to seek out help or medical treatment, misses appointments, or frequently changes doctors or hospitals.
- Visits hospital or physician with vague complaints such as anxiety, headaches, or digestive problems.
- Provides implausible or inconsistent explanations about what has occurred.
- Appears afraid, embarrassed, ashamed, withdrawn, or depressed.
- Reports being abused, neglected, or exploited.

Some indicators to look for when assessing abuse situations:

- Frequent injuries explained as accidental. Multiple bruising (black eyes, welts, lacerations) in various stages of healing.
- Bruises in specific shapes such as slap marks, belt marks, hanger marks, ligatures etc.
- Frequent bruising on the neck, head and face or bruising that doesn't match the description of how they were received.
- Unexplained, multiple or unusual burns.
- Unexplained fractures, sprains, dislocations, internal injuries.
- Bedsores, open untreated wounds.
- Swollen or tender limbs.
- Unexplained lacerations and abrasions.
- Unexplained abdominal injuries.
- Human bite marks.

- Injuries not in locations normally associated with accidental injuries, such as on the outside of arms, inside of legs, scalp, around throat, face, soles of feet, inside mouth on or behind the ears, on the trunk, genitalia, and buttocks.
- Elder or at-risk adult is guarded around others.
- Afraid to go home.
- Elder or at-risk adult has made an outcry to another.
- Poor peer relationships – few if any friends.
- Unrealistic expectations for the elder or at-risk adult by a caregiver or significant other.
- Broken eyeglasses/frames, physical signs of being punished or restrained.
- Drug and alcohol abuse.
- Over or under medicating.
- Delays in seeking medical care.

Appendix C

Neglect Indicators

The presence of one or more of these indicators does not constitute probable cause but warrants further investigation.

Physical Indicators:

- Chronic hunger, dehydration or malnutrition.
- Unexplained changes in cognition or weight.
- Poor hygiene.
- Presence of untreated or mistreated bedsores (pressure ulcers).
- Left to sit in feces, and/or urine.
- Inappropriate dress.
- Unattended physical problems, medical or dental needs.
- Constant fatigue or listlessness.
- Missing doctor's appointments.
- Obvious disparity between part of the house occupied by the victim and the remainder.
- Over, under, or misuse of medication (look at victim's behavior or if the amount or type of medication available does not match the prescription).
- Home is so filthy and unkempt that the health of the elder or at-risk adult may be in jeopardy.
- May have a nuisance disease such as lice or scabies.
- Broken or absence of needed medical equipment, or aids such as eyeglasses, hearing aids, walkers, or wheelchairs.

Behavioral Indicators:

- Begging for, stealing food.
- Chronic fatigue or listlessness.
- Alcohol or drug abuse.
- Elder or at-risk adult reports the need for assistance and they are unable to get help.
- Social isolation and lack of positive social/family support.

Environmental Indicators:

- An unclean or unsanitary living environment.
- Strong odors of urine and/or feces.
- Lack of food.
- Lack of medication or needed assistive devices.
- Lack of heat, electricity, or running water.
- Safety issues.
- Abused or neglected pets.
- Damage to home caused by abusive behavior such as broken door frames, holes punched in walls, and broken furniture or household items.
- Dangerous environment due to basic safety and health standards not being met.
- Infestation of insects or rodents.
- House, roof, yard in disrepair.
- Evidence of hoarding

Appendix D

Sexual Abuse

Sexual abuse is any non-consensual sexual contact or behavior of any kind, including harmful or unnecessary genital care practices. Sexual abuse can also include things like forcing an elder or at-risk adult to view pornographic materials, or leaving then undressed, or partially undressed in view of others without the elder or at-risk adult's consent. If an elder or at-risk adult is mentally impaired, consent usually cannot be given.

Experts or professionals who have provided care and treatment for the elder or at-risk adult should be consulted to determine if the person is able to legally consent to sexual activity.

Some indicators to look for when assessing for sexual abuse:

- Often, there are no visible indicators of sexual abuse.
- Difficulty in walking or sitting.
- Torn, stained, or bloody underclothing.
- Pain or itching in genital area, including during urination.
- Bruising or bleeding in external genitalia, vaginal, or anal areas.
- Bruising to outer arms, chest, mouth, abdomen, pelvis, or inside thighs.
- Bite marks
- Venereal disease or other infections around the genitalia.
- Development of frequent urinary problems, such as bladder infections. Inappropriate (enmeshed) relationship between older or at-risk adult and suspect.
- Withdrawal, chronic depression.
- Hysteria, lack of emotional control.
- Threatened by physical contact, closeness.
- Fantasizing or exaggerating. The elder or at-risk adult may describe having a new boyfriend or girlfriend.
- Coded disclosures such as "I might be pregnant" or "He makes me do bad things."
- Compulsive behaviors, such as taking an excessive number of baths.
- Extreme reaction to being examined, changed or bathed.
- Sleep disorder or nightmares.
- Regressive or aggressive behaviors.

Appendix E

Emotional Abuse Indicators

Emotional abuse or mental suffering is the infliction of anguish, pain or distress through verbal or non-verbal acts and includes any behaviors that cause mental suffering such as fear, agitation, confusion, severe depression, or other forms of serious emotional distress.

The presence of one or more of these indicators does not constitute probable cause but warrants further investigation.

Some indicators to look for when assessing for emotional abuse:

- Elder or at-risk adult is excessively passive, compliant or fearful.
- Elder or at-risk adult has hopeless affect.
- Elder or at-risk adult has no self-direction /self-esteem.

Examples of emotional abuse:

- Continued threats to place an elder or at-risk adult in a nursing home.
- Threats to isolate the person or deprive the elder or at-risk adult of food, water, medical care, financial support or companionship.

Appendix F

Specialist Elder and At-Risk Adult Abuse Deputy District Attorneys

- Jane Walsh 303 441 3789 (Director of Community Protection Division)
  jwalsh@bouldercounty.org

- Karen Peters 303 441 3702
  kpeters@bouldercounty.org

- Karen Lorenz 303 441 3783
  klorenz@bouldercounty.org

- Arnold Hanuman 303 441 1612
  ahanuman@bouldercounty.org

Appendix G

Financial Crimes Indicators

"Financial abuse" of an elder or at-risk adult occurs when a person or entity does or attempts any of the following: Takes, secretes, appropriates, or retains real or personal property of an elder or at-risk adult or dependent adult for wrongful use or with intent to defraud, or both. **When suspect knows or should know the victim is an elder or at-risk adult the officer should note this at the beginning of their report**.

This can be done by a family member, acquaintance, care-giver, attorney, stranger, conservator, trustee, or other representative of the estate of an elder or at-risk adult.

Common Fraud Scams:

- Identity Theft – The unauthorized use of personal information such as name, social security number.
- Check Fraud – using stolen checks or creating counterfeit checks and signing the victim's name.
- "Phishing" – using fraudulent emails or websites for the purpose of obtaining account numbers and passwords.
- Internet Auction Scams – An individual poses as a party wishing to purchase an item being sold on the internet. They send the victim a cashier's check in an amount over the bargained for price and then request a personal check or wire transfer for the difference. This is done before the bank advised the deposited check is fraudulent.
- Lottery/sweepstakes scams – An individual contacts the victim telling they have won money or a prize and they must send funds to cover fees before being sent the winnings.
- Home improvement scams where the work is not done, done incorrectly or the charges are in excess of standard practices.
- "Sweetheart scam" – an individual becomes romantically involved with an elder, promises marriage, etc., to obtain access to the elder's finances or receive expensive gifts.

The presence of one or more of these indicators does not constitute probable cause but warrants further investigation.

Listed below are some common indicators of financial abuse in cases involving elder or at-risk adults:

- Victim unaware of monthly income and bills and/or does not have access to their own money or accounts.

- Important possessions, documents or credit cards are missing.
- Unusual or erratic bank activity. Large withdrawals or cashing in CD's.
- Bank activity that is inconsistent with the elder or at-risk adult/dependent adult's financial ability.
- Older or at-risk adult is taken to the bank by caregiver.
- Bank staff reports a sudden or significant change in the older or at risk person's banking habits.
- Uses of ATM cards when the elder or at-risk adult/dependent adult is unable to leave home.
- Changes in bill payment patterns or inability to pay bills.
- Recent new acquaintance or people moving in with the elder or at-risk adult/dependent adult.
- Changes in property titles, new wills, power of attorney, or beneficiaries.
- Loans taken out by elder or at-risk adult for things not personally needed.
- Lack of amenities when elder or at-risk adult/dependent adult can afford them.
- Suspicious activity on credit cards.
- The elder/at-risk adult describes signing documents but is unclear what they were.
- Forged or suspicious signature on documents.
- Foreclosures or second mortgages.
- The elder or at-risk adult is uncared for or the residence is unkempt when the services are being paid for.
- Caregiver refuses to spend the elder or at-risk adult's money on the older/at-risk adult.
- The elder or at-risk adult has given many expensive gifts to the caregiver.
- Caregiver has new car, condo…
- Untreated medical or mental health problems.
- The elder or at-risk adult's mail is being redirected to a different address.
- Isolation of the elder or at-risk adult.

Elder or at-risk adult is concerned or confused about missing funds or financial arrangements.

Appendix H

Power of Attorney

Power of Attorney means a notarized writing or other record that grants authority to an agent to act on behalf of the principal, whether or not the term power of attorney is used. The agent is required to use due care to act in the best interests of the principal. The principal retains ultimate control of any decision and may revoke the Power of Attorney at any time. A Power of Attorney does not convey the assets (i.e. credit cards, real estate, bank accounts) to the agent.

A general Power of Attorney conveys general authority over decision-making. The specific authority conveyed will be outlined in the document. A Medical Power of Attorney conveys only medical decision-making authority to the agent. A Financial Power of Attorney conveys only financial decision-making authority to the agent.

Colorado's Uniform Power of Attorney Act (C.R.S. 15-14-701) went into effect January 1, 2010. Along with other provisions, the Act requires the agent to act in accordance with the principal's wishes, to act in good faith, to act loyally, to keep records, and to act only within the scope of authority granted in the Power of Attorney (C.R.S. 15-14-716). Powers of Attorney are not issued by any Court in the State of Colorado. They do not need to be filed with a Clerk and Recorder's Office. A Power of Attorney must be embossed, contain the Notary's expiration date, and signature to be valid.

The investigating officer should carefully verify the scope of the Power of Attorney. The officer should consult with their agency's legal counsel or the District Attorney's Office if they have concerns about the contact and no criminal violation can be proven. If the officer has concerns the following persons may petition a court to construe a Power of Attorney or review the agent's conduct and grant appropriate relief:

- The principal or the agent;
- A guardian, conservator, or other fiduciary acting for the principal;
- A person authorized to make health care decisions for the principal;
- The principal's spouse, parent, or descendant;
- An individual who would qualify as a presumptive heir of the principal;
- A person named as a beneficiary to receive any property, benefit, or contractual right on the principal's death or as a beneficiary of a trust created by or for the principal that has a financial interest in the principal's estate;
- A governmental agency having regulatory authority to protect the welfare of the principal;
- The principal's caregiver or another person that demonstrates sufficient interest in the principal's welfare; and
- A person asked to accept the power of attorney.

If an agent is found in violation of this statute they may be liable to the principal or the principal's successors in interest for the amount required to restore the value of the principal's property to what it would have been had the violation not occurred, and reimburse the principal or the principal's successors in interest for the attorney's fees and costs paid on the agent's behalf.

Appendix I

Suspects Indicators

- Provides inconsistent and conflicting explanations about the older or at-risk adult's injuries or condition.
- Belittles, threatens, or insults the older or at-risk adult.
- Handles the older or at-risk adult roughly.
- Ignores the older or at-risk adult's need for assistance or is reluctant to help the older or at-risk adult.
- Has a past history of being abusive.
- Does not speak to or provide companionship to the older or at-risk adult and isolates him/her from the outside world, friends or relatives.
- Controls and dominates the older adult, is always present when anyone talks with the older adult, speaks for him/her, and is overly protective or defensive.
- Portrays self as victim or only caring person in older or at-risk adult's life.
- May be charming and helpful toward professionals and the victim while others are present.
- Abuses the older or at-risk adult's pets.
- Controls and dominates the older or at-risk adult's life/activities.
- Justifies and minimizes own actions.

Appendix J

Evidence Collection

All reports when applicable/possible should include:

- Statements from the victim, suspect, neighbors, facility staff, medical staff, family members and witnesses.
- Victim's cognitive condition.
- Confessions, admission, overheard conversations.
- Demeanor and emotional states of all parties present.
- Victim's living conditions/environment.
- Victim's reactions to or in the presence of the suspect.
- Any observed power and control tactics used by the suspect.
- Victim's access to family, friends, social services, medical care.
- Victim's medications, prescription and health care records.
- Answering machine/voice mail messages.
- Written notes or messages from the suspect.
- Handwriting samples.
- Telephone listings and addresses.
- Records from facilities.
- Contact information for agencies already involved.
- Computers, electronic devices, and financial records.

In reports involving physical abuse the following procedures are recommended in examining the victim for injuries while you collect, photograph and or document the following:

- Be aware that persons with some types of disabilities may be touch-aversive and some older adults with dementia can be combative. Enlisting the help and support of a caregiver if the caregiver is not the suspect might be helpful.
- The location, size, and color of all injuries, including old injuries, or scars, defensive and offensive wounds to the victim and/or suspect.
- Collect any damaged clothing (ripped, torn, bloodstained, soiled, etc.)
- Document damaged property.

In reports involving neglect collect, photograph and or document the following:

- Availability or lack of food, water and other necessities (medications, toiletries, needed adaptive devices, etc.).
- Signs of malnutrition or dehydration.
- Bedsores.
- Bandages or absence of needed bandages.

- Condition of bedding or absence of bedding.
- Inappropriate clothing (too heavy for the heat/light for the cold).
- Any paperwork documenting who is responsible for providing care.
- Medical records that show that the caregiver (or others) are aware of the victim's health status and care needs.

In reports involving financial exploitation collect, photograph and or document the following (consider the need for a search warrant or consent):

- The suspect's and the victim's living arrangements (for example; if suspect is living in a more comfortable way than the victim to show the contrast).
- Court orders regarding guardianship/conservatorship or Power of Attorney documents.
- Financial institution records in the name of the victim, name of the suspect, or in both names.
- Checkbooks.
- Bank statements.
- Overdue or unpaid bills.
- Solicitations and correspondence about the elder adult's accounts, assets, and insurance plans from financial advisors, businesses and insurance agents.
- Tax records before and after assets were given to the suspect.
- Loan applications.
- Court order applications.
- Civil litigation including interrogatories, answers, depositions, and discovery, including facts supporting a claim or defense, witnesses and their locator information, and supporting documents and other evidence.
- Deeds.
- Credit card applications and history and records of purchases by the suspect.
- Bills of sale.
- Marriage certificates, past and present.
- Data taken from home or work computers.

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Emergency Background Checks for HHS Placements **NUMBER:** OP706

EFFECTIVE DATE: September 27, 2016 **SUPERSEDES:** [New]

POLICY: It is the policy of the Boulder County Sheriff's Office to assist the county department of Health and Human Services (HHS) in conducting after-hours background checks for emergency child placements.

RELATED PROCEDURES:
[None]

DEFINITIONS:

Background Check: A search of the CCIC, NCIC, and sheriff's computerized records system for a specific individual, identified by full name and date of birth (including any known aliases).

CCIC: The Colorado Crime Information Computer.

Emergency Placement: The placement of a child outside of the normal placement process.

HHS: The Boulder County Department of Health and Human Services.

Law Enforcement Agency: A state or local government agency, including the Colorado State Patrol, authorized to enforce the laws of the State of Colorado.

NCIC: The National Crime Information Computer.

Tiburon™: The computer-based records management system utilized by the sheriff's office.

PROCEDURE:

I. Request for assistance

A. Calls received from HHS requesting assistance in conducting emergency background checks for child placement shall be referred to a deputy in the Operations Division.

1. Requests for placement within a municipal jurisdiction inside Boulder County who does not contract their law enforcement

services with the sheriff's office should be referred to the law enforcement agency within that local jurisdiction for completion.

a) If a local jurisdiction within Boulder County is unwilling, or unable, to assist HHS in conducting an emergency background check, sheriff's deputies are authorized to assist HHS in lieu of the local agency.

b) A deputy who completes an emergency background check on behalf of a municipality should inform the requesting HHS case worker that the background check does not include the local jurisdiction's criminal or local contact histories, which did not result in a custodial arrest.

B. The deputy assigned to conduct the emergency background investigation for HHS must obtain the identifying information of the requestor and the associated HHS file or case number.

C. The following information must be provided by HHS to conduct a thorough background investigation:

1. Full name(s), including any aliases

2. Date(s) of birth

II. Conducting the background investigation

A. The assigned deputy may utilize the Communications Section or the Records Section to assist in completing the background investigation, if needed.

B. The background investigation shall include queries in the following systems:

1. CCIC/NCIC Systems

a) The following queries shall be completed: QWI, QH and QR.

(1) The assigned deputy shall ensure the following information will be provided in the mask fields for each query:

(a) Purpose Code (PUR/): X

(i) Purpose code “X” is for emergency placements by HHS, per the CCIC Training Manual.

(b) Car Field (CAR/): Requesting deputy’s badge number

(c) Attention Field (ATTN/): “HHS” and the corresponding sheriff’s case number (i.e. “HHS 16-1500”).

b) Tiburon™ Systems

(1) An alpha name search that queries all Tiburon™ systems shall be completed (viz. CMS, RMS, ARS, Traffic Module, Special Flags, Field Contacts, Licenses and Permits). The most comprehensive search is the system-wide alpha name search.

C. Fingerprinting

1. When possible, emergency placement candidates should be fingerprinted as part of the emergency background check process, if the Records Section is open during public hours and the emergency placement candidate is available to appear.

a) If an emergency placement candidate is fingerprinted as part of the background check, those fingerprints must be transmitted to the Colorado Bureau of Investigation by the sheriff’s office with 72 hours. This is the responsibility of the Records Section.

b) In all circumstances, the emergency placement candidate must be fingerprinted within five days of the emergency placement for the emergency placement to continue. Enforcement of, and compliance with, this requirement is the responsibility of HHS, not the sheriff's office.

2. If the Records Section conducts a fingerprint background check under subsection (1)(a), section (C) of topic (II), they will complete the requirements listed in section (D) of topic (II) and provide the results to HHS upon receipt.

D. Review of records and histories

1. The deputy conducting the emergency background check should review the results of all system queries against the criteria identified in § 19-3-406(4), C.R.S., which governs emergency placements and disqualifying convictions that bar emergency placement.

2. The results of the background investigation shall be verbally provided to the HHS requestor.

a) Confirmation of the prohibited crimes outlined in § 19-3-406(4), C.R.S. can be made by providing the arrest or conviction date(s), and the involved jurisdiction, to the HHS requestor.

3. Under no circumstances are copies, either paper or electronic, of the CCIC/NCIC or Tiburon™ history or search results to be provided to the HHS requestor.

III. Documentation of an emergency background check

A. The assigned deputy will pull a case number and complete an "Agency Assist" incident report documenting the emergency background check. The report shall include, but is not limited to, the following information:

1. The full name, job title, and contact information for the HHS requestor;

2. The corresponding HHS case or file number;

3. The identification of the Records/Communications employee assisting with the background investigation queries, if applicable;

4. The results of the background investigation; and

5. A recounting of the verbal report provided to the HHS requestor, including the date and time the information was provided to HHS.

B. Copies of all search results and supporting documentation from all system queries shall be placed into the case file under the corresponding sheriff's case number.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

9/28/2016
Date

ATTACHMENTS OR ADDENDUMS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Check Fraud Investigations **NUMBER:** OP709

EFFECTIVE DATE: March 2, 2006 **REVISION DATE:** March 2, 2006

POLICY: It is the policy of the Boulder County Sheriff's Office to thoroughly investigate all cases of check fraud, per Colorado Revised Statutes 18-5-205 and 18-5-512. The Sheriff's Office does not act as a collection agency, but as the criminal investigatory agency.

RELATED PROCEDURES:

OP502 Arrest Standards and Procedures

DEFINITIONS:

Check: A written, unconditional order to pay a sum certain in money, drawn on a bank, payable on demand, and signed by the drawer.

Drawee: A Bank, savings and loan association, Industrial Bank or Credit Union, upon which the check is drawn.

Drawer: A person whose name appears on the check as the primary obligor whether the actual signature is that of himself of another authorized signer.

Insufficient Funds: A drawer has insufficient funds, has no account or has a closed account with the drawee and is unable to cover the amount for which the check was written.

Issue: A person issues a check when he makes, draws, delivers, or passes it, or causes it to be made, drawn, delivered or passed.

PROCEDURE:

1) Initial Investigation:

   a) Upon initial contact with the victim(s), the deputy determines if the check fraud meets the requirements of the Bad Check Restitution Program. If it does meet the following requirements, the victim is referred to the Bad Check Restitution Program through the Boulder County District Attorney's Office.

      i) The amount of the check does not exceed $1,500.00 (or multiple checks do not exceed this amount.)

      ii) It was received in Boulder County and deposited in a bank in exchange for goods or services, and presumed "good" at the time of acceptance.

      iii) A "courtesy notice" was sent to the drawer allowing 10 days to make the check good.

iv) The check is submitted to the program no earlier than 31 days, but no later than 90 days from the date on the check.

v) Photo identification (Driver's License, Military I.D., or State Identification card) was recorded at the time of the transaction.

b) The check does not meet the requirements of the Bad Check Restitution Program if any of the following exists:

i) The check is over $1,500.00;
ii) The check is stolen;
iii) It is post-dated;
iv) Both parties knew there were insufficient funds at the time of the transaction;
v) It is an out-of-state, two party, stop payment, rent, government, or payroll check;
vi) The identity of the check writer is unknown;
vii) There is no amount, date, or signature on the check;
viii) A bank has not processed it;
ix) The check involves an "extension of credit" or was payment on an account.

2) If the check does not meet the requirements of the Bad Check Restitution Program, the Boulder County Sheriff's Office will conduct an investigation.

a) Upon contact by the victim of a check fraud, the responding deputy obtains all pertinent information on the victim, suspect, services provided and the original check.

b) Deputies verify the check has been submitted to (cancelled by) the bank twice, and returned both times for insufficient funds. On closed account, or non- existent, the check only needs to be submitted one time.

c) Note whether the victim has contacted the suspect and the results of the contact.

d) Explain to the victim that the case will be investigated and submitted to the District Attorney's Office for prosecution. The Sheriff's Office is not responsible for collection of any funds.

3) Follow up Investigation

a) When the case is assigned for follow-up the assigned deputy will complete and document all follow-up investigation.

b) The assigned deputy will make contact with the victim as soon as possible and explain the procedures that will be followed and that a key component to prosecution is proving the knowledge and intent of the suspect.

c) The assigned deputy will send a letter to the bank requesting account information as well as information on the account holder.

d) Upon the receipt of the account information from the bank, the assigned deputy will make the determination as to whether knowledge and intent to commit fraud can be established.

i) If intent cannot be established, the assigned deputy will contact the victim and explain to them that the case cannot be submitted for prosecution, but they may seek civil restitution and the original check will be returned to them.

(1) Closed accounts: If the check was written 30 days after the account was closed, the charge becomes a felony, bank documentation is necessary detailing the date the account was closed. If the check was uttered within 30 days of the account being closed, the check is treated as a non-sufficient funds check.

(2) If the bank has stamped the check “Refer to maker” this is an indication the signature may be forged. Contact the financial institution and check the status of the account.

ii) Upon the receipt of the account information from the bank, the assigned deputy will make the determination as to whether knowledge and intent to commit fraud can be established.

(1) Submit the original check along with all known signatures of the drawer to the Questioned Document Examiner for examination and comparison of the signatures.

(2) If the suspect cannot be contacted, the assigned deputy will complete an Affidavit for the arrest of the suspect.

(3) Upon the arrest of the suspect the assigned deputy will contact the victim and inform them of the arrest.

4) Any checks written in the Town of Lyons for less than $500.00 can be written into the Lyons Municipal Court.

5) Any checks written in the Town of Superior are submitted for prosecution to the town of Superior Municipal Count under ordinance 10-62: Superior municipal code applies only to checks that are under $400.00, or the aggregate amount of checks within 60 days is under the amount of $400.00. Amounts over $400.00 but under $500.00 are handled by State summons

i) The payee must have obtained at least two forms of non-photo identification or one form of photo identification bearing a photograph of the drawer.

ii) The payee must have obtained an address of the drawer of the check at the time of acceptance of the check.

iii) The check must have been presented to the band for acceptance or refusal for the first time within 30 days of the date of issuance.

iv) The check has been submitted (cancelled) to the bank twice, and returned both times for insufficient funds.

v) The payee must then send a certified letter, returned receipt requested, to the last known address of the drawer. The letter must notify the writer of drawer that the bank has refused payment on the check and give the writer 14 days to make good on the check. The letter can be returned unclaimed and this satisfies the requirement.

vi) Fifteen days following the Date of Delivery or attempted delivery, a summons may be issued.

By Order of the Division Chief,

_____ _____

Dennis Hopper, Division Chief Date

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY & PROCEDURE MANUAL

SUBJECT: Eyewitness Identifications **NUMBER:** OP721

EFFECTIVE DATE: March 17, 2016 **SUPERSEDES:** March 4, 2013
Formerly "Photographic Line-up Procedures"

POLICY: The Boulder County Sheriff's Office recognizes that eyewitness identification is an important investigative tool for identifying individuals suspected of committing crimes. The purpose of this policy is to set forth eyewitness identification protocols that will result in strong, reliable evidence while observing relevant constitutional and statutory protections.

RELATED PROCEDURES:

DEFINITIONS:
Eyewitness: A person who observed another person at or near the scene of an offense.

Filler: A person or photograph of a person who is not suspected of the offense in questions and is included in an identification procedure.

Show-up: An identification procedure in which an eyewitness is presented with a single suspect in person to determine if the eyewitness identifies the suspect as the perpetrator of an offense.

Photo Array (Photo Lineup): An identification procedure in which a group of photographs, including a photo of the suspected perpetrator of an offense and photos of additional fillers, is shown to an eyewitness to determine if the eyewitness identifies the suspect as the perpetrator. The photographs may be displayed in either hard copy form or via electronic means.

Live Lineup: A live identification procedure in which a group of people, including the suspected perpetrator of an offense and additional fillers, is shown to an eyewitness to determine if the eyewitness identifies the suspect as the perpetrator.

Administrator: The person who is conducting an identification procedure.

Blind Administrator: The administrator of an identification procedure who does not know the identity of the suspect when it is viewed by the eyewitness.

Blinded Administrator: The administrator of an identification procedure who may know who the suspect is, but does not know in which position the suspect is placed in a photo array.

Confidence Statement: A statement by an eyewitness immediately following an identification regarding his or her confidence in the identification's accuracy.

PROCEDURE:

I. Photo Array (Photo Lineup)

A. Creating the Photo Array

1. Fillers should be similar in appearance to the suspect and to the eyewitness' original description of the suspect. Similarities should include gender, age, race, height, hair color, facial hair, clothing and distinctive physical features.

2. At least five fillers should be included in each photo array, in addition to the suspect. Administrators should not include fillers who are known to the eyewitness.

3. Only one suspect should be included in a photo array. If there is more than one suspect in an investigation, a separate photo array should be made for each suspect. Different fillers should be used in the separate arrays.

4. Photos used in an array should be of consistent size, quality, color and background. Photos should not contain stray markings or information about the subject. Any markings or identifying information should be covered. If one photo in the array is covered in any manner, all the photos should be similarly covered.

B. Communicating with the Eyewitness

1. When contacting an eyewitness to arrange for viewing a photo array, the officer/investigator should advise only that he/she intends to conduct a photo identification procedure.

2. Avoid addressing whether a person is in custody or whether other supporting evidence about the suspect has been obtained (such as statements, physical evidence, and other identifications).

3. When an eyewitness arrives to view the array, he/she should be prevented from speaking to any other eyewitnesses about the identification procedure.

4. The administrator should provide the following or substantially similar instructions to an eyewitness before displaying a photo array:

    a. The eyewitness is being asked to a view a photo array as part of an ongoing investigation into a crime that occurred on (date) at (location), to see if the eyewitness recognizes anyone involved with the crime.

    b. The eyewitness should not assume the administrator knows who the suspect is, or seek assistance from the administrator or anyone else present in making an identification.

    c. The suspect may or may not be pictured in the array.

    d. Individuals pictured in the photo array may not look exactly as they did on the date of the incident. Some features - like hairstyle or facial hair - are subject to change.

    e. Photos do not necessarily depict the true complexion of a person; it may be darker or lighter than appears in the photo.

    f. The eyewitness should pay no attention to any markings on the photos or any differences in the style/type of the photos.

    g. If the eyewitness makes an identification, the eyewitness will be asked about his/her level of certainty. The administrator will ask the eyewitness to choose whether he/she is confident, somewhat confident or not confident about his/her identification.

    h. The investigation will continue, regardless of whether the eyewitness makes an identification.

C. Administering the Photo Array

1. When practicable, a blind administrator is recommended for all photo arrays (an administrator who does not know the identity of the suspect).

2. When use of a blind administrator is impractical, blinded administration of the photo array should be used (the administrator knows the identity of the suspect, but not what position the suspect occupies in the array).

3. Examples of methods for blinded administration may include, but are not limited to, the following:

    a. The photo array is created by an officer other than the administrator and then placed in a folder. The administrator gives the folder to the eyewitness, who looks at the array within the folder, so that the administrator cannot see the photos during the identification.

    b. The administrator makes multiple arrays, placing the suspect's photo in different positions in each. The same fillers may be used in the multiple arrays. The arrays are then placed in separate, closed folders and the witness selects which one to view. The eyewitness looks at the array within the folder, so that the administrator cannot see the photos while the eyewitness is viewing them.

4. During all photo array procedures, the administrator should stand out of the eyewitness' line of sight during the viewing of the array, but in a position where he/she can observe and hear the eyewitness.

5. If multiple eyewitnesses are viewing a photo array, they should be prevented from speaking to one another about the identification procedure. Each eyewitness must view the array separately and be admonished not to discuss the identification procedure with any other eyewitness.

6. The administrator should always remain neutral during the identification procedure, so as not to suggest a particular photo to the eyewitness.

7. If both practicable and available, administrators are encouraged to video record the photo array procedure and confidence statement. Audio recording is an acceptable alternative if video recording is not practicable.

8. After viewing the array, the administrator should ask the eyewitness the following questions. If the eyewitness' answers are unclear, the administrator should ask the eyewitness what he/she meant by the answers.

    a. Do you recognize anyone?
    b. If so, what number do you recognize?
    c. From where do you recognize this person?

9. If the eyewitness makes an identification, in addition to recording or memorializing any spontaneous statements made by the eyewitness, the eyewitness should be asked about his/her level of certainty. The administrator should ask the eyewitness to choose which of the following statements best describes his/her level of certainty in the identification:

    a. I am confident that is the person I saw.
    b. I am somewhat confident that is the person I saw.
    c. I am not confident at all that this is person I saw.

10. The administrator should not comment, nod or make gestures (either positive or negative) on whether the eyewitness picked the suspect. If asked by the eyewitness, the administrator should explain he/she is not allowed to provide feedback.

11. Once the procedure is concluded and fully documented (see below), the administrator can talk to the eyewitness about the next steps in the case. The eyewitness should be instructed not to discuss the identification procedure with other eyewitnesses. Also, the administrator should not discuss any other identification procedures viewed by other eyewitnesses.

D. Documenting the Photo Array

1. Where the procedure took place, who was present, the date and time it was administered.

2. Any statements, comments or physical reactions of the eyewitness while viewing the array.

3. Each eyewitness should complete a standard form that records their identifying information and the results of the procedure after viewing the array. The eyewitness should sign and date the array itself, or a copy supplied to document the identification procedure.

4. The eyewitness' confidence statement, including any spontaneous statements, should be documented word for word.

5. Preserve the photo array in the original form that was shown to each eyewitness. A copy of the photo array should be included with the case report.

II. Live Lineups

A. Consultation with the prosecuting attorney's office is recommended whenever a live lineup is being considered.

B. Creating the Live Lineup

1. Fillers should be similar in appearance to the suspect and to the eyewitness' original description of the suspect. Similarities should include gender, age, race, height, hair color, facial hair, clothing and distinctive physical features.

2. At least five fillers should be included in each live lineup, in addition to the suspect. In no case, should less than four fillers be used. Only one suspect should appear per live lineup. Administrators should not include fillers who are known to the eyewitness.

3. If necessary, all members of the live lineup should be seated to minimize any height differences.

4. If there is more than one suspect, different fillers should be used in each live lineup.

5. The suspect should be allowed to select his/her own position in the live lineup. Where the suspect was previously identified in a photo array, that number should be avoided unless insisted upon by the suspect.

6. All members of the live lineup should be instructed not to speak or gesture to one another during the procedure. All members of the live lineup should be instructed to remain still and look forward unless otherwise directed by an officer/investigator.

C. Communicating with the Eyewitness

1. When contacting an eyewitness to arrange for viewing a live lineup, the officer/investigator should advise only that he/she intends to conduct an identification procedure.

2. Avoid addressing whether a person is in custody or whether other supporting evidence about the suspect has been obtained (such as statements, physical evidence, and other identifications).

3. When an eyewitness arrives to view the live lineup, he/she should be prevented from speaking to any other eyewitnesses about the identification procedure.

4. The administrator should provide the following or substantially similar instructions to an eyewitness before viewing a live lineup:

   a. The eyewitness is being asked to a view a lineup as part of an ongoing investigation into a crime that occurred on (date) at (location), to see if the eyewitness recognizes anyone involved with the crime.

   b. The eyewitness should not assume the administrator knows who the suspect is, or seek assistance from the administrator or anyone else present in making an identification.

   c. The suspect may or may not be present in the lineup.

   d. Individuals presented in the lineup may not look exactly as they did on the date of the incident. Some features -like hairstyle or facial hair - are subject to change.

   e. The eyewitness can ask the administrating officer to have the lineup members move, speak or change clothing. If one

lineup member is asked, all the members will be asked to do the same.

f. If the eyewitness makes an identification, the eyewitness will be asked about his/her level of certainty. The administrator will ask the eyewitness to choose whether he/she is confident, somewhat confident or not confident about his/her identification.

g. The investigation will continue, regardless of whether the eyewitness makes an identification.

C. Administering the Live Lineup

1. A blind administrator is recommended for all live lineups (an administrator who does not know the identity of the suspect).

2. After the administrator instructs the eyewitness, he/she should stand outside the eyewitness' line of sight, while still being in position to observe and hear the eyewitness.

3. If there are multiple eyewitnesses, they must each view the lineup separately. The position of the suspect should be moved each time the lineup is shown to a different eyewitness. Eyewitnesses should be prevented from speaking to each other about the identification procedure.

4. The officer/investigator monitoring the suspect and fillers in the lineup room should remain out of view of the eyewitness to avoid any claims of inadvertent suggestion.

5. If both practicable and available, administrators are encouraged to video record the live lineup procedure and confidence statement. Audio recording is an acceptable alternative if video recording is not practicable. If the procedure is not video recorded, the lineup should be preserved by photograph.

6. After an eyewitness views the lineup, the administrator should ask him/her the following questions. If the eyewitness’ answers are

unclear, the administrator should ask the eyewitness what he/she meant by the answers.

a. Do you recognize anyone?
b. If so, what number do you recognize?
c. From where do you recognize this person?

7. If the eyewitness makes an identification, in addition to recording or memorializing any spontaneous statements made by the eyewitness, the eyewitness should be asked about his/her level of certainty. The administrator should ask the eyewitness to choose which of the following statements best describes his/her level of certainty in the identification:

a. I am confident that is the person I saw.
b. I am somewhat confident that is the person I saw.
c. I am not confident at all that is the person I saw.

8. The administrator should not comment, nod or make gestures (either positive or negative) on whether the eyewitness picked the suspect. If asked by the eyewitness, the administrator should explain he/she is not allowed to provide feedback.

9. There are circumstances where a suspect may have an attorney present during a live lineup. Consult with the appropriate prosecuting attorney's office for guidance regarding a suspect’s right to counsel. When in attendance, a defense attorney should be instructed not to speak in the viewing room when the eyewitness is present.

D. Documenting the Live Lineup

1. Administrators should document the following or substantially similar information using appropriate forms or notes:

a. Where the procedure took place, who was present in the viewing room and the lineup room, the date and time it was administered. Document the names of any officers/ investigators who escorted the eyewitness to and from the viewing room.

b. Any statements, comments or physical reactions of the eyewitness while viewing the lineup.

c. Anything the lineup members were asked to do, such as speak, move or change clothing.

d. Any requests made by defense counsel and whether they were granted.

e. Each eyewitness should complete a standard form that records their identifying information and the results of the procedure after viewing the lineup.

f. The eyewitness' confidence statement, including any spontaneous statements, should be documented word for word.

g. If video recording is not made, preserve a photograph of the lineup.

III. Show-ups/Field Identifications

A. Show-up (field identification) is an identification procedure used when a suspect has been detained soon after the commission of an offense because he/she resembles the description of the perpetrator provided by an eyewitness. The eyewitness is then allowed to view the suspect so that a positive or negative identification to be made.

1. The eyewitness should be transported to view the suspect whenever possible, rather than have the suspect transported to the eyewitness' location. Detentions for the purpose of a show-up procedure are typically seizures based upon reasonable suspicion. Without probable cause to arrest a suspect, transporting him/her to the eyewitness' location might be considered an unlawful arrest. Suspects do not have the right to refuse to participate in a show-up.

2. The officer transporting an eyewitness to view a show-up should not discuss the suspect or whether other supporting evidence about the suspect has been obtained (such as statements, physical evidence, and other identifications).

3. The administrator of the show-up should instruct the eyewitness that:

   a. He/She is being transported to view a person fitting their description of the suspect for the purpose of making a positive or negative identification.

   b. The person involved in the crime(s) may or may not be the detained suspect.

   c. If the eyewitness makes an identification, the eyewitness will be asked about his/her level of certainty. The administrator will ask the eyewitness to choose whether he/she is confident, somewhat confident or not confident about his/her identification.

   d. The eyewitness can ask the administrating officer to have the detained suspect put on or remove outer garments, repeat words or make gestures.

   e. The investigation will continue, regardless of whether the eyewitness makes an identification.

4. The eyewitness should be transported to a position at a distance that allows him/her a clear view of the suspect. Imprudent under the circumstances of the case, the eyewitness should not be visible to the suspect.

5. When there are multiple eyewitnesses for a show-up procedure, they should each be transported to view the suspect in separate vehicles. Eyewitnesses should be prevented from speaking to each other about the identification procedure. When the procedure is over, eyewitnesses should be admonished not to discuss the identification procedure with any other eyewitness.

6. When there are multiple suspects detained, the suspects should be distanced from each other sufficiently so that the eyewitness views each suspect one at a time.

7. Whenever practicable, the suspect should not be handcuffed or in a patrol vehicle at the time of the show-up.

8. Video recording of show-up procedures is recommended using dashboard cameras, body-worn cameras or other available recording devices. When video recording is not practicable, audio recording is an acceptable alternative.

9. The administrator should not comment, nod or make gestures (either positive or negative) about the eyewitness' identification of the suspect.

10. The administrator of a show-up identification should document the procedure using appropriate forms and/or notes to record the following or substantially similar information:

    a. The name and identifying information of the eyewitness.

    b. Where the procedure took place, who was present, the date and time it was administered.

    c. The circumstances leading to the show-up procedure.

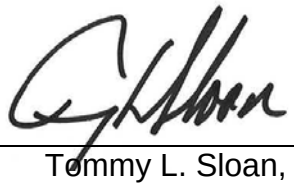
    d. Physical circumstances of the show-up - including lighting, weather, approximate distance between the eyewitness and suspect, whether the suspect was handcuffed, physical description of the suspect and the length of time between the suspect’s detention and the identification.

    e. Any statements, comments or physical reactions of the eyewitness(es) during the identification procedure.

    f. The eyewitness' confidence statement, including any spontaneous statements, should be documented word for word.

11. Each eyewitness should complete a standard form about the results of the procedure after viewing the suspect.

By Order of the Division Chief,



Tommy L. Sloan,
Division Chief

03/17/2016
Date

THIS PAGE INTENTIONALLY

LEFT BLANK

PHOTO ARRAY - WITNESS INSTRUCTIONS

- ☐ As part of the ongoing investigation into a crime that occurred on _____ (date) at _____ (location) you will view a photo array.
- ☐ It consists of six photographs of individuals. Each photograph has a number underneath the photograph.
- ☐ Take whatever time you want to view the photo array.
- ☐ The photographs may or may not include the person(s) involved the crime that you were a victim of or witness to.
- ☐ Do not assume that I know who the suspect is.
- ☐ I want you to focus on the photo array and not look to me or anyone else in the room for guidance about make an identification during the procedure.
- ☐ Individuals presented in the photo array may not appear exactly as they did on the date of the incident because features, such as hairstyles and facial hair, are easily changed.
- ☐ Photographs may not always depict the true complexion of a person; it may be lighter or darker than shown in the photo.
- ☐ Pay no attention to any markings that may appear on the photos, or any other difference in the type or style of the photographs.
- ☐ After you have had an opportunity to view the photo array, I will ask you if you recognize anyone. If you do, I will ask you the number of the person you recognize and from where you recognize the person. I will also ask you about your level of certainty in your identification.
- ☐ If you believe one of the photographs is the person involved in this crime, I will ask you to please sign and initial the appropriate photo and mark the appropriate number in the space provided on the Photo Array Form.
- ☐ The investigation will continue regardless of whether or not you make an identification.
- ☐ **DO NOT discuss with other witnesses what you see, say or do during this procedure.**

WITNESS SIGNATURE:

The above instructions have been read to me.

_____ Date:_____ Time:_____

PHOTO ARRAY
ADMINISTRATOR FORM – CONFIDENCE STATEMENT

Witness: _____ Administrator: _____

Instructions to the administrator showing the photo array:

- Remain neutral. Do not comment on the identification before, during or after the identification procedure.
- Provide the photo array in a closed envelope or folder when handing it to the eyewitness.
- Stand out of the eyewitness' line of sight, where practical, but still observe and listen to the eyewitness as he/she views the photo array.
- Where practicable and appropriate, video record the entire procedure. When video recording is not practicable, audio recording is an acceptable alternative.
- Complete the Case Information Sheet that accompanies this form.

After the eyewitness has viewed the photo array, ask the following questions:

☐ Did you recognize anyone in the photo array? _____

- If the answer to the preceding question is negative, STOP and go to the signature line.
- If the answer is positive, proceed to the next question:

☐ If so, what is the number of the person you recognized? _____

☐ From where do you recognize that person? _____

Confidence Statement:

Please choose which of the following statements best describes your level of certainty in your identification:

☐ I am confident that is the person I saw.
☐ I am somewhat confident that is the person I saw.
☐ I am not confident at all that is the person I saw.

Date: _____ Time: _____ Witness Signature: _____

PHOTO ARRAY CASE INFORMATION SHEET
[DO NOT SHOW THIS FORM TO WITNESS]

Complaint or Case Report #:_____ Crime Date & Location: _____

Photo Array Date: _____Time: _____ Location: _____

Crime Committed: _____Witness' Name: _____

Was Witness Transported? Yes ☐ No ☐

Transporting Officer: _____
Rank: _____ Command: _____ ID #: _____

Photo Array Administrator: _____
Rank: _____ Command: _____ ID #: _____

Investigating Officer: _____
Rank: _____ Command: _____ ID #: _____

Interpreter Present? Yes ☐ No ☐ Name: _____ Language: _____

Was the procedure recorded? Video Only ☐ Audio & Video ☐ Audio Only ☐ No ☐

The original photo array MUST BE preserved.
Attach a copy of the photo array to this form and provide the information below.

Position	Name
1	
2	
3	
4	
5	
6	

Suspect's Name: _____ D.O.B.: _____ Position: _____
Was any photo altered? Yes ☐ No ☐ If yes, which? _____
Describe the alteration: _____

Record the words and gestures of the witness during the identification procedure and confidence statement: _____

_____

_____

_____

_____

_____

Signature of Administrator: _____ Date: _____ Time: _____

LIVE LINEUP - WITNESS INSTRUCTIONS

- ☐ As part of the ongoing investigation into a crime that occurred on _____ (date) at _____ (location) you are about view a lineup.
- ☐ You will look through a one-way mirror and see six people in the lineup. They will not be able to see you. There will be a number associated with each person in the lineup.
- ☐ Take whatever time you want to view the lineup.
- ☐ The person(s) involved in the crime that you were a victim of or witness to may or may not be present in the lineup.
- ☐ Do not assume that I know who the suspect is.
- ☐ I want you to focus on the lineup and not look to me or anyone else in the room for guidance about make an identification during the procedure.
- ☐ Individuals presented in the lineup may not appear exactly as they did on the date of the incident because features, such as hairstyles and facial hair, are easily changed.
- ☐ You may ask me to have members of the lineup speak, move or change clothing. If one member is asked to speak, move or change clothing, then all the lineup members will be asked to do the same.
- ☐ After you have had an opportunity to view the live lineup, I will ask you if you recognize anyone. If you do, I will ask you the number of the person you recognize and from where you recognize the person. I will also ask you about your level of certainty in your identification.
- ☐ The investigation will continue regardless of whether or not you make an identification.
- ☐ **DO NOT discuss with other witnesses what you see, say or do during this procedure.**

WITNESS SIGNATURE:

The above instructions have been read to me.

_____ Date:_____ Time: _____

LIVE LINEUP
ADMINISTRATOR FORM – CONFIDENCE STATEMENT

Witness: _____ Administrator: _____

Instructions to the administrator conducting the live lineup:

- Remain neutral. Do not comment on the identification before, during or after the identification procedure.
- After instructing the eyewitness, stand out of the eyewitness' line of sight, where practical, but still observe and hear the eyewitness.
- Where practicable and appropriate, video record the entire procedure. When video recording is not practicable, audio recording is an acceptable alternative.
- A photo should be taken of the live lineup when a video recording of the procedure is not made.
- Introduce by name all individuals present in the viewing room to the eyewitness.
- If there is a need to have a lineup member speak, move, change clothing or some other activity, then all lineup members must do the same activity.
- Complete the Case Information Sheet that accompanies this form.

After the eyewitness has viewed the live lineup, ask the following questions:

☐ Did you recognize anyone in the lineup? _____

- If the answer to the preceding question is negative, STOP and go to the signature line.
- If the answer is positive, proceed to the next question:

☐ If so, what is the number of the person you recognized? _____

☐ From where do you recognize that person? _____

Confidence Statement:

Please choose which of the following statements best describes your level of certainty in your identification:

☐ I am confident that is the person I saw.
☐ I am somewhat confident that is the person I saw.
☐ I am not confident at all that is the person I saw.

Date: _____ Time: _____ Witness Signature: _____

LIVE LINEUP CASE INFORMATION SHEET
[DO NOT SHOW THIS FORM TO WITNESS]

Complaint or Case Report #:_____ Crime Date & Location: _____

Live Lineup Date: _____Time: _____ Location: _____

Crime Committed: _____Witness' Name: _____

Was Witness Transported? Yes ☐ No ☐

Transporting Officer: _____
Rank: _____ Command: _____ ID #: _____

Lineup Administrator: _____
Rank: _____ Command: _____ ID #: _____

Investigating Officer: _____
Rank: _____ Command: _____ ID #: _____

Security Officer: _____
Rank: _____ Command: _____ ID #: _____

Deputy District Attorney Present: Yes ☐ No ☐ Name: _____

Interpreter Present? Yes ☐ No ☐ Name: _____ Language: _____

Was the procedure recorded? Video Only ☐ Audio & Video ☐ Audio Only ☐ No ☐

Lineup photograph taken? Yes ☐ No ☐

Position	Name
1	
2	
3	
4	
5	
6	

Suspect's Name: _____ D.O.B.: _____ Position: _____

Record the words and gestures of the witness during the identification procedure and confidence statement: _____

_____

_____

_____

_____

_____

Signature of Administrator: _____ Date: _____

LIVE LINEUP – DEFENSE COUNSEL SHEET

Suspect's Attorney Present? Yes ☐ No ☐

Defense Attorney: _____ Telephone: _____

The Defense Attorney was instructed **not** to speak while in the viewing room with the witness? Yes ☐ No ☐

If Defense Attorney makes requests about the live lineup, record the request and whether the request was agreed to or refused:

1. Request: _____

Agreed ☐ Refused ☐

2. Request: _____

Agreed ☐ Refused ☐

3. Request: _____

Agreed ☐ Refused ☐

4. Request: _____

Agreed ☐ Refused ☐

SHOWUP - WITNESS INSTRUCTIONS

☐ You are being transported to view a person fitting your description of the person(s) involved in the crime that you were a victim of or witness to, for the purpose of making a positive or negative identification.

☐ *[Whenever practicable or when necessary under the circumstances of case]* You will be able to view the person, but he/she will not be able to see you.

☐ Take whatever time you want to view the person.

☐ The suspect may or may not be the person you will see.

☐ I want you to focus on the person and not look to me or anyone else for guidance about making an identification.

☐ You may ask me to have the person speak, move or change outer clothing.

☐ After you have had an opportunity to view the person, I will ask you if you recognize him/her. If you do, I will ask you from where you recognize the person. I will also ask you about your level of certainty in your identification.

☐ The investigation will continue regardless of whether or not you make an identification.

☐ **DO NOT discuss with other witnesses what you see, say or do during this procedure.**

WITNESS SIGNATURE:

The above instructions have been read to me.

_____ Date:_____ Time: _____

SHOWUP
ADMINISTRATOR FORM – CONFIDENCE STATEMENT

Witness: _____ Administrator: _____

Instructions to the administrator conducting the showup:

- Remain neutral. Do not comment on the identification before, during or after the identification procedure.
- After instructing the eyewitness, stand out of the eyewitness' line of sight, where practical, but still observe and hear the eyewitness.
- Where practicable and appropriate, video record the entire procedure. When video recording is not practicable, audio recording is an acceptable alternative.
- If the eyewitness requests, the detained person may be asked to speak, move, or add/remove outer clothing.
- Complete the Case Information Sheet that accompanies this form.

After the eyewitness has viewed the live lineup, ask the following questions:

☐ Did you recognize the person you viewed? _____

- If the answer to the preceding question is negative, STOP and go to the signature line.
- If the answer is positive, proceed to the next question:

☐ If so, from where do you recognize that person? _____

Confidence Statement:

Please choose which of the following statements best describes your level of certainty in your identification:

☐ I am confident that is the person I saw.
☐ I am somewhat confident that is the person I saw.
☐ I am not confident at all that is the person I saw.

Date: _____ Time: _____ Witness Signature: _____

SHOWUP CASE INFORMATION SHEET
[DO NOT SHOW THIS FORM TO WITNESS]

Complaint or Case Report #:_____

Crime Date: _____ Time: _____ Location: _____

Showup Date: _____Time: _____ Location: _____

Crime Committed: _____

Witness' Name: _____

Was Witness Transported? Yes □ No □

Transporting Officer: _____
Rank: _____ Command: _____ ID #: _____

Showup Administrator: _____
Rank: _____ Command: _____ ID #: _____

Investigating Officer: _____
Rank: _____ Command: _____ ID #: _____

Interpreter Present? Yes □ No □ Name: _____ Language: _____

Was the procedure recorded? Video Only □ Audio & Video □ Audio Only □ No □

Suspect's Name: _____ D.O.B.: _____

Conditions during showup:

Weather: _____

Lighting: _____

Approximate distance between witness and suspect: _____

Suspect handcuffed? Yes □ No □ Suspect in patrol vehicle? Yes □ No □

Record the words and gestures of the witness during the identification and confidence statement: _____
_____
_____
_____

Signature of Administrator: _____ Date: _____ Time: _____

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Service of Animal Control Summonses **NUMBER:** OP1001

EFFECTIVE DATE: January 3, 2017 **SUPERSEDES:** March 3, 2006

POLICY: The Boulder County Sheriff's Office animal control officers are authorized to enforce Colorado Revised Statutes, Boulder County resolutions, and municipal ordinances in contracted municipalities, as they relate to animals.

RELATED PROCEDURES:
OP502 – Arrest Standards & Procedures

DEFINITIONS:
Animal Control Officer: Any person authorized by the Boulder County Sheriff to enforce animal ordinances within Boulder County or its contracted municipalities.

Deputy: A POST-certified, commissioned deputy sheriff assigned to the Operations Division and authorized to make arrests.

Park Ranger: A person authorized by Boulder County ordinance to enforce any county ordinance on property owned by Boulder County Parks & Open Space, which may include animal ordinances.

PROCEDURE:

I. Enforcement Authority

A. Animal control officers may issue summonses and complaints concerning any Boulder County or contracted municipality animal control ordinance. When probable cause has been established a summons and complaint may be served in accordance with the provisions of the county resolution, regulation or municipal code.

B. Animal Control Officers have a limited commission involving the issuance of summonses and complaints in accordance with C.R.S. 30-15-105, unless they have been commissioned by the State Department of Agriculture as outlined in C.R.S. 35-42-107(4).

C. Deputies may be utilized in the service of summonses and complaints involving state violations of Cruelty to Animals (C.R.S. 18-9-202), livestock

violations (under C.R.S. Title 35) and Dangerous Dogs (C.R.S. 18-9-204.5).

II. Summons & Complaint Process

A. Boulder County Ordinances

1. Animal control officers and deputies are permitted to issue a penalty assessment summons for violations not involving bodily injury for the first, second, and third offense violations only. The amount of the fine is listed in the ordinance.

B. Town of Lyons Violations

1. Animal control officers and deputies are required to issue a summons and complaint with a mandatory court appearance for all violations of the animal regulations.

C. Town of Superior Violations

1. In lieu of a summons and complaint, an administrative citation or penalty assessment may be issued for first and second violations of most sections not involving bodily injury. The amount of the fine is listed in the Town of Superior, Articles of Incorporation.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

1/3/2017
Date

ATTACHMENTS OR ADDENDUMS:

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Rabies Vaccinations **NUMBER:** OP1002

EFFECTIVE DATE: March 3, 2006 **REVISION DATE:** March 3, 2006

POLICY: The Boulder County Sheriff's Office enforces County Resolution 97-1-3, which states that all dogs and cats be inoculated by a licensed veterinarian against rabies at three months of age, one year later and a maximum of every three years thereafter. The licensed veterinarian shall also furnish to the pet owner a certificate of rabies inoculation and for dog owners a rabies tag that shall be firmly affixed to the collar or harness.

RELATED PROCEDURES:

OP1003: Animal Bites

Boulder County Health Department Regulation #5

DEFINITIONS:

PROCEDURE:

1) When a dog or cat owner is contacted, confirm that the dog or cat is vaccinated against rabies.

   a) Upon request, the dog or cat owner is to provide a current rabies certificate showing proof of the animal's inoculation (97-1-3).

   b) Dogs are to wear the rabies tag firmly attached to its collar or harness (97-1-4) with the following exceptions:

      i) dogs participating in sanctioned dog show or matches;
      ii) dogs aiding law enforcement officers, or
      iii) dogs on private property with permission of the property owner (97-1-4b).

   c) Owners of dogs or cats who were vaccinated in a county other than Boulder, must furnish a certificate of rabies inoculation.

2) Exceptions to the vaccination requirements:

   a) Wolf Hybrids are not considered to be domestic canines. The Colorado Department of Public Health and Environment's policy states that the 'decision whether or not to vaccinate a hybrid-wolf rests with the veterinarian and the animal's owner.' Therefore, 97-1-3 and 97-1-4 do not apply to wolf hybrids.

b) Ferrets are not required to be vaccinated for rabies, although the Health Department strongly recommends vaccination.

By Order of the Division Chief,

_____ _____

Dennis Hopper, Chief Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Animal Bites **NUMBER:** OP1003

EFFECTIVE DATE: March 3, 2006 **REVISION DATE:** March 3, 2006

POLICY: The Boulder County Sheriffs Office investigates any animal bite that has broken the skin of a person. Bite reports are forwarded to the Boulder County Health Department.

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

1) Bite report

   a) Complete a bite report form.
      i) Pink copy of the bite form are given to the owner of the animal;
      ii) White and yellow copies are given to Animal Control Secretary.

   b) Complete an incident report titled ‘bite report’ for cats and dogs (that were not at large at the time of the incident).

   c) If the dog was at large when the bite occurred, complete a criminal report for Dog at Large (County Ordinance 97-1-6, or vicious dog at large).

   d) A summons may be issued if the animal has not been vaccinated or the rabies vaccination has expired.

2) Handling of various animals involved

   a) Dog and cat bites:

      i) Contact the owner of the animal and check that the dog/cat is healthy.
      ii) Check the animal’s rabies vaccination, which the owner is required to produce, and record information on bite form.
      iii) All dogs and cats must be confined for a period of ten days whether vaccinated or not.
      iv) Recommendations to consider how animal is to be confined:

         (1) If the dog or cat has a current rabies vaccination, they may be confined at home. The owner must sign the bite form and is given the pink copy.

         (2) If the vaccinations have expired, use discretion. Animal Control must see the animal in ten days, and its whereabouts must be known. If the owner can assure that the animal will be at the residence in ten days, and they can

adequately confine it, the animal may remain at the residence. (The owner must sign the bite form and is given the pink copy.)

(3) Dogs and cats under three months of age are too young to be vaccinated and may be confined at home (The owner must sign the bite form and is given the pink copy.)

(4) Owner unknown: Impound the animal at the Humane Society. Mark "BITE" on the impound card, on the animal's kennel, and indicate the bite release date (10 days from the date of the bite).

(5) If the animal dies the animals head needs to be saved and sent to the Health Department for testing. Follow the procedure for rabies testing below.

(6) If the animal cannot be located after a reasonable attempt, Animal Control will then forward the information to the Health Department for a final disposition and the case will be closed exceptionally cleared; handled by other agency.

b) Ferret bites are handled the same as dogs and cats with a ten-day observation period, whether or not the animal has been vaccinated.

c) Hybrid-wolf bites are determined on a case-by-case basis by the Health Department. Depending on the situation they could either recommend euthanasia or quarantine (home quarantine is not acceptable) for an extended observation period, as determined by the State Veterinarian's Office.

3) Wildlife bites

a) The Health Department must be notified immediately whenever a person has been bitten by wildlife.

b) The Health Department does not recognize a rabies threat in rodents. Bites involving mice, prairie dogs, or squirrels are not considered a threat and are not investigated.

c) There is no confinement period for wildlife involved in bites.

d) The animal should be captured and transported to the Humane Society for euthanasia and decapitation for rabies testing (with the exception of bats which are not decapitated).

e) If the animal cannot be caught, it should be dispatched out in the field, taking care not to damage the head. The animal must then be decapitated and the head sent to the Health Department for testing.

f) Commonly encountered wildlife involved in bites:
   i) Coyotes, skunks, raccoons, foxes,

ii) Bats (do not decapitate send the entire body to the Health Department.)

4) Exotic animal bites:
   a) Bite reports may be taken for livestock as well as bites involving non-indigenous animals.

   b) The Health Department is notified and makes the final decision as to confinement or euthanasia and testing.

5) Transportation of specimen
   a) If the animal dies while on bite confinement or is euthanized, the head must be saved.

   b) The decapitated head is refrigerated not frozen.

   c) The head is then taken to the Boulder County Department of Public Health and Environment, Environmental Services, along with a copy of the bite report.

   d) The Health Department will only accept the head (with the exception of bats).

By Order of the Division Chief,

_____ _____

Dennis Hopper, Chief Date

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Dog at Large **NUMBER:** OP1004

EFFECTIVE DATE: March 3, 2006 **REVISION DATE:** March 3, 2006

POLICY: Boulder County Sheriffs Office animal control officers and/or deputies investigate and take appropriate action when a report of a dog(s) at large is received as provided under a contracted Municipality code or County Resolution 97-1-6.

RELATED PROCEDURES:

OP1001 Service of Animal Control Summons
OP1005 Small Animal Impounds

DEFINITIONS:

Control: Under leash control or when accompanied by a person, within view and hearing and under electronic or voice control.

Leash control: Firmly attached to a secured tether or leash that is being held and controlled by a person.

Electronic control: The use of a device that is physically attached to the dog, which is used to positively control the dog's behavior through an electromagnetic signal transmitted to the device by the owner.

Voice control: Immediate and reliable obedience to any voice or sound command given by the owner or handler irrespective of the distance involved or the presence of any distraction or provocation, including the presence of any human, domestic or wild animal.

PROCEDURE:

1. It is unlawful for the owner or keeper of any dog to fail to prevent the dog from running at large in the entire unincorporated area of Boulder County or the municipalities that have a contract with the Boulder County Sheriffs Office to enforce the County Resolutions and/or Municipal codes (Jamestown, Lyons and Superior).

2. Any dog off of the owner's premises or on private property without the permission of the property owner is to be under control as defined above.

3. A dog is presumed to be at large if injury, damage, or trespass has occurred even if said dog is under control.

4. It is unlawful for the owner of a dog to allow such dog to attack any domestic animal or fowl or any species of wildlife.

5. Any animal control officer or deputy apprehending a dog at large may impound the dog (OP1005 Small Animal Impounds), return the dog to the owner/keeper with a

warning, and/or issue a penalty assessment notice or a summons and complaint (OP1001 Service of Animal Control Summons).

6. An animal control officer or deputy may enter upon private property when it is necessary to apprehend any dog that has been running at large. Such entrance upon private property is to be in reasonable pursuit of said dog(s) but does not include entry into a domicile or enclosure which confines a dog unless at the invitation of the owner.

7. A summons is issued for the offense using resolution number 97-1-6 Dog at Large.

    a. When an animal control officer or deputy apprehends a dog at large that is un-neutered or unspayed, a summons for Ordinance 97-1-6, Dog at Large, with a notation on the ticket that the animal is un-neutered or unsprayed is issued.

8. In addition to the dog at large charge additional charges may include:

    a. When an animal control officer or deputy apprehends a dog and the owner cannot provide a valid rabies inoculation certificate, a summons for Ordinance 97-1-3, Rabies Inoculation Required is issued.

    b. When an animal control officer or deputy apprehending a dog that is either not wearing a rabies inoculation tag, or wearing an invalid Boulder County rabies inoculation tag, a summons for Ordinance 97-1-4, Rabies Inoculation Tag Required is issued.

    c. When an animal control officer or deputy apprehending a dog that has exhibited behavior in accordance to the vicious ordinance, a summons for Ordinance 97-1-7A, Vicious Dog at Large is issued.

    d. When an animal control officer or deputy apprehends a female dog in the pro-estrus or estrus state that is not confined in a building, secure enclosure or a kennel, a summons for Ordinance 97-1-8, Failure to Confine a Female Dog in Heat is issued.

By Order of the Division Chief,

_____ _____

Dennis Hopper, Chief Date

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Release Of Impounded Animals **NUMBER:** OP1006

EFFECTIVE DATE: March 3, 2006 **REVISION DATE:** March 3, 2006

POLICY: The Boulder County Sheriff's Office will take custody of dogs running at large and either impound the animal or return it to the owner. Animals impounded for any type of charges or circumstances will be held at the Humane Society of Boulder Valley or at Longmont Humane Society (only for animals within the Town of Lyons).

RELATED PROCEDURES:

DEFINITIONS:

PROCEDURE:

I. Animals impounded at the Humane Society will remain there until an owner or responsible person responds during normal business hours to retrieve the animal. Humane Society staff will handle release.

II. If the owner of an impounded animal contacts an animal control officer, or deputy, requesting the release of the animal the request is to be referred to the on duty supervisor. The supervisor may then authorize the release of the impounded animal by a member of the Boulder County Sheriff's Office, if there are extenuating circumstances.

   a. The employee affecting the release will complete a detailed supplement.
   b. The officer who impounded the animal is notified either by phone, in person, or via e-mail.
   c. When possible, the officer who impounded the animal should be contacted prior to the release, for details on extenuating circumstances.

III. At no time will an employee of Boulder County Sheriff's Office release an animal that was impounded by another agency.

IV. The Humane Society determines the fee to be charged for the impounded animal.

V. At no time is an animal to be released by an employee of Boulder County Sheriff's Office solely to avoid fines or cost of the confinement of the animal

By Order of the Division Chief,

_____ _____
Dennis Hopper, Chief Date

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
PROCEDURE MANUAL

SUBJECT: Use of Force on Animals **NUMBER:** OP1016

EFFECTIVE DATE: January 6, 2014 **REVISION DATE:** November 10, 2014

PROCEDURE: Boulder County Sheriff's Office deputies and Animal Control Officers (ACOs) will use only the amount of physical or mechanical force that is objectively reasonable to defend themselves or another from bodily harm when encountering animals or wildlife. The Sheriff's Office recognizes that objectively reasonable force cannot always begin with the lowest levels of force. Deputies and ACOs will assess situations and their own abilities and training, select the tactics and level of force that they believe is proportional to the need, and will successfully resolve the situation. Deputies and ACOs will receive training that complies with the *Dog Protection Act* (*C.R.S.* § 29-5-112). In limited circumstances, deputies and ACOs are authorized to use deadly force on an animal as a humanitarian measure.

RELATED PROCEDURES:
502 - Use of Force
514 - Conductive Energy Devices
OP1004 - Dogs at large
OP1010 - Injured/Sick Animals
OP1013 - Wildlife
OP1015 - Wildlife Euthanasia

DEFINITIONS:
Animal: Any living creature other than a human being.

Dog: Any canine animal owned for domestic, companionship, service, therapeutic, assistance, sporting, working, ranching, or shepherding purposes.

Dog Owner: A person owning, possessing, harboring, keeping, having guardianship of, having financial or property interest in, or having control or custody of, a dog.

Deadly Force: Any use of force that is reasonably likely to cause death.

Dispatch: To kill with quick efficiency.

Mechanical Force: Involves the use of some device or substance, other than a firearm, to overcome an animal's resistance.

Non-Deadly Force: Any use of force other than that which is considered deadly force. This includes any effort used to control, capture and restrain an animal.

Objectively Reasonable: The reasonableness of the use of a particular level of force will be judged by paying careful attention to the facts and circumstances of each particular case, including whether the animal poses an immediate threat to the safety of the deputy, ACOs, or other bystanders, and to what degree.

Physical Force: Contact with an animal beyond that which is generally utilized to affect a control or capture objective, employed when necessary to overcome an animal's physical resistance to the deputy or ACO, or to protect persons or property.

PROCEDURE:

I. *Dog Protection Act* Training

A. ACOs and deputies will receive a minimum of 3 hours of training prior to January 1st, 2015, or within their first year of employment after January 1st, 2015, in the following areas:

1. The identification and meaning of common canine behaviors (e.g. dog posture, barking, and other vocalizations), and differentiating between dogs that are exhibiting behavior that puts law enforcement officers or other persons in imminent danger and dogs who are not engaging in such behavior;

2. The alternatives to lethal use of force against dogs;

3. What consists of a reasonable opportunity for a dog owner to control or remove the dog from the area;

4. Methods to effectively evaluate and safely react to situations involving a potential dog interaction, including options for distracting and escaping from a dog, options for safely capturing a dog, and defensive options in dealing with a dog.

B. Compliance with the prescribed training mandates in the *Dog Protection Act* is the responsibility of the Operations Division Training Office.

II. Use of Force on Animals

A. A deputy or ACO is authorized to use physical or mechanical force that is objectively reasonable and necessary to bring an animal under control when necessary.

B. Prior to using any level of force, whenever feasible, a deputy or ACO should allow a reasonable opportunity for a dog owner to control or remove his or her dog from the immediate area.

1. Factors to be considered when determining whether a reasonable opportunity exists or not, include, but are not limited to:

a. Whether the call is a location that is listed in the dangerous dog registry *(C.R.S. § 35-42-115)*;

b. Is a location at which illegal narcotics are suspected to be manufactured or trafficked; or

c. Any exigencies that may be present, such as when the officer or deputy is responding to a call that asserts or suggests that a person has been bitten by a dog or is in physical danger.

C. A deputy or ACO is authorized to use Sheriff's Office approved techniques and equipment to apply force to animals in situations where it is necessary to:

1. Overcome resistance directed at the officer or others involving the use of an animal;

2. Protect the deputy, ACO or others from physical harm;

3. Protect property, including other animals or livestock; or

4. Restrain or control an animal.

D. Whenever practical, an ACO should request the response of a second ACO or deputy prior to using force, unless the situation dictates that immediate action is required.

III. Deadly Force Events

A. Deputies and ACOs may use deadly force to dispatch an animal under the following circumstances:

1. When they reasonably believe such action is immediately necessary to protect the deputy, ACO, another person, or another animal, from imminent danger of death or serious bodily injury by the aggressive animal.

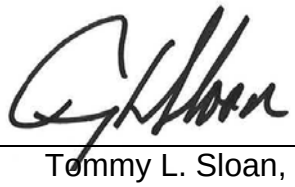
2. As a humanitarian measure when the animal is seriously injured and is suffering.

a. Deadly force to euthanize an animal may only be used when there is no risk or danger to others in the surrounding area from the application of force.

B. Deadly force shall not be used if the deputy or ACO reasonably believes that an alternative to the use of deadly force will avert or eliminate an imminent danger of death or serious bodily injury, at no increased risk to the deputy, officer, another person, or animal.

IV. Any deputy or ACO whose use of force results in death or serious injury to an animal shall report that use of force to their supervisor as soon as practical and before the end of their shift. The use of force, including the use of a firearm or Taser on an animal, shall be documented as prescribed in the Use of Force Policy (#502).

By Order of the Division Chief,



Tommy L. Sloan,
Division Chief

11/10/2014
Date

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Civil Financial Systems **NUMBER:** OP1201

EFFECTIVE DATE: June 28, 2016 **SUPERSEDES:** [New]
(Incorporates the former #215 – Civil Billing Accounts)

POLICY: The Operations Division has established financial accounting systems for the Civil Section in order to manage the civil service process fees that are authorized and mandated by the Colorado Revised Statutes and Boulder County resolutions.

RELATED PROCEDURES:
209 – Fiscal Management & Resource Control
OP1202 – Civil Paper Processing

DEFINITIONS:
Actual Expenses: Personnel and processing costs incurred in typing, processing, filing, and serving a civil process paper, not including mileage (C.R.S. 30-1-104(2)).

Bank Statement: Monthly transaction statements for the civil checking account.

Civil Checking Account: An independent business checking account held at a local bank in the name of the Boulder County Sheriff Civil Section used to deposit civil fees collected and issue refunds.

CivilSys: The *Microsoft Access*® based civil management computer system responsible for managing papers for service, assigning case numbers, and tracking current financial status of each case assigned to the Civil Section.

Judgements: Monies collected as a result of a Writ of Execution or other court order directing the sheriff of Boulder County to seize monies or conduct a Sheriff's Sale.

Overpayment: Excess monies received for anticipated costs for service of process.

PayPort® Online Service: The credit card payment service associated with the State of Colorado utilized to receive credit card payments.

Recording Fee: The fee charged by the Boulder County Clerk & Recorder for recording a legal document.

Requestor: The individual or business making the request for civil process to be served or executed. The requestor is the financially responsible party for all civil process fees incurred.

PROCEDURE:

I. Civil Fees

A. The Civil Section shall collect and manage all fees mandated and authorized by the Colorado Revised Statutes for service of civil process, in accordance with C.R.S. 30-1-104, C.R.S. 30-1-106(1), and Boulder County Resolution 2010-74.

B. Anticipated fees shall be collected in advance of service attempts, unless the requestor has an established billing account in good-standing as provided for in Topic II.

1. The fees collected in advance of service attempts will include the service fee specific to the paper or service type to be attempted and one day's mileage.

C. Mileage Fees

1. Mileage fees charged for civil service are calculated from a zone-based structure, as authorized by Boulder County Resolution 2010-74.

2. The specified roundtrip mileage per zone is based upon the Sheriff's Headquarters Building, and is as follows:

   a. Zone One: 70 miles
   b. Zone Two: 45 miles
   c. Zone Three: 39 miles
   d. Zone Four: 27 miles
   e. Zone Five: 11 miles
   f. Zone Six: 12 miles

3. The current mileage rate authorized by the Board of County Commissioners (BOCC) will be posted on the sheriff's website, the current civil fee schedule, and at the Civil Section counter.

4. Mileage fees for attempted service are charged per day regardless of the number of attempts that are made in that day.

5. On occasion a deputy may service civil process outside of Boulder County with the approval of a supervisor. In those instances the zone closest to the service location or attempt will be charged.

D. Cash Register

1. Due to the nature of civil fee collection, the Civil Section is authorized to maintain a cash register.

2. The cash register shall maintain $60 in cash, in various denominations, after a bank deposit is prepared.

3. The Civil Section supervisor(s) are responsible to balance the cash register funds against *CivilSys* records at least once per week.

    a. After balancing, cash exceeding $60 in the register will be deposited into the civil checking account.

4. Cash management is subject to Boulder County financial policies and is subject to periodic audit by Boulder County Finance.

5. Any financial records produced during the course of business will be kept on file in the Civil Section in accordance with the civil retention schedule.

E. Credit Cards

1. For convenience, the payment of civil process fees may be made by credit card at the Civil Section counter or by phone.

    a. The anticipated fees will be charged to the tendered card during the initial receipt of the paper or process for service.

        1) After the transaction successfully transmits and a confirmation number or code has been received, the paper or process for service will be routed for service attempts.

        2) Unless directed otherwise by the requestor during the intake process, and alternative arrangements made, the credit card will remain on file.

b. If there is a balance due after the final determination of fees is made, the credit card on file will be charged.

2. Any credit card transaction fees incurred will be charged to the requestor.

3. The Civil Section is authorized to use *PayPort*® as their credit card processing vendor.

F. All monies received in the form of check will be deposited into the civil checking account and will be reconciled against the *CivilSys* records at least once per week.

G. Final Fee Determination

1. A final determination of civil fees will be made and charged to the requestor after the paper or process has been served, the service window has expired, or when the maximum number of attempts requested has been reached.

   a. Additional fees billed to the requestor may include recording fees, additional mileage fees, or actual costs allowable by law.

2. If the final fees for civil service are less than the anticipated fees collected at the time the paper or process was received for service resulting in an overpayment, a refund will be made to the requestor by check.

3. If the final fees for civil service exceed the anticipated fees collected at the time the paper or process was received for service, the additional fees will be billed to the requestor.

4. Any checks returned for insufficient funds, any outstanding fees and balances owed, or any disputed credit card charges resulting in the loss of fees already paid or charged for service made or attempted, may be referred to a debt collection agency. All fees and costs incurred as a result will be billed to the service requestor.

a. A second billing of any outstanding balance(s) owed will be made prior to a referral to a debt collection agency.

H. An itemized receipt will be provided to the payer or billing account holder for any monies received by the Civil Section.

II. Civil Billing Accounts

A. Civil billing accounts may only be established for licensed attorneys and licensed collection agencies that have a principal office located in the State of Colorado, pursuant to C.R.S. 30-1-106(2).

B. Invoicing

1. Each civil paper will be assigned a unique case number to identify and track the paper. This case number will be used to track all billing invoices and payments.

2. A separate billing invoice for each service requested will be prepared by the Civil Section when the paper has been served, the service window has closed, or when the maximum number of attempts requested has been reached. The invoice will include the total costs of service or service attempts.

3. When making a single payment for multiple invoices, the payee is required to include the civil case number(s) to which the payment is to be credited.

4. All payments are due immediately upon receipt.

C. The Civil Section may suspend billing account privileges for non-payment of fees or other good cause.

1. If billing account privileges are suspended, the billing account holder will be notified of the reason for the suspension, in writing, by a Civil Section supervisor.

D. Civil fees charged to other Boulder County agencies and departments will tender payment through a journal entry (JE) in the Boulder County financial system. These are not considered billing accounts for purposes

of this procedure, as these organizations are part of the same governmental entity.

III. Civil Bank Accounts

A. Due to the nature and volume of civil fees collected by the Civil Section it is necessary that an independent checking account be established outside of the Boulder County financial system for the timely deposit and refund of civil fees.

1. Authorized signatories on the Civil Section checking account are the Operations Division chief, Civil Section commander, and all Civil Section supervisors.

B. The civil checking account is to be managed in accordance with Boulder County Finance policies and procedures.

C. It is the responsibility of the Civil Section supervisor(s) to ensure that the civil checking account is reconciled monthly after the bank statement is received.

D. Authorized Disbursements

1. Boulder County Treasurer

a. A disbursement of civil fees collected shall occur at least once per month, in accordance with C.R.S. 30-1-112. All fees from the prior month will be disbursed to the county treasurer, in their entirety, prior to the end of the following month.

b. Included with any disbursement to the treasurer shall be an itemized statement of all fees collected by the sheriff that are being remitted.

2. Refunds of civil fees collected in advance of service or service attempts that resulted in an overpayment of the final monies owed.

3. Boulder County Clerk & Recorder for recording fees.

4. Any court, clerk of a court, individual(s), or entity(s) identified in a Writ of Execution or other court-order judgement directed to the sheriff of Boulder County for execution, which resulted in funds being seized and deposited into the civil checking account.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

6/28/2016
Date

ATTACHMENTS OR ADDENDUMS:

OP1201-A Civil Fee Schedule
OP1202-B Mileage Zone Map ("Appendix A" to Resolution 2010-74)
OP1202-C Bank Deposit Steps
OP1202-D Credit Card Reconciliation Steps
OP1202-E Actual Costs Spreadsheet

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Civil Standbys & Keep the Peace Requests **NUMBER:** OP1204

EFFECTIVE DATE: September 9, 2016 **SUPERSEDES:** July 20, 2016

POLICY:
It is the policy of the Boulder County Sheriff's Office to accommodate all court-ordered civil standbys directed to this agency. Requests by a citizen to have the sheriff's office conduct a civil standby or to be present at a "keep the peace" situation at which the sheriff's office has not been court-ordered to respond will be handled at the discretion of the sheriff's office and pursuant to the this policy.

Citizens are encouraged to mediate such civil matters between the parties involved and their respective legal counsels rather than having the sheriff's office ordered to conduct a civil standby or being required to pay the sheriff's office to handle the matter as a contracted extra-duty event.

RELATED PROCEDURES:
[None]

DEFINITIONS:
Civil Standby: A deputy or police officer who is present while parties in civil or criminal litigation exchange property, or when one or more parties with legal authority enter a residence, building or vehicle to obtain property. The role of a deputy in a civil standby is to keep the peace.

Civil Protection Order: A protection order granted at the request of a petitioner under the authority of C.R.S. § 13-14-101, et seq.

Criminal Protection Order: A mandatory protection order granted in a criminal case under the authority of C.R.S. § 18-1-1001.

PROCEDURE:

I. Types of Civil Standbys

A. Criminal Protection Order Standbys

1. If the requested civil standby is the result of a no-contact order stemming from an arrest, it is the responsibility of the restrained party to produce the court order authorizing the standby to the sheriff's office.

a. A civil standby in a criminal case is not automatic and must be expressly ordered by a judge.

i. Unless otherwise indicated by the authorizing judge, a court-ordered civil standby under these circumstances will be interpreted as a fifteen (15) minute, one-time, standby to obtain sufficient undisputed personal effects in order to maintain a normal standard of living until the next court hearing.

b. If a civil standby cannot reasonably be accomplished within fifteen (15) minutes, the citizen shall be directed to contact the extra-duty events coordinator at the sheriff's office in order to contract for an extra-duty deputy at their cost.

c. Court-ordered civil standbys stemming from a criminal case shall be directed to the primary jurisdiction where the civil standby is to occur.

i. The sheriff's office will not conduct short-term civil standbys (i.e. fifteen (15) minutes or less) outside their primary jurisdiction.

B. Civil Protection Order Standbys

1. If the requested civil standby is the result of a civil protection order, a civil standby shall be authorized one time to return to a shared residence to obtain sufficient undisputed personal effects in order to maintain a normal standard of living until the next court hearing.

a. The one-time standby is authorized automatically by C.R.S. § 13-14-104.5(11)(a).

b. When the service of a protection order is completed by a disinterested third-party over the age of 18 – including another law enforcement agency – the one-time civil standby authorized by statute shall be referred to the local law enforcement agency in the jurisdiction where the subject residence is located.

i. In those instances where a sheriff's deputy has served the civil protection order at the residence, the deputy who served the protection order will conduct the one-time civil standby. The one-time civil standby will be no longer than fifteen (15) minutes.

2. Additional civil standbys require a court-order and must be arranged on an extra-duty, contract basis.

C. Civil Standbys Without Protection Orders

1. Civil standby requests that do not involve protection orders shall be referred to the primary jurisdiction where the standby is requested, unless

the request includes an order directing the Sheriff of Boulder County to act.

2. Civil standbys within the sheriff's primary jurisdiction that do not exceed fifteen (15) minutes in length shall be handled by on-duty deputies, provided call load and staffing allow.

    a. Short-term civil standbys (e.g. fifteen (15) minutes or less) that occur outside of the sheriff's primary jurisdiction shall be referred to the law enforcement agency with jurisdiction over the subject location.

3. Civil standbys that are expected to exceed fifteen (15) minutes, or those that must occur at an exact time, shall be referred to the Operations Division extra-duty coordinator for scheduling. All scheduled civil standbys shall be contracted between the sheriff's office and the requestor, with associated fees.

    a. The extra-duty coordinator shall contact the parties involved, obtain a signed contract, and obtain a deposit of expected fees, from the requestor prior to the civil standby occurring.

II. Civil Standby Guidelines

A. A deputy's role in executing any civil standby order is limited to keeping the peace.

1. A civil standby order is not sufficient to require the sheriff's office to seize disputed property, remove persons from a residence or building, or remove a child from the custody of another person. Such assistance may only be rendered upon the issuance of an appropriate order directed to the Sheriff of Boulder County.

B. Limitations on executing civil standby orders:

1. A deputy is not authorized to trespass onto or forcibly enter a residence, building, or vehicle, unless a *Writ of Assistance* specifying such action accompanies the civil standby order.

2. A deputy may not significantly restrain the movement of any person. Any restraint on movement must be reasonable, only through verbal instruction, and for the express purpose of keeping the peace.

3. A deputy shall not restrain the movement of any vehicle.

4. A deputy shall not physically remove or load any property.

5. A deputy shall not resolve disputes regarding property items to be obtained or exchanged, and will not allow the removal of disputed property unless specifically ordered by a court.

    a. If there is a dispute or breach of the peace of any kind, the deputy shall end the civil standby immediately and refer the parties to the court to pursue further orders.

C. Deputies shall not arrest any party for refusing to comply with the court-ordered, or authorized, civil standby or property exchange. Litigants are to return to the court and pursue further remedies.

1. Criminal conduct that occurs in the presence of a deputy during the court ordered standby may subject a party to summons or arrest.

D. If the request is for a civil standby that is within a municipality, and a court order directing the Sheriff of Boulder County to act doesn't accompany the request, the requestor shall be directed to contact that municipality's police department for assistance.

1. If the requestor has already spoken with a municipal police department and has been refused assistance by that department, the requestor is to be counseled to attempt to come to an agreement between the parties involved and their respective legal counsel to conduct the matter without the sheriff's office's involvement, unless an order directing law enforcement to act exists. The requestor should be encouraged to look at alternatives such as the aid of disinterested third parties in achieving the civil standby.

2. If no such private arrangements can be reached, the supervisor, deputy, or other sheriff's staff member speaking with the requestor has the discretion to:

    a. Refer the civil standby request to the extra-duty events coordinator as a contractual matter to be handled by an extra-duty deputy(s) at a specified contract rate, at the expense of the requestor; or

    b. Have the requestor return to the courts to obtain a court order that specifically directs the Sheriff of Boulder County or law enforcement, to act in effecting the standby.

3. It is the sheriff's position that the sheriff's office will not conduct a civil standby within a municipality without that law enforcement agency's involvement or notification.

III. Contractual Civil Standbys

A. In contracted civil standby situations as an extra-duty assignments, it is the responsibility of the designated coordinator of extra-duty events to establish:

1. The number of hours required to accomplish the civil standby (a two-hour minimum for contracted civil standbys is imposed);

2. Determine the number of deputies required to conduct the assignment in a safe, timely and efficient manner;

3. Determine if there are any court orders relating to the civil standby request, including protection orders; or, research the validity of documentation provided by the requestor.

    a. If a protection order exists between any of the involved parties or subject properties, a civil standby that is not court-ordered shall not be performed until ordered.

4. Determine what other billable equipment (e.g. patrol cars) may be required to complete the assignment, consistent with the rates charged for other extra-duty events; and

5. Ensure that the civil standby is conducted and the requestor pays, in advance, the estimated extra-duty costs. These costs may be paid by cash, check, credit card, or certified funds.

B. Prior to scheduling a contractual civil standby the following must be completed:

1. A contractual letter must be completed and signed by the requester (”Attachment A”).

2. Collection of the estimated costs in cash or certified funds.

3. Provision of a receipt listing the estimated number of hours a deputy(s) is assigned, the cost per hour for the deputy(s), the cost for the assignment of a patrol vehicle, sub-totals and grand totals and the method of payment and the amount of payment (see ”Attachment B”)

C. The requestor must provide an order issued by any court of record that directly orders a civil standby to the extra-duty coordinator for processing during normal business hours.

D. The extra-duty coordinator shall require the requestor to complete the

required paperwork and contract, before the order is processed.

E. The extra-duty coordinator shall require the requestor to make all applicable payments in advance, as mandated by state statute.

F. The extra-duty coordinator will assign a deputy(s) to execute the order. The deputy assigned shall be responsible for discussing the details of the standby with the requestor.

G. If required, the Civil Section shall assist the extra-duty coordinator in preparing a return of service to the issuing court upon the completion of the execution of the order.

H. The extra-duty coordinator will obtain a civil case number from the Civil Section for each contract civil standby that is conducted.

1. A copy of the civil standby order, contract, and other paperwork created as a result of the request, shall be provided to the Civil Section by the end of the calendar year for filing and retention in accordance with the applicable retention schedule.

    a. A civil case number shall only be required for contractual civil standbys that are completed, or if monies are collected in anticipation of a contractual civil standby.

2. In the event the extra-duty coordinator is not available to coordinate and arrange for a contractual civil standby request, the responsibility shall transfer to the commander assigned to oversee extra-duty.

IV. Civil Standbys Prohibited

A. The sheriff's office will not conduct a civil standby that is not ordered by a court for any landlord / tenant issues or for inspection of a leased property.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

9/9/2016
Date

ATTACHMENTS:
OP1204-A Civil Standby Sample Contractual Agreement
OP1204-B Civil Standby Quote / Invoice

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

OP1204-A Sample Agreement

(Date)

(Name)
(Address)
(Address)
(Phone)

Dear _____,

This is in regard to your request to hire an off-duty deputy to stand by while you move your personal items from _____(location)_____ , Boulder County, Colorado on _____(date)_____, from _____(hours)_____.

The deputy will be present to keep the peace only. He/she will not be moving pieces of property and should either party in the dispute violate the law or breach the peace, the deputy will take appropriate enforcement action.

The deputy will not settle disputes over property. Should one party dispute the ownership of any property, unless there is a court order determining who owns the property, the property must remain on the premises until such time as a court order enters regarding the same.

The charge for the deputy's services is $ [current off-duty rate] per hour with a two-hour minimum. In addition, there is a $ [current off-duty rate] vehicle charge. You have indicated an estimate of needing the officer for _____ hours. The estimated cost is $_____. You will be billed, in 15-minute increments, for any additional time that the deputy is needed beyond the end of the contract. The deputy **is not** obligated to stay beyond the ending time of the contract. We encourage you to keep your schedule.

We require advance payment in the form or cash, money order, check, or credit card. Payment must be made at the time the contract is executed.

Unless you cancel the deputy at least twenty-four hours before the assigned meeting time on _____(date)_____, there will be a two-hour minimum charge.

By signing below, you guarantee that you have come to an agreement with the opposing party about the date and time and terms of the civil standby. Upon arrival, if
the deputy learns that there is no agreement, the deputy will leave and you will forfeit your entire fee.

You must submit a signed copy of the order or agreement for our review. The order or agreement should specifically address the property and the authority to release or exchange the property.

If you are in agreement with the above requirements, please sign below and fax a signed copy to [Name] at 303-441-[TBD].

---------- Date:_____
I agree with the above stated requirements.

If you have any additional questions, please call 303-441-[TBD].

Sincerely,

[Name]
Boulder County Sheriff's Office

**PAGE INTENTIONALLY
LEFT BLANK**

BOULDER COUNTY SHERIFF'S OFFICE
OPERATIONS DIVISION
POLICY AND PROCEDURE MANUAL

SUBJECT: Court Alarm Response **NUMBER:** OP1302
(formerly OP313 – Court Alarm Response)

EFFECTIVE DATE: June 28, 2016 **SUPERSEDES:** March 31, 2010

POLICY: The Operations Division and the Communications Center monitor all alarms at the Justice Center and the Longmont Courthouse. It is the responsibility of the responding court security staff, patrol deputies, or the on duty sergeant, to determine the appropriate response when they are made aware of an alarm activation.

RELATED PROCEDURES:
Communications Policy #6.20 – Andover® Alarm Monitoring

DEFINITIONS:

Alarm Site – Premise in which the alarm is installed, which includes building name and address.

Alarm System – The device, which transmits, emits or otherwise notifies communications or security of activation.

Andover® Continuum System – A commercial computer program that manages numerous facilities programs via the county intranet, to include the courts panic alarms.

False Alarm – An alarm that is not triggered by criminal or suspicious activity. Alarms triggered by weather, faulty equipment, human error, etc., are considered to be false alarms for the purposes of this policy. A false alarm is also deemed to have occurred when a responding deputy is unable to determine if evidence of a criminal offense or attempted criminal offense is present because an alarm site is inaccessible.

Fire Alarm – A signal that indicates the presence of a fire or fire-related signature (i.e. smoke).

Intrusion Alarm – A signal detecting and reporting unauthorized attempted or entry, or property damage to real property.

Location – A defined, specific area within or on a site.

Panic Alarm – A signal generated by manual or automatic activation, intended to signal some type of crime is in progress and/or one or more persons is in need of immediate response.

PROCEDURE:

I. Monitoring

A. During regular business hours, the Court Security deputies will monitor the Andover® system and will respond to all alarms immediately.

B. After-hours when the courts are not staffed, the data channel dispatcher is responsible to monitor the activation light located between consoles four (4) and five (5).

1. Any alarm received becomes a priority over all other radio and phone traffic.

2. Alarms are initiated in CAD within one minute of receiving the activation light and dispatched immediately.

II. Response

A. When Court Security is on duty:

1. When a panic alarm is activated, the Court Security Unit receives an audible alarm and blinking light at the Court Security counter at the respective courthouse. Court Security will advise Communications of the alarm on the primary law enforcement radio channel, if the alarm has not already been dispatched.

2. The Court Security deputy at the counter silences the audible alarm.

3. The counter deputy airs the alarm on the Court Security radio channel to all Court Security staff with the specific location of the alarm.

4. Court Security deputies respond to all panic alarms immediately and handle the situation as circumstances and procedures dictate.

5. The deputies responding to the alarm update the Court Security counter as soon as possible. The deputy at the Court Security counter in turn updates the primary law channel dispatcher. The call is cleared once it has been resolved.

B. When Court Security is not on duty:

1. Patrol deputies respond to Court Security alarms during non-business hours and weekends.

2. The primary law channel dispatcher will send a patrol deputy if an

alarm occurs at the Justice Center or Longmont Court Annex when the buildings are closed for business.

a. Responding deputies should be aware there are numerous events scheduled after-hours by the departments that are housed in these buildings and that false alarms are frequent and likely.

3. Communications provides the responding deputy with the type of alarm and specific location of the alarm.

   a. If the responding deputy has difficulty locating the alarm, Communications has a map with the specific alarm location.

4. Upon resolving the alarm, the responding deputy clears the call with Communications.

By Order of the Division Chief,

Robert Sullenberger,
Division Chief

6/28/2016
Date

ATTACHMENTS:
[None]

☐ RESTRICT FROM GENERAL PUBLIC DISSEMINATION / PUBLICATION

**PAGE INTENTIONALLY
LEFT BLANK**