

**OURAY COUNTY
SHERIFF**

**OURAY COUNTY
SHERIFF'S DEPARTMENT
541 4TH STREET
POB 585
OURAY, COLORADO
81427
PH: 970-325-7272
Fax: 970-325-0225**

**POLICY, PROCEDURE
AND USE OF FORCE
MANUAL**

OURAY COUNTY SHERIFF

REVISED: NOVEMBER 20, 2006



**SHERIFF DOMINIC
MATIIVI, JR
UNDERSHERIFF MATT
CARRINGTON**

**OURAY COUNTY
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OURAY COUNTY SHERIFF'S DEPARTMENT

POLICY AND PROCEDURES

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**SHERIFF DOMINIC
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CARRINGTON**



OATH OF OFFICE

**OURAY COUNTY SHERIFF'S OFFICE
OATH OF OFFICE**

EP Standards: 10.1
ued: 09-01-00

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Purpose

To establish departmental procedures, governing the oath of office.

Rules

All personnel, prior to assuming sworn officer status, shall take and subsequently abide by, an oath of office to enforce the laws of the County of Ouray, the State of Colorado and the United States of America, and to uphold the Constitution of the United States and the State of Colorado. The oath will be administered in compliance with the Colorado State Statutes.

Limits of Authority

Sworn personnel of the Ouray County Sheriff's office, by virtue of their oath of office, Colorado Revised Statute, Title 30, Section 5, and the United States Constitution reserving law enforcement powers to the States, shall have the power and authority, and it shall be their duty, to enforce the ordinances of Ouray County and the laws of the State of Colorado and the United States.

**OURAY COUNTY SHERIFF'S OFFICE
ADMINISTRATION**

EP Standards: N.A.
dated: 09-01-00

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Purpose

To describe the functional components of the office of Sheriff and Civil Service Division.

Legal Authority

The sanctioned governmental authority vested in the Sheriff of Ouray County is outlined in the Colorado Revised State Statute Title 30; part 5.

Organizational Structure

The Sheriff's Office is composed of the Patrol Operations, and Civil Services Division. Each division shall be commanded by a specific administrator who is directly responsible to, and appointed by the Sheriff.

Office of the Sheriff

The Professional Standards Section shall be commanded by the Undersheriff who is directly responsible to, and appointed by, the Sheriff of Ouray County. The Volunteer Deputy Sheriff Reserve Program is also directly responsible and answerable to the Sheriff as well as all Search and Rescue organizations within Ouray County which are sanctioned by the Sheriff's Office. The Sheriff of Ouray County receives additional administrative support from the Sheriff's Administrator assigned to the Sheriff's Office.

Patrol and Detention Operations

The Patrol Operations shall be administered to by the Undersheriff, who will oversee the activities of the Patrol Section and Investigation Section.

Civil Services Division

The Civil Services Division Administrator shall oversee the activities of all criminal and civil service and recording.

PROFESSIONAL
STANDARDS

OURAY COUNTY SHERIFF'S OFFICE PROFESSIONAL STANDARDS

EP Standards: 170.1 - 170.13, 171.4, 171.5
ued: 09-01-00

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Purpose

The primary responsibility of the Professional Standards function is to ensure the integrity of the Ouray County Sheriff's Office by conducting thorough and impartial investigations of its members, and to ensure that every investigation withstands the test of fairness and that all officers and employees, regardless of rank, are treated equally. The Sheriff and/or Undersheriff will maintain supervisory control of all investigations involving alleged misconduct by officers or employees in the department. The Professional Standards Section is staffed by the Undersheriff who is directly responsible to, and appointed by the Sheriff.

Policy

The Professional Standards Section is established to investigate all allegations of misconduct brought against employees and officers of the Ouray County Sheriff's Office. It also serves to insure that recognition is given to the department or any individual officer, when deserved. Internal investigations are necessary to clear members who are falsely accused, as well as discipline those who have violated the departmental policy and procedure by their actions.

Definitions

Complaint

An alleged violation of law, policy or procedure, or other misconduct by a member of the Ouray County Sheriff's office.

Internal Investigation

An investigation of an allegation of misconduct or a major violation of policy or procedure.

Citizen Comments on the Delivery of Law Enforcement Service

This is generally used when citizen complaints result in determination of performance issues, also this form captures favorable comments from citizens. Usually, this form will be the initial document used when complaints come to light during non-office hours.

OURAY COUNTY SHERIFF'S OFFICE PROFESSIONAL STANDARDS

EP Standards: 170.1 - 170.13, 171.4, 171.5

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Procedure

1. The Undersheriff is responsible for tracking both complaints and commendations. This position is responsible for providing and maintaining a record and registering all complaints and commendations directed toward employees of the Ouray County Sheriff's Office. The Undersheriff will be responsible for insuring that a final disposition of the case is recorded in the employee's departmental personnel file.
2. All information received from a Professional Standards investigation will be treated with strict confidence. The information will be disseminated and used only on a need to know basis or in cases where dissemination would be for the good of the department.
3. The Undersheriff will maintain an open door policy for any member who wishes to file a complaint. All employees are encouraged to report complaints directly to their supervisors.
4. Any employee may initiate a complaint about a fellow employee directly with the Undersheriff. In these situations confidentiality will be maintained within the parameters of the law.
5. When the Undersheriff is unavailable or is busy conducting another investigation and an urgent investigation must be done, it will be assigned to the Sheriff.
6. When necessary, any officer may be assigned temporary duty in the Professional Standards Section.

Types of Complaints

1. Citizen Complaints
 - a. Any non-supervisory officer who is contacted by a citizen wishing to lodge a complaint against an officer or civilian employee shall immediately put the citizen in contact with a supervisor. If a supervisor is not available, the officer will obtain the citizen's name and phone number and will have a supervisor contact them as soon as possible.

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PROFESSIONAL STANDARDS**

EP Standards: 170.1 - 170.13, 171.4, 171.5

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Types of Complaints (cont'd)

- b. Supervisors, upon receiving the forwarded information or a direct complaint from a citizen, will contact the citizen as soon as possible. The supervisor will conduct an interview with the citizen to determine the scope and nature of the complaint. The supervisor will make a determination as to the next step, whether it be a Citizen Comment on the Delivery of Law Enforcement Service form, or to forward to the Undersheriff for a Professional Standards Investigation. This determination will be based on the type of misconduct and whether it is performance driven or a violation of policy or law.
- c. If the complaint is of the type that can be handled on the Citizen Comment Form, the supervisor will resolve the matter or forward the information to the supervisor of the officer or civilian employee involved. The second copy of the form will be retained for the employee's performance observation file, the original will be forwarded to Undersheriff. After review it will be forwarded to the Sheriff for logging on the master control log.
- d. If the complaint is a violation of policy, law, or a conduct issue and is one that will be investigated by the Undersheriff, the supervisor taking the initial information will ensure there is enough information to begin the investigation.

2. **Complaints from a Sheriff's Office Member**

- a. Employees who wish to make a complaint against a fellow employee may do so directly with the Sheriff.
- b. Any employee who initiates a complaint against a fellow employee will do so by preparing a memorandum to the Sheriff.
- c. The complaining employee will not discuss the complaint with any other employee without the expressed permission of the Sheriff.

**OURAY COUNTY SHERIFF'S OFFICE
PROFESSIONAL STANDARDS**

IP Standards: 170.1 - 170.13, 171.4, 171.5

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Types of Complaints (cont'd)

3. Media Originated Complaints

When it comes to the attention of any Department member that the media, newspaper, radio, television, has published or reported information inferring or accusing misconduct on the part of any department member, the information will immediately be reported to a supervisor or the Sheriff or Undersheriff.

Duties of Investigations

All complaints will be accepted whether in person, by phone, mail or through the media and will be investigated. Complaints will not be taken from any person who is obviously intoxicated. Those persons will be asked to make their report at a time when their physical condition permits a clear exchange of information.

1. Formal Investigations

Any investigation of allegations concerning misconduct, violations of policy and procedure or allegations of violations of the law. Normally these investigations will be conducted by the Undersheriff.

2. Inquiry Investigations - Citizen Comment on Sheriff's Deputy

Normally, these complaints are generated because of officer performance. Many times they can be questions that have to deal with routine police operations that may not be understood by the general public. Examples:

- a. Why wasn't a prisoner handcuffed?
- b. Why was a field interrogation conducted?
- c. Why was emergency equipment activated on a patrol vehicle?
- d. Why wasn't the other driver in the accident cited?

**OURAY COUNTY SHERIFF'S OFFICE
PROFESSIONAL STANDARDS**

EP Standards: 170.1 - 170.13, 171.4, 171.5

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Investigative Procedure

1. The Undersheriff will be responsible for insuring that the Professional Standards form for each investigation is complete.
 - a. If the complaint is received by phone or mail, the Undersheriff or designated investigator will make every attempt to have the complainant respond to the department and give a statement. If this is not possible, a Patrol Sergeant or Investigator will attempt to arrange an alternate location to obtain this statement.

2. The Investigator will ensure that the complainant understands the state statute concerning false reporting to police. This will include falsely giving a verbal or written statement. (CRS 18-8-111)
 - a. If the investigation reveals that the complainant did Provide false, information, the investigator will pursue the filing of a criminal case.
 - b. The guilt or innocence of the complainant regarding charges of allegations of criminal violations must be decided by the court. The Professional Standards Section will not consider dismissal of criminal charges in exchange for dropping internal complaints. If, during the course of the internal investigation, it is discovered that criminal charges filed against the complainant are not valid, the Undersheriff will notify the District Attorney's Office who in turn will determine the criminal charge disposition.

3. The Professional Standards Section will immediately notify the Sheriff or his designee of complaints that are formal in nature. The notification of complaints under all other classifications will be made at a convenient time. These notifications may be made verbally.

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PROFESSIONAL STANDARDS**

EP Standards: 170.1 - 170.13, 171.4, 171.5

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Investigative Procedure (cont,d)

4. When an employee is the subject of an internal investigation, they will be notified as soon as possible by the Undersheriff. This notification will occur by means of a memorandum, which names the complainant and the specific complaint being alleged. A copy of the memorandum will be placed in the Professional Standards investigation file.
5. A record check and criminal history may be obtained on the complainant to determine past contacts with law enforcement. Attention will be given to past contacts by the complainant with the accused member.
6. Prior to an interview concerning an internal investigation, the employee(s) against whom alleged charges of misconduct have been filed will be given the Garrity Warning. The warning will be on a departmental form and a space will be included for notification of allegations made. The employee and the investigator will both sign the form and the employee will be provided a copy of the form. The original will remain in the Professional Standards case file.

The Garrity Warning is as follows:

"I wish to advise you that you are being questioned as part of an official investigation of the Sheriff's Office. You will be asked questions specifically, directly and narrowly related to the performance of your official duties or fitness for office. You are entitled to all rights and privileges guaranteed by the laws and the Constitution of the State and Constitution of the United States, including the right not to be compelled to incriminate yourself in a criminal matter. I further wish to advise you that if you refuse to testify or to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to departmental charges, which could result in your dismissal from the Sheriff's Office. If you do answer, neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in relation to subsequent criminal proceeding. However, these statements may be used against you in relation to subsequent departmental charges."

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EP Standards: 170.1 - 170.13, 171.4, 171.5

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Investigative Procedure (cont'd)

7. During the course of the investigation the employee who is the focus of the investigation may consult legal counsel. An attorney will not be allowed to be present during the investigative process including that portion which involves the employee.
 - a. If, as a result of interviews conducted with the accused employee or witnesses, criminal violations are discovered, the investigation will be immediately suspended. The Sheriff or his designee will be notified immediately.
 - b. The Sheriff, or his designee, will assign the case to the Investigations Section. The criminal investigation will be confidential and will follow normal criminal investigative procedures, to include presenting the case to the District Attorney's Office for filing of criminal charges.
 - c. The Professional Standards Section will not resume investigation of the complaint until the completed criminal investigation has been submitted to the District Attorneys Office for their disposition regarding any criminal prosecution.
8. An accused employee may be ordered to truthfully answer questions and cooperate with a Professional Standards Investigation, submit to a physical lineup, have photos taken, breath test, voice print, handwriting exam, urine test, blood test, ultra violet light scan or any other non-testimonial evidence test, which is specifically directed and narrowly related to an internal investigation. Refusal on the part of the employee may result in disciplinary action up to and including dismissal.
9. An accused employee may be ordered to submit to a polygraph examination, which is specifically directed and narrowly related to an internal investigation. Refusal to submit may result in disciplinary action up to and including dismissal.

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Investigative Procedure (cont,d)

10. An accused employee may be placed on administrative leave during the investigation of any complaint by the Sheriff, or a supervisor in accordance with the Sheriff's Office operating Procedures. All administrative leave decisions by a supervisor will be subject to review by the Sheriff and/or the Undersheriff. Typically, the employee will be placed on administrative leave with pay because his/her presence may hinder the investigation which might hinder his performance.
 - a. An accused employee may also be required to furnish to the Professional Standards Section a financial disclosure statement, however, such statements must relate directly to the investigation.
 - b. These procedures are intended to be used solely for the purpose of determining the administrative substantiation or non-substantiation of charges against the accused.
11. The Ouray County Sheriff's Office has the right to inspect or search all department owned desks, lockers, storage space, rooms, offices, work areas, vehicles and equipment at any time deemed necessary by the Sheriff or Undersheriff. The scope of the inspection, or search, will be narrowly confined to the alleged misconduct. Personal locks can be forcibly removed if the owner is not available to remove it.
12. Departmental communication facilities may be monitored at any time, under conditions permitted by law. Other communications or conversation may be monitored at any time, under conditions permitted by law.
13. Employees who are the focus of an internal investigation may contact the Undersheriff to determine the status of the investigation. Any questions concerning the status of the investigation will be directed towards the Undersheriff.

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Investigative Procedure (cont'd)

14. If, during the investigation the Investigator determines there are additional violations or acts of misconduct they will be included as part of the investigation. The investigator of the complaint will be responsible for notifying the accused member of the additional charges. This notification must be done in writing and the original, will become part of the case jacket.
15. When the investigation is completed, a copy will be given to the Undersheriff. The Undersheriff will review and recommend disciplinary measures if any, and make disposition recommendations. Final disposition of the case in terms of discipline and status of each internal investigation is the responsibility of the Sheriff of Ouray County. The investigation may reveal that conduct was improper, however, there was no violation of law or policy as it exists at the time of the conduct. The incident will be forwarded to the Sheriff for review and possible implementation of policy to govern future incidents of a similar nature.

The final disposition of each allegation in a complaint is classified in one of the following ways:

- a. **SUSTAINED**
The allegation is substantiated; the misconduct did occur.
- b. **UNSUSTAINED**
The allegation is not substantiated. There is not sufficient evidence to prove or disprove the allegation.
- c. **UNFOUNDED**
The allegation is false, or not factual; no misconduct; the incident did not occur or involve the member named.
- d. **EXONERATED**
The incident occurred, but the member acted lawfully and properly.

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EP Standards: 170.1 - 170.13, 171.4, 171.5

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Investigative Procedure (cont'd)

- e. **MISCONDUCT NOT BASED ON COMPLAINT**
Substantiated member, misconduct, not alleged in the complaint, but discovered during the investigation.
- 16. After completion of the investigation, the complainant will be advised of the outcome. The notification to the complainant will be in writing and signed by the Sheriff. A copy of the letter will be placed in the case jacket. The complainant will be notified only of the disposition of the complaint. Complainants will not be notified of specific disciplinary action unless approved by the Sheriff.
- 17. Professional Standards investigations will be conducted in a timely manner. The Undersheriff will be responsible for making sure the investigations are completed as quickly as possible. The Undersheriff will maintain control over all Professional Standards investigations, including those being conducted by other members of the department, and may, at his discretion, assist or take over those investigations.

Record Keeping

- 1. All complaints that are investigated will be given a Professional Standards number. The Undersheriff will be responsible for maintaining this numbering system and will issue numbers as needed. Citizen Comments on the Delivery of Law Enforcement Service will also be given a control number.
- 2. Upon completion, all Professional Standards investigations must contain the following:
 - a. A disposition of the complaint.
 - b. If the complaint was from a citizen, a letter to the citizen must be included. The letter will indicate the findings of the investigation and will be signed by the Sheriff of Ouray County.
 - c. If discipline is indicated, the final recommendation must be in the file.

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PROFESSIONAL STANDARDS**

EP Standards: 170.1 - 170.13, 171.4, 171.5

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Record Keeping (cont'd)

- d. All Professional Standards files will be maintained in a secure area in the Undersheriff's Office.
3. Annual Statistical Report
 - a. The Undersheriff shall compile statistical data concerning internal investigations and prepare an annual report. The report shall be made available to the Sheriff no later than January 30 of each year. It shall address the Professional Standards Investigations from the previous calendar year. At the discretion of the Sheriff, this report may be released to the public and department members, or may be utilized for budgetary and/or training recommendations.
 - b. The disclosure of internal discipline statistics does not violate the confidential nature of the process. Such disclosure is often valuable because it tends to dispel allegations of disciplinary secrecy voiced by some community elements.
 4. Copies of the policy and procedure governing Professional Standards investigations are available to members of the general public upon request to the Undersheriff or the Sheriff.

CODE OF CONDUCT

OURAY COUNTY SHERIFF'S OFFICE CODE OF CONDUCT

EP Standards: 50.1, 50.2, 171.1, 171.5
dated: 09-01-00

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Purpose

to develop and disseminate rules and regulations regarding the conduct of members of the Ouray County Sheriff's Office. Members include all sworn and non-sworn employees.

Policy

The Code of Conduct is comprised of rules used to regulate the behavior of police department members. While a policy is a philosophy statement of management and procedures are a way of proceeding to achieve an objective, rules are more specific and less flexible.

Rules are statements that a specific action will or will not be taken in a given situation. The only room for discretion under a rule is determining if the specific situation confronted by the member is one where the rule applies. However, like any regulation that controls the actions of individuals, the spirit of reasonableness has to be inherent in its interpretation and enforcement. It is the policy of this department that the rules embodied in the Code of Conduct shall be applied and enforced with fairness, consistency and reasonableness.

In the case where a Code of Conduct rule may conflict with the County personnel Manual, the Sheriff's office Manual will prevail.

Rules

Each member shall obey all laws of the United States of America, and of the State of Colorado.

Each member of the department shall maintain familiarity with and obey all rules, regulations, lawful orders, and directives issued by the department or division within the department or by a supervisor. A member shall not commit or omit any acts that violate any rule, regulation, order or directive; nor shall a member aid or abet another to do so.

Each member shall faithfully and properly perform all duties, and shall not engage in any unlawful job action for the purposes of inducing, influencing or coercing a change in conditions, compensation, rights, privileges or obligations of employment.

**OURAY COUNTY SHERIFF'S OFFICE
CODE OF CONDUCT**

EP Standards: 50.1, 50.2, 171.1, 171.5
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Rules (cont'd)

Department members shall treat the confidentiality of their duties with proper regard for the safeguard of information of which they become cognizant during their employment. The official business of the department, and other government agencies, includes the identities of the person involved and shall be considered confidential. Such information shall not be imparted to anyone that it is not intended, or who is not duly authorized to receive it.

General Conduct

Regulations in this section shall apply to the conduct of members at all times, both on and off duty. Conduct is prohibited for all members of the department that would reflect unfavorably on the department or would bring the department disrepute.

Abuse of Position

Members shall not abuse the power and public trust vested in them and are prohibited from using their credentials, badge, identification or position in any unofficial or unauthorized capacity.

Without authority, members shall not allow the use of their names, photograph, or official title that identifies them as members of the department to endorse or advertise any product or service.

Members shall not use their membership in the department for the purpose of soliciting, selling, or purchasing any product or service without the express permission of the Sheriff.

Members shall not use their status as a member of the department to avoid the consequences of illegal acts, or to obtain privileges not available to the general public, except in the performance of their duty.

Members shall not use the department as a mailing address for receiving personal mail, or as a home address.

**OURAY COUNTY SHERIFF'S OFFICE
CODE OF CONDUCT**

LEP Standards: 50.1, 50.2k 171.1, 171.5
Issued: 09-01-00

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General Conduct (cont,d)

No person other than members of the department or persons involved in police action or service shall be permitted to ride in departmental vehicles except by supervisory consent. (RIDE WAIVER REQUIRED)

Intimidating or Threatening Behavior

Members will always treat the public and co-workers with courtesy, respect, and shall never maliciously coerce or intimidate any person, or engage in speech or conduct which is discourteous, abusive, profane, obscene or threatening.

Members shall not use more force in any situation than is reasonably necessary under the circumstances. Members shall use force in accordance with law and departmental procedures.

Gifts, Gratuities, Bribes, or Rewards

Members shall not use their status in the Department to solicit or accept a gratuity.

Gratuity is defined as a free or reduced priced service, or item given to or accepted by an identified member of the department, with the anticipation of influencing or gaining additional assistance, or service from the member or other members of the department.

Gratuities shall be refused or returned to the donor with an explanation of the gratuity policy.

Any attempt by any person to bribe, intimidate or induce a member to either do or refrain from doing any act that is a part of a member's job function, shall be formally reported to an on duty supervisor as soon as possible.

**OURAY COUNTY SHERIFF'S OFFICE
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IP Standards: 50.1, 50.2, 171.1, 171.5
ued: 09-01-00

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General Conduct (cont'd)

Public Statements and Appearances

Members shall not publicly criticize or ridicule the department, its policies or members where such statements are defamatory, obscene, or unlawful. Members shall not represent the department publicly without the permission of the Sheriff. Exceptions to this will be press announcements or statements that may arise.

Identification

Members shall have department issued identification, (ID card and/or badge) and it shall be used to identify the member's authority.

Members shall not lend their badge or ID card to anyone or borrow the badge or ID card of another for any purpose.

Members shall honor requests for identification by presentation of badge or ID card, or a business card. Exceptions to this would be if a special operation or undercover operation is underway.

Recognition of Plainclothes Sworn Personnel

Unless first addressed, members shall not indicate in public, the recognition of a sworn member working in plainclothes.

Residence Telephone and Address

Members shall provide the department with the address and telephone number of their current residence, and advise their immediate supervisor and the Sheriff's secretary of change within 24 hours of the move or change.

Members shall have a telephone available at their residence so that they may be available for notification in case of emergency.

**OURAY COUNTY SHERIFF'S OFFICE
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EP Standards: 50.1, 50.21 171.1, 171.5
Revised: 09-01-00

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General Conduct (cont,d)

Phone answering devices shall not be used on telephones of members during any on call status times.

Members shall not divulge the home address or phone number of other members to anyone outside the department without the permission of the member affected.

Employment outside the Department

Members shall not be employed nor seek employment outside the department where such employment would constitute a conflict of interest.

Members shall submit a written request for off-duty employment to the Sheriff, whose approval must be granted prior to engaging in such employment. Off duty employment may not exceed 20 hours per week.

Possession and Use of Controlled Substances

Members shall not violate the County Substance Abuse Policy as defined in the County Personnel Manual.

Use of Alcohol on Duty

Members who consume intoxicating beverages off duty are solely responsible for their actions. Behavior that discredits the member or the department can be the subject of discipline. Members who report for work in an unfit matter due to intoxicating beverages also are subject to disciplinary sanctions. No consumption 8 hours prior to shift.

Members shall not publicly consume alcoholic beverages in uniform or partial uniform where association with the department is apparent.

Off duty personnel shall not wear concealed weapons while consuming intoxicating beverages in a public place.

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General Conduct (cont,d)

Exercise of Authority while on Suspension or Disciplinary Leave

Members on suspension status, administrative leave or other disciplinary leave shall not wear the departmental uniform, carry a departmental badge, ID card, concealed weapon or exercise the powers of authority unless specifically authorized by the Sheriff or his designee.

Truthfulness

Members shall not knowingly depart from the truth in any investigation or testimony.

Affiliations

Members shall not belong to, or be affiliated with any person or group that advocates insurrection, treason, anarchy or the overthrow of the Government through unconstitutional means or which purports superiority of one race over another.

Associations

Members shall avoid regular or continuous associations or dealings with persons whom they know are under criminal investigation or indictment or who have a reputation in the community for present involvement in felonies or criminal behavior. Except as necessary to the performance of official duties or where unavoidable because of other personal relationships of the member.

Sexual Harassment

Sexual harassment by any member to any other person is prohibited. Members shall not violate the County's sexual Harassment policy as defined in the County personnel Manual.

**OURAY COUNTY SHERIFF'S OFFICE
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Standards: 50.1, 50.2, 171.1, 171.5
Revised: 09-01-00

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On-Duty Conduct

While on duty, department members shall conduct themselves in such a manner as to reflect favorably on the department. Equipment, performance and public appearance shall always be maintained in high esteem complimenting those standards established by the department. Members accepting extra duty employment shall comply with all standards that apply to on-duty status.

Reporting for Duty

Members shall report for duty at the time and place required by assignment, schedule of orders, including judicial subpoenas, notice of hearing, and extra-duty law enforcement related employment. A member shall be physically and mentally fit to perform all duties. Members shall be properly equipped and cognizant of information required for the proper performance of duty.

Neglect of Duty

Members shall not engage in any activities or personal business that would cause neglect of duty, or inattention to duty. This includes recreational reading, game playing, watching television or movies or otherwise engaging in entertainment. Neglect also involves loafing, abusing lunch and break privileges and failing to efficiently perform job tasks.

Members shall remain awake on duty. If unable to do so, it shall be reported to the member's immediate supervisor who will determine the proper course of action.

Members shall not leave an assigned post during a tour of duty, except when authorized by a supervisor.

Members shall not abuse departmental telephones by using telephones to conduct personal business, make unauthorized long distance or toll calls, or by using phones unreasonably for personal calls.

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On-Duty Conduct (cont,d)

Performance

Members shall maintain sufficient competency to properly perform the duties and assume the responsibilities of the member's position. Each member shall perform their duties in a manner that will maintain the highest standards of efficiency and effectiveness in carrying out the functions and objectives of the department.

Members shall not willfully or through cowardice, negligence or insubordination, fail to perform the duties and responsibilities of the rank or position.

Members shall not interfere with department operations.

Members shall use safety belts while operating departmental vehicles. If the use of safety belts or other restraining devices hampers the efficient conduct of law enforcement functions CRS 42-4-236 waves this requirement.

Physical Appearance and Fitness for Duty

Members shall maintain themselves at a level of conditioning to adequately perform their official duties and responsibilities. For sworn personnel, this may require running, jumping, crawling and using physical strength and endurance.

Member's personal appearance on duty, whether in uniform or civilian clothes, will be in clean, neatly pressed clothing. Uniforms will be in conformance with departmental standards.

Providing Assistance

When any person requests assistance, advice or reports an incident, either by telephone or in person, all pertinent information shall be obtained in a courteous and professional manner. Information received shall be properly and judiciously acted upon in conformance to department policies.

**OURAY COUNTY SHERIFF'S OFFICE
CODE OF CONDUCT**

EP Standards: 50.1, 50.2, 171.1, 171.5
Revised: 09-01-00

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On Duty Conduct (cont'd)

Impartiality

Members shall display a strict, impartial attitude toward all persons regardless of sex, age, religion, creed or national origin.

Public Relations

Members shall be courteous to the public, using tact and restraint in the performance of assigned duties. A member shall never express any prejudice concerning race, sex, religion, creed, politics, national origin, life style or other personal characteristics. Members shall exercise patience, discretion and shall control their temper and not engage in argumentative discussions or malicious physical retaliation, even in the face of extreme provocation.

Members shall promptly report to their supervisor any complaint made by the public about the member, another member, or action of the department. All complaints will be handled pursuant to the Professional Standards Standard.

Departmental Records and Reports

Members shall submit all necessary reports by the end of the shift or by the deadline imposed by their supervisor. All reports submitted by members shall be as complete as possible and truthful.

Members shall maintain confidentiality standards and shall not misuse information in confidential data sources such as NCIC, CCIC, or DMV files.

Illness or Injury Reports

Members shall personally, if possible, report their absence due to illness, injury or other cause prior to the start of their scheduled shift. Members shall report their absence to their supervisor or the supervisor on duty.

**OURAY COUNTY SHERIFF'S OFFICE
CODE OF CONDUCT**

EP Standards: 50.1, 50.2, 171.1, 171.5
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On Duty Conduct (cont'd)

Members shall not feign illness or injury, or falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any member of the department as to the condition of their health.

Processing Found and Evidentiary Property

Property or evidence that has been found, gathered or received in connection with departmental responsibilities shall be handled in accordance with departmental procedures. Members shall not transfer, manufacture, conceal, falsify, destroy, move, tamper with or withhold for their own or another's use, any property, except through lawful orders, or established policies and procedures.

Use of Alcohol or Drugs while on Duty

Members shall not consume intoxicating beverages while on duty, except in the performance of duty, and while acting under proper and specific and legal orders from a supervisor. Illegal drugs shall not be used at any time.

Any prescribed controlled substance that may affect a member's ability to perform the assigned job must be reported to the member's supervisor as soon as possible.

Off duty members who are not on call, yet are called to respond to a duty situation and have been drinking, shall advise the requesting person of their condition.

A member suspected of using or having used, intoxicating liquor or drugs that affect performance shall be required to submit to a chemical test to confirm or deny the presence of the substance. A refusal to submit to a chemical test will be considered a presumption that the member was under the influence of drugs or alcohol. In the testing for alcohol, blood or breath test may be required. In testing for the presence of drugs, urine, blood or other medically approved test shall be required. In all tests, applicable state and local laws that may apply to chemical testing will be observed.

**OURAY COUNTY SHERIFF'S OFFICE
CODE OF CONDUCT**

IP Standards: 50.1, 50.2, 171.1, 171.5
Jed: 09-01-00

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On Duty Conduct (cont'd)

No employee shall consume alcoholic beverages within eight hours prior to reporting for duty. Violations are cause for disciplinary actions.

Use of Tobacco

Use of tobacco is prohibited in the Court House and department vehicles.

Members shall not use tobacco while on duty in the presence of private citizens.

Loitering

Members on duty or in uniform shall not enter liquor establishments, theaters, or other places of amusement except to perform police functions. Off duty members shall not interfere or disrupt the activities of on duty personnel. Members are not prohibited from eating in restaurants licensed to sell liquor.

Posting of Bail

A member who is on duty may not furnish bail for any person except immediate family.

Knowledge of Criminal Activity

Members shall report any and all criminal activity of private citizens or departmental members that comes to their attention.

Civil Cases

Members, while representing themselves as representatives of the department shall not testify in civil cases unless legally summoned or subpoenaed. Nor shall members serve civil processes while on-duty or in uniform, except those initiated by the Sheriff's Office.

**OURAY COUNTY SHERIFF'S OFFICE
CODE OF CONDUCT**

Standards: 50.1, 50.2, 171.1, 171.5
Revised: 09-01-00

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On Duty Conduct (cont'd)

Civil Suits Filed

Members shall not initiate civil action arising out of their official duties without first notifying the Sheriff.

Any member who has a damage suit filed against him/her by reason of an act performed in the line of duty, shall immediately consult with the Sheriff. The Sheriff shall be furnished a copy of the complaint together with an accurate and complete report pertaining to the incident in question so that he may notify the County Manager and county Attorney of the pending suit and relevant facts.

Orders

Members shall obey, in a timely manner, any lawful directive of a supervisor. This will include directives relayed from a supervisor by another employee of the same or lesser rank. Members shall not utter any disrespectful, insolent or abusive language toward another employee.

Supervisor Accountability

Supervisors are accountable for the performance of personnel under their immediate supervision.

Unlawful Orders

Members shall not issue any order that they know, or should know to be a violation of federal, state or county law or municipal ordinance.

Members shall not obey any order they know or should know to be a violation of federal, state or municipal ordinance. If in good faith, a member is in doubt as to the legality of an order, a request shall be made to the issuing member for clarification of the order.

**OURAY COUNTY SHERIFF'S OFFICE
CODE OF CONDUCT**

EP Standards: 50.1, 50.2-, 171.1, 171.5
ued: 09-01-00

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Orders (cont,d)

Conflicting Orders

A member who receives any order that conflicts with a departmental policy or procedure must advise the person giving the order that the order is in conflict with current policy. If the member giving the order insists that the order be followed, the order will be followed. It then becomes the responsibility of the member receiving the order to report the conflict to their immediate supervisor. If the conflict comes from the member's immediate supervisor, the conflict shall be reported to the next person in their chain of command.

If a member receives an unlawful order, or any order that will place another member in jeopardy, the member will not follow the order and will report the incident to their immediate supervisor, or the next person in the chain of command if the immediate supervisor is involved in the incident.

Insubordination

member shall promptly obey any lawful order. Failure to do so, subject to other governing regulations, shall be considered insubordination, which is prohibited.

ubordination may include:

-) Failure or deliberate refusal by any member to obey a lawful order given by a ranking member of the department. This would include orders relayed to a member from a supervisor via another member.
-) Conduct which impairs the operation of the department by interfering with the ability of supervisors to maintain discipline.
-) Speech or conduct toward a supervisor which is discourteous, abusive, disloyal, profane or threatening.

**OURAY COUNTY SHERIFF'S OFFICE
CODE OF CONDUCT**

IP Standards, : 50.1, 50.2, 171'.1, 171.5
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Abuse of Law Enforcement Power

A sworn member is prohibited from abusing special law enforcement powers and the trust of the community the member is sworn to serve.

A member shall not make false accusations regarding the federal, the state or local jurisdictions.

A member shall not use more force than is necessary in any situation to control suspects, arrestees, or any other person.

Members shall not make any arrest, search or seizure that they know to be illegal.

A member shall not make promises or arrangements with a suspect, or between a victim and a suspect, intended to permit the suspect to escape prosecution, without the knowledge and authority of supervisory personnel and the office of the District Attorney.

Members shall not attempt to exact police discipline or make arrests in their own quarrels in those between their family or in disputes arising between them and their neighbors. Except under such circumstances as would justify them in using self-defense or to prevent injury to another or when a serious offense has been committed.

Disciplinary Actions-Specific Violations

Disciplinary action may be taken against a member of the Gunnison Sheriff's office based on the occurrence of but not limited to the following violations:

Any violation of policy set forth in this standard, the County Personnel, or any other Ouray Sheriff's office Standard covered below.

Neglect of duties, such as wasting time on the job, loafing, abuse of break privileges, etc.

Interference with department operations, interrupting the work of others, gossip, etc.

Inability to perform assigned duties in an efficient and effective manner.

Insubordination, i.e. refusal to follow directions, abusive behavior, etc.

Violation of federal statute, state law, or municipal ordinance.

Illegal activity on the job or illegal activity that cast doubt on the members ability to perform an assignment effectively.

**OURAY COUNTY SHERIFF'S OFFICE
CODE OF CONDUCT**

IP Standards: 1, 50.2, 171.1, 171.5
Jed: 09-01-00

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Receiving payment for unauthorized overtime.

Falsification of police reports or records or any other official document.

Repeated tardiness or absenteeism.

Damage or waste of county equipment.

Negligence with county money and property.

Deliberate or careless conduct endangering the safety or well being of self, co-workers or the public.

Fighting or attempting to fight during work hours.

Dishonesty.

Being under the influence of alcohol or drugs while on duty, or reporting for duty in an impaired state due to alcohol or drug intake.

Misrepresentation or abuse of one's authority to the public.

Behavior inappropriate to one's position.

Acts that are intended to undermine management's integrity.

Failing to report any known or suspected criminal activity involving a member of this department.

Failure to adequately supervise subordinate members.

Failure to cooperate or provide truthful information during an Internal Investigation.

Any other acts detrimental to the good of the department.

CODE OF ETHICS

OURAY COUNTY SHERIFF'S OFFICE CODE OF ETHICS

EP Standards: 10.2, 50.1, 50.2
ued: 09-01-00

Page 1 of 2

Purpose

To establish organizational standards of conduct, the Ouray County Sheriff's Office has formally adopted the "New Law Enforcement Code of Ethics" and the Code of Conduct Standard.

New Code of Ethics Adopted

All sworn members of the Ouray County Sheriff's Office shall abide by the "New Law Enforcement Code of Ethics.

"As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner which does not bring discredit to me or my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear, of a confidential nature, or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

**OURAY COUNTY SHERIFF'S OFFICE
CODE OF ETHICS**

IP Standards: 10.2, 50.1, 50.2

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New Code of Ethics Adopted (cont'd)

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of bribery nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession, Law Enforcement.

Code of Conduct Adopted

All employees of the Ouray County Sheriff's Office shall be issued a copy of the Ouray County Sheriff's Office Operating Standards, which includes the Code of Conduct Standard. All department employees are expected to read and familiarize themselves with the contents of the standards. The Code of Conduct Standard shall be considered as standing orders governing the actions of all members of the Ouray County Sheriff's Office.

ORDER OF
SUCCESSION

**OURAY COUNTY SHERIFF'S OFFICE
ORDER OF SUCCESSION**

EP Standards: N/A
ued: 09-01-00

Page 1 of 1

Purpose

To establish the order of succession for the Sheriff's Office ensuring an orderly transfer of command.

1. In the event that the Sheriff of Ouray County or any Acting Sheriff is required to be absent from the County and cannot effectively perform the duties of the position, a written directive shall be issued specifically naming the person who is to assume the duties and responsibilities of Acting Sheriff.
2. Should the Sheriff of Ouray County become incapacitated through illness, death or for any other reason the first ranking officer in the order of succession will assume command of the sheriff's office as Acting Sheriff. Likewise, if the Acting Sheriff becomes incapacitated or is absent from the County, the next ranking officer listed in the order of succession will assume command of the Department.
3. The hierarchical order of succession for the Ouray County Sheriff's office shall be as follows:
 - a. Sheriff
 - b. Undersheriff
 - c. Appointed by County Commissioners.

SWORN OFFICER
SELECTION

**OURAY COUNTY SHERIFF'S OFFICE
SWORN OFFICER SELECTION**

EP Standards: 60.3, 60.4
Revised: 09-01-00

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Purpose

To establish procedures relating to the selection of persons to be sworn officers.

Policy

The Sheriff's Office is committed to a fair process in selecting the most qualified persons for employment.

Professional and Legal Requirements

1. Administration of the selection process is a responsibility of the Sheriff's Office. The office adheres to the recruitment and selection process as outlined by the Sheriff, keeping equality in mind.
 - a. The Undersheriff is designated as the person responsible for overseeing Sheriff's office aspects of the selection process.
 - b. Primary responsibility for the Sheriff's Office tasks, and liaison with the Ouray County Personnel Office, concerning the selection process rests with the Sheriff/Undersheriff.

Occupational Qualifications

1. Physical fitness/physical agility examinations to determine conditioning, strength, endurance, coordination, and ease of movement will be conducted as part of the selection process.
 - a. The Undersheriff will be responsible for administering these examinations.
 - b. Valid, useful and nondiscriminatory procedures will be used in the examination process.

**OURAY COUNTY SHERIFF'S OFFICE
SWORN OFFICER SELECTION**

EP Standards: 60.3, 60.4

Page 2 of 2

Occupational qualifications (cont'd)

2. An emotional stability and psychological fitness examination using valid, useful, and nondiscriminatory procedures will be part of the selection process.
 - a. Psychiatric or psychological requirements will be assessed and interpreted only by qualified professionals.
 - b. A record of the results of emotional stability and psychological fitness examinations shall be maintained by the Ouray County Sheriff's Office.
3. A medical examination of each candidate will be conducted, prior to appointment to probationary status, using valid, useful, and non-discriminatory procedures.
 - a. Only licensed physicians will be used to certify the general health of candidates.

Probationary Period

1. The probationary period for employees will be as prescribed by the County Sheriff for a period of one year.
2. The Ouray County Sheriff/Undersheriff will review the appointment date of candidates from probationary to permanent status regarding minimum adverse impact.
3. Completion or extension of the probationary period is governed by the Ouray County Sheriff.
4. Probationary employees that have completed the field training program will receive formal written evaluations in accordance with the normal evaluation schedule for their position, without regard for any additional daily, weekly, or monthly training evaluations.
5. Grievance and appeal procedures for probationary employees are governed by the Administrative Body of the Ouray County Sheriff's Office as directed by the Sheriff.

RECORDS
ADMINISTRATION

**OURAY COUNTY SHERIFF'S OFFICE
RECORDS ADMINISTRATION**

EP Standards: 210.1, 210.2, 210.3, 210.4, 210.5, 210.6
Revised: 09-01-00

Page 1 of 3

Purpose

To establish administrative procedures relating to the central records function of the department.

Policy

Records are to be prepared and maintained as necessary to meet the management, operational, and information needs of the Sheriff's Office.

Major Functions of Central Records

1. Review of reports to ensure compliance with administrative requirements, a record is made for each request for law enforcement service, and reports are coded by National Incident Based Reporting System (NIBRS) standards.
2. Control of reports as to receipt, routing for specialized purposes, and release to authorized persons.
3. Maintenance of the records filing system.
4. Retrieval of records from the filing system.
5. Collection of fees for report copies, issuing of business licenses and civil processing.

Required Reports

1. A report (record) is required in any of the following instances when the crime or incident is alleged to have occurred in the Ouray County service area.
 - a. Citizen report or complaint of crime or incident.
 - b. Citizen request for service when an;
 - (1) Officer is dispatched.
 - (2) Employee is assigned to investigate.
 - (3) Employee is assigned to take action at a later time.

**OURAY COUNTY SHERIFF'S OFFICE
RECORDS ADMINISTRATION**

EP Standards: 210.1, 210.2, 210.3, 210.4, 210.5, 210.6

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Required Reports (cont'd)

- c. A case, criminal or non criminal, is initiated by a Sheriff's Office employee.
 - d. Incidents involving arrests or summons.
2. These required reports will include, at a minimum, the following:
- a. Date and time of initial report.
 - b. Name of the citizen requesting the service, or victim or complainant.
 - c. Nature of the incident.
 - d. Nature, date and time of action taken by Sheriff's Office personnel.

Field Reporting Forms and Procedures

The forms to be used and the procedures to be followed in completing field reports are described and illustrated by the Ouray County Sheriff.

Case Numbering

- 1. Each incident of law enforcement service by the Sheriff's office will be assigned a case number.
- 2. Numbers used will be the number assigned to the incident by the individual officer writing the report.
- 3. Care will be exercised to ensure that every case is assigned a number and each case has a different number.

Supervisory Review of Field Reports

- 1. Supervisory review of field reports will normally be the responsibility of the Undersheriff.
- 2. Each report will be reviewed for form and substance and the initials or signature of the person performing the review is to be included in the space provided.

**OURAY COUNTY SHERIFF OFFICE
RECORDS ADMINISTRATION**

EP Standards: 210.1, 210.2, 210.3, 210.4, 210.5, 210.6

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Privacy and Security Precautions

1. The privacy and security of criminal history record information (CHRI) will specifically be in accord with U.S. Department of Justice regulations (28 Code of Federal Regulations Part 20).
2. State statutes (Section 24-72-301 et seq. and 19-2-901 et seq., C.R.S.), govern as to the privacy and release of criminal justice, including juvenile records.
3. Operation of the Records Section will be consistent with maintaining the degree of security necessary to reasonably ensure the confidentiality of Sheriff's Office records and reports. This should include:
 - a. Familiarizing records personnel with security requirements.
 - b. Limiting access to the records area to those personnel on official business.
 - c. Restricting records handling duties, to the extent practicable, to records personnel.

EVIDENCE RECORDS

**OURAY COUNTY SHERIFF'S OFFICE
EVIDENCE RECORDS**

El Standards: 200.1
ued: 09-01-00

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Purpose

To establish a written directive governing labeling, recording and submitting physical evidence.

Policy

To ensure that physical evidence is properly identified, collected and preserved so it may be introduced in court to aid in the prosecution of criminal cases.

Marking and Labeling of Physical Evidence

1. The person collecting physical evidence will mark the item, tag, or container with the following information:
 - a. Case number.
 - b. Initials and I.D. number.
 - c. Date and time obtained.
 - d. Location obtained.
 - e. Item number.
 - f. Item description
2. All property items, including evidence, will be listed on a completed Property Report.
3. Crime scene processors will ensure that their reports include the following information:
 - a. Date and time of arrival at the scene.
 - b. Location of the crime.
 - c. Name of victim, if known.
 - d. Name of suspect if known.
 - e. Date and time of departure from scene.
4. Information required with evidentiary photographs:
 - a. Date.
 - b. Photographers name.

**OURAY COUNTY SHERIFF'S OFFICE
EVIDENCE RECORDS**

Page 2 of 3

Marking and Labeling of Physical-Evidence (cont'd)

5. A minimum of personnel will be involved in the security of items of evidence. Individual items will be separately packaged, tagged, or marked when deemed necessary by the scene processor. Each time the custody of an item of evidence is changed, the person receiving custody will:
 - a. Mark the item, tag, or container with their initials and I.D. number, date and time.
 - b. Continue the record of the chain of custody on the Property Report, including date, time, item numbers, signature and the reason they received custody.

Evidence to Court

1. The officer or property custodian who takes evidence to court will:
 - a. Mark the item, container or evidence tag to continue the chain of custody.
 - b. Complete the checkout section of the original Property Report including:
 - (1) Date, time, item numbers, signature, "reason block" will be completed by listing the court and presiding judge.
2. The court clerk will ensure chain-of-custody markings remain intact with the item.
 - a. Items received by the property custodian, from the court clerk, will be returned to the property room.
3. Final dispositions.
 - a. Illegal drugs, contraband. and illegal weapons will be destroyed in accordance-with applicable state law.
 - b. Items which may be legally possessed will be returned to the owner, or his/her designee, unless a court order dictates the disposition.

**OURAY COUNTY SHERIFF'S OFFICE
EVIDENCE RECORDS**

Page 3 of 3

Evidence to Court (cont,d)

- C. When the owner cannot be located, items may be auctioned, destroyed, or used by the department per order of the Court.
- 4. Records of physical evidence submitted to outside forensic labs will include:
 - a. All prior chains of custody.
 - b. Name of person submitting or mailing.
 - c. Date, time and method of shipment.
 - d. Date and signature of the person receiving the evidence.
 - e. Name of the investigating officer.

In cases where physical evidence is submitted to a forensic laboratory, copies of the reported findings will be sent to the District Attorney, the investigating officer and the original report placed in the case file.

COLLECTION &
PRESERVATION

**OURAY COUNTY SHERIFF'S OFFICE
COLLECTION AND PRESERVATION OF EVIDENCE**

ued: 09-01-00

Page 1 of 5

Purpose

To establish duties of personnel involved in processing of crime scenes for evidence, and for collecting and preserving that evidence.

Policy

Evidence will be collected, processed and preserved in a manner calculated to assist in solving crimes and determining the guilt or innocence of suspects.

Procedure

1. The primary officer assigned to a call is responsible for the proper disposition of the call including evidence. This responsibility may be turned over to an Investigator or CBI personnel.
2. Crime scenes will normally be processed in the following manner:
 - a. Taking photographs of the scene.
 - b. Completing a crime scene sketch.
 - c. Processing items for latent prints.
 - d. Collecting and preserving physical evidence
 - e. Transporting all physical evidence to department evidence storage facilities.
 - f. CBI personnel may be requested through a supervisor when specialized equipment or processing is needed.
 - g. Requesting personnel will protect the scene, arrange for crowd control, if necessary assist evidence personnel and document the names of persons assisting in reports.

**OURAY COUNTY SHERIFF'S OFFICE
COLLECTION AND PRESERVATION OF EVIDENCE**

EP Standards: 200.1

Page 2 of 5

Procedure (cont'd)

3. Evidence Collection

After the processing phase is complete evidence collection should begin in a systematic manner as follows:

- a. Most items will be placed in paper bags and labeled.
- b. Wet clothing may be placed in plastic bags until placed in the property lockers, where it will be hung to air dry. The plastic bag used to carry the item will be retained as part of the physical evidence.
- c. Visible prints may be photographed before lifting. Lifted prints will be placed on a 3x5 card. The card will be marked with the following information:
 - (1) Case number.
 - (2) Date and time.
 - (3) Processors initials and I.D. number.
 - (4) Location.
 - (5) Item printed.
- d. Small items that are the source of latent prints are to be preserved as evidence and submitted to CBI for the prints to be lifted. Large items must be photographed from a suitable distance to show the item's placement in the scene and general location of the latent print.
- e. Whole blood, collected for comparison purposes, will be collected in "red-stoppered" test tubes (without preservatives). These tubes will be refrigerated within one hour of collection.
- f. Rape kits will be refrigerated within one hour of collection.

**OURAY COUNTY SHERIFF'S OFFICE
COLLECTION AND PRESERVATION OF EVIDENCE**

EP Standards: 200.1

Page 3 of 5

Procedure (cont'd)

- g. The crime scene processor shall retain custody of all items of evidence until delivered to the department temporary storage facilities or turned over to the property custodian.

4. Scenes Not Processed

If a serious crime scene is not processed, the investigator when assigned, or the initial officer shall document why the scene was not processed in their written report.

5. Perishable Evidence

Fresh blood, blood-stained objects and rape kits will be submitted to the appropriate laboratory within one week. Evidence that will not be accepted without a comparison standard will be stored in the evidence room until such standards are obtained. The reason for any delay in submission will be documented in the case report.

6. Physical Evidence from Known Sources

Whenever possible, known-source evidence samples will be collected by the crime scene processor and submitted for comparison examination.

7. Crime Scene Photographs

Pertinent aspects of a serious crime scene will be photographed prior to other processing activities. Where a central point of focus exists, such as a victim, photographs should be taken from at least four opposite directions, and equal distances if possible. Photographs of evidence, where dimensions may be pertinent, will be taken with and without a scale inserted in the field of view.

8. Crime scene sketches shall include:

- a. Dimensions.
- b. Relationships of crime scene to graphic features, buildings, rooms or roads.

**OURAY COUNTY SHERIFF'S OFFICE
COLLECTION AND PRESERVATION OF EVIDENCE**

EP Standards: 200.1

Page 4 of 5

Procedure (cont'd)

- c. Addresses, floor or room number, as appropriate.
- d. Location of significant features of the scene, including the victim.
- e. Date of preparation.
- f. Name of person preparing the sketch.
- g. Symbol indicating north.
- h. Location of pertinent items of physical evidence recovered.

Processing of Recovered Stolen Vehicles

The processing of recovered stolen vehicles for evidence will normally be completed prior releasing the vehicle to an owner or towing it to a storage facility. If the vehicle cannot be processed at the scene, it may be towed to a secure facility for processing.

- a. Vehicles placed in storage, which are to be processed, will be posted, "Evidence-Do Not Touch".
- b. The impounding officer will be responsible for stipulating conditions of release on the impound report, and making necessary notifications to the owner and reporting agency.

Laboratory Requests

It is the responsibility of the assigned case officer to submit the appropriate lab requests for examination or processing, to the evidence section.

When an examination is to be done by an outside forensic lab, a cover letter will accompany the evidence and lab request. This letter may be submitted by the case officer or investigator.

**OURAY COUNTY SHERIFF'S OFFICE
COLLECTION AND PRESERVATION OF EVIDENCE**

EP Standards: 200.1

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Procedure (cont'd).

12. Vehicles used by officers will have, at a minimum, the following equipment for processing scenes:
 - a. Camera and film.
 - b. Latent fingerprint kit.
 - c. Sketch material.
 - d. Containers for the collection and preservation of evidence.

13. Other equipment available upon request;
 - a. 35mm camera and kit.
 - b. Gunpowder residue collection kits.
 - c. Casting kits.
 - d. Crime scene tape.
 - e. Video Camera

ACQUIRED & IN
PROPERTY

Custody

**OURAY COUNTY SHERIFFS OFFICE
ACQUIRED AND IN-CUSTODY PROPERTY**

EP Standards: 200.2, 200.3, 200.4, 200.5, 200.6, 200.7, 200.8
ued: 09-01-00

Page 1 of 8

Purpose

To establish a property system, which provides for the control of found, safe keeping, and evidentiary property.

Policy

Whenever evidence or property comes into the possession of the Sheriff's Office, a trustee relationship is created which carries with it the obligation of accountability. In order to fulfill the obligation, it is necessary to centralize all evidence and property. Therefore, the Property Custodian shall be responsible for the custody, release, auction, or destruction of all items, excluding motor vehicles, coming into the possession of the department. All personnel will strive to maintain property in the same condition as received and to preserve the evidentiary integrity of the property for possible court presentation.

Property Management

1. Money (cash)
 - a. Monies will be counted and if greater than one hundred dollars, will be packaged separately from other evidence. Each package will be individually marked or tagged. All monies will be counted when received by the custodian.

Firearms

- a. Each firearm will be individually tagged.
- b. All firearms will be unloaded and the cartridges placed in a separate container(s).
 - (1) Loaded firearms may be submitted to the laboratory in order to avoid destroying evidence. The property report will be marked "Loaded Firearm". A lab request will accompany a loaded firearm specifying evidence to be collected, preserved or documented.

Controlled Substances and Suspected Controlled Substances

- a. Growing cannabis

**OURAY COUNTY SHERIFF'S OFFICE
ACQUIRED AND IN-CUSTODY PROPERTY**

EP Standards: 200.2, 200.3, 200.4, 200.5, 200.6, 200.7, 200.8

Page 2 of 8

Property Management (cont'd)

- (1) Photographs will be taken by the seizing officer. The plants will be removed from the soil, counted and placed in paper bags.
 - (2) Each bag containing cannabis will be weighed with the gross weight being annotated by the item on the property report.
 - (3) Each bag will be individually marked or tagged and sealed.
- b. Green marijuana
- (1) Green or damp marijuana will be placed in paper bags.
 - (2) Each bag containing marijuana will be weighed with the gross weight being annotated by the item on the property report.
 - (3) Each bag will be individually marked or tagged and sealed.
- c. Individual items (pills and capsules)
- (1) The items will be counted with the quantity listed on the property report.
 - (2) The items will be placed in a bag and weighed with the gross weight being annotated by the item on the property report.
 - (3) Each bag will be individually marked or tagged and sealed.
- d. Particulate items (powder and pieces)
- (1) Items will be placed in bag and weighed with the gross weight being annotated by the item on the property report.
 - (2) Each bag will be individually marked or tagged and sealed.

**OURAY COUNTY SHERIFF'S OFFICE
ACQUIRED AND IN-CUSTODY PROPERTY**

EP Standards: 200.2, 200.3, 200.4, 200.5, 200.6, 200.7, 200.8

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Property Management (cont,d)

4. Sealing evidence will be properly packaged and sealed by the Property Custodian when sending it through the U. S. Mail, U.P.S. or any other commercial or private carrier.
5. Bicycles, large items, and highly flammable materials will be secured in the bike impound room.
6. Perishable food items should be inventoried on a property report, photographed and released to the owner.
7. Shoplift Evidence

The assigned officer will instruct the reporting party to inventory and properly mark the evidence, to establish the chain of custody. The evidence should remain secured by the owner pending court proceedings.

8. Items to be Destroyed

All items coming into the possession of personnel of this department that are to be destroyed shall be submitted to the Property Custodian for destruction.

9. Any property coming into an employee's possession, during the course of their duties, will be submitted to the Property Custodian by the end of that tour of duty. Completed property reports will accompany the items. Exceptions may be found property or perishable food items. If the submissions do not follow procedures, the custodian will forward a physical evidence report to the employee's supervisor. The correction is to be made by the employee within five working days.

10. Release of Property by officers

Officers releasing found property or perishable food items to owners will inventory the items on a property report, have the owner sign the report to document that they did receive their property.

**OURAY COUNTY SHERIFF'S OFFICE
ACQUIRED AND IN-CUSTODY PROPERTY**

EP Standards: 200.2, 200.3, 200.4, 200.5, 200.6, 200.7, 200.8

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Property Management (cont'd)

11. Property Reports

Page one of a completed property report will accompany items initially submitted to the laboratory except for:

- a. Department film.
- b. Department latent print cards.

12. Lab Request Reports

A lab request is required on all of the following:

- a. Department film.
- b. Latent print cards.
- c. When a laboratory service is requested.
- d. When submitting a loaded firearm

Property Control

1. The Evidence Custodian is responsible for securing all properly submitted evidence and property while ensuring the chain of custody pending a final disposition.
2. The Property Custodian is accountable to secure custody of all property accepted by, or stored in the agency's evidence rooms.
3. In-custody property shall be stored within designated secure areas.
4. Only evidence personnel will have access to the evidence storage room. Officers accompanied by evidence personnel may enter these areas for specific purposes.

Items of property requiring added protection (currency over \$100, firearms and controlled substances schedules I

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EP Standards: 200.2, 200.3, 200.4, 200.5, 200.6, 200.7, 200.8

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Property Control (cont'd)

6. The Property Custodian shall maintain the following systems relating to the acceptance and release of controlled substances, schedules I through V:
 - a. Quality control system.
 - b. Quantity control system.
 - c. A controlled substance container inspection system.
7. Perishable items (whole blood, rape kits) shall be stored in a secure, refrigerated area.
8. It is the responsibility of the assigned officer to provide final disposition instructions, including determining ownership of items, and what items are to be auctioned, returned or destroyed.
 - a. The Evidence Custodian will send evidence review forms to the case officer who will then complete and return it to the Evidence Custodian within five working days.
 - b. Final disposition of found, recovered, and evidentiary property will be completed by the Evidence Custodian within six months after legal requirements have been satisfied.
9. Release of property

Authorizing the release of evidence is the responsibility of the officer to whom the case is assigned. When ownership is later determined to be different than originally reported on the property report, the assigned officer will advise the Property Custodian to insure the items are not improperly released or destroyed. Officers will provide the Property Custodian with case dispositions and the following instructions:

Case number.

Items to be released to specific persons or organizations.

Items to be destroyed or auctioned.

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ACQUIRED AND IN-CUSTODY PROPERTY**

EP Standards: 200.2, 200.3, 200.4, 200.5, 200.6, 200.7, 200.8

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Property Control (cont'd)

10. Authorization for Release of Property

The Property Custodian will release or destroy evidence only with authorization from any one of the following:

- a. The assigned officer or his supervisor.
- b. The office of the District Attorney.
- c. The court clerk.
- d. The assigned parole or probation officer.

11. Release of Evidence or Other Property to its Owner

The Property Custodian will release items of evidence or property held for safekeeping and found property when:

- a. The owner presents suitable identification.
- b. The owner signs a property release form verifying receipt of the item.

12. Hours for Property Release

Property will be released during the hours the Property Custodian is on duty:

Monday through Friday 8:00 AM to 4:00 PM.

13. Unclaimed Items

These items will be auctioned, destroyed, or may be returned to the finder in accordance with county and state laws. Unclaimed items may be retained for department use, when:

- a. A written request to retain the unclaimed item has been approved by the Sheriff of Ouray County.
- b. A copy of the request and authorization will remain with the respective property report.

**OURAY COUNTY SHERIFF'S OFFICE
ACQUIRED AND IN-CUSTODY PROPERTY**

EP Standards: 200.2, 200.3, 200.4, 200.5, 200.6, 200.7, 200.8

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Property control (cont'd)

14. Destruction of Property

The destruction of items of little or no value may be destroyed by the Property Custodian. The destruction of valuable items will be witnessed by an additional person.

15. Destruction of Controlled Substances (Drugs)

When drugs are to be destroyed, a supervisor not assigned to the evidence section will select a sample of the cases, inspect the items and annotate the original property report as having inspected them. Two persons assigned to the evidence section will inventory all the drug items against the original property reports, examine all packaging for integrity and check the current weight against the original weight annotated on the property report. The inspecting supervisor and the two evidence section personnel will concurrently complete and witness the actual destruction.

16. Retention of Physical Evidence

Physical evidence will normally be retained until:

- a. The judicial proceedings are completed.
- b. The statute of limitations has expired.
- c. The case is unfounded.
- d. The District Attorney provides a disposition.

17. The property report will reflect the current status of all property held in-custody by the department. All property reports will be retained once the case and all dispositions have been completed and finalized including:

- a. Date and time property was received.
- b. Inventory of property held, and chain of custody.
- c. Final disposition of property, notations of inventories and audits performed.

**OURAY COUNTY SHERIFF'S OFFICE
ACQUIRED AND IN-CUSTODY PROPERTY**

EP Standards: 200.2, 200.3, 200.4, 200.5, 200.6, 200.7, 200.8

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Property Control (cont'd)

18. Issuance of keys will be maintained by the Evidence Custodian.

Reports\Inspections

1. An annual inventory/ inspection of in-custody property shall be conducted by a supervisor not routinely or directly connected with the control of property. The supervisor will be selected by the Sheriff of Ouray County.
2. The Undersheriff will conduct quarterly inspections to ensure adherence to procedures for the control of in-custody-property.

SEIZED, FOUND
RECOVERED

**OURAY COUNTY SHERIFF'S OFFICE
SEIZED – FOUND AND RECOVERED PROPERTY**

EP Standards: N.A.
ued: 09-01-00

Page 1 of 1

Purpose

To establish procedures concerning seized, found, and recovered property.

Policy

Property coming into the possession, or under the control of the department, shall be placed under formal accountability within the scope of department property management procedures, at the earliest practicable time.

Procedure

1. Seized, found or recovered property coming into the custody, possession, or control of the department will, without exception, be promptly placed into the property accountability system.
 - a. A vehicle impound/recovery report is used to account for vehicles.
 - b. The property report is used to account for all property except vehicles.
2. Alternatives available to the department for disposition of seized, found or recovered property, as appropriate and in accordance with applicable statutes and ordinances are: return to the owner or other authorized person; return to finder; destruction; transfer to the courts or transfer in accordance with a court order. Any other transfers, sale or salvage of property will be handled by direction of the Sheriff with any resulting funds given to the Ouray County General Fund.
3. Property, that of which possession is illegal, must be destroyed by the department when there is no legitimate purpose for retention.
4. Property will be returned to the owner, agent of the owner, or other authorized person, unless the owner or an authorized person cannot be identified or there is a legal basis for not returning the property.
5. Citizens who found lost or abandoned property that was turned over to the Department may claim the property in accordance with laws of the County and the State.
6. The courts may retain property, usually as evidence, or issue orders for transfer or disposition of the property. Property not disposed of by alternatives available to the Department will be made available at a Sheriff's auction with the funds from such being directed to the Ouray County General Fund.

AUTH & CARRYING
FIREARMS

**OURAY COUNTY SHERIFF'S OFFICE
AUTHORIZATION AND CARRYING OF FIREARMS**

EP Standards: 20.61, 20.8, 20.10, 20.11, 20.12
dated: 09-01-00

Page 1 of 4

Purpose

To establish rules governing the carrying of firearms by sworn personnel, either department issued or personally owned, while on or off duty.

Policy

Police officers and members of the public may be subjected to, or become victims of violent crime at anytime. Because police officers are charged with the responsibility to protect life and property, it is necessary for officers to be equipped with a firearm, both for use in the protection of themselves and in the defense of others.

Authorization To Carry

1. Sworn personnel of the Ouray County Sheriff's Department may carry and use a department authorized firearm, on or off duty, exposed or concealed, after having received the required department firearms instruction, and after having demonstrated proficiency in the use of the firearm to be carried. The off duty carrying of a firearm is required by department policy. Officers are not required to carry their primary duty weapon off duty, however, any weapon that is carried off duty must be in compliance with this standard to be considered department authorized. The concealment of a firearm on the officer's person, while on or off duty, is authorized. Colorado Revised Statute 18-12-101(2).
 - a. Weapons carried on or off duty shall only be equipped with department authorized ammunition.
2. A department authorized firearm is one that has been approved by the Sheriff or Undersheriff for use by an officer. To receive approval, the firearm must either be of department issue, or, if it is of personal ownership, it must meet the criteria specified in Section D (Authorized Weapons) of this standard. Any sworn officer who elects to have the department furnish a weapon will only be allowed to have one duty weapon at anytime. If circumstances warrant an officer to have more than one department issued weapon, approval must be obtained from the Sheriff or Undersheriff.

**OURAY COUNTY SHERIFF'S OFFICE
AUTHORIZATION AND CARRYING OF FIREARMS**

EP Standards: 20.61, 20.8, 20.10, 20.11, 20.12

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Authorized Weapons

1. All department issued, off duty, and approved alternate service sidearm weapons must meet the following standards:
 - a. Must be manufactured by one of the following:
 - (1) Beretta
 - (2) Colt
 - (3) Glock
 - (4) Heckler & Koch
 - (5) Mauser
 - (6) Ruger
 - (7) Sig Sauer
 - (8) Smith & Wesson
 - b. Must meet the following caliber specifications:
 - (1) .380 (not authorized. as primary weapon in uniform assignment)
 - (2) .38
 - (3) .357
 - (4) 9mm
 - (5) .40
 - (6) .45
 - c. Barrel length shall not exceed six inches in length.
 - d. Weapons shall not be modified or altered in any way without prior approval of the department armorer.
 - e. Approved replacement grips may be installed except that elaborate pistol grips are specifically prohibited.
 - f. The weapon must be capable of firing at least six rounds without reloading, or five rounds if it is being used by a plain clothes detective or other non-uniform employee.
 - g. Revolvers must be of a double action type, with a "swing-out" cylinder capable of ejecting all rounds at one time.
 - h. Revolvers must be equipped with a "safety bar" to prevent accidental discharge.
 - i. Semiautomatic weapons must have a double action first shot capability and shall not be capable of firing in an automatic mode. It will also be equipped

**OURAY COUNTY SHERIFF'S OFFICE
AUTHORIZATION AND CARRYING OF FIREARMS**

EP Standards: 20.61, 20.8, 20.10, 20.11, 20.12

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Alternate Service Weapon Requests

1. Deputies desiring to carry an alternate service weapon must apply for approval and authorization in writing. The written request shall be directed to the Sheriff or Undersheriff.
2. Prior to receiving Firearms Instructor approval of an alternate service weapon, the officer will be required to demonstrate proficiency with the weapon by achieving at least a minimum acceptable score on the department qualification shoot.
3. Any alternate service weapon must meet the requirements outlined in Section D Authorized Weapons.

Authorized Duty Ammunition

1. All department authorized duty ammunition will be of a hollow-point or semi-wadcutter design in order to reduce the hazards of ricochet and excessive penetration. Unless authorized by the Sheriff or Undersheriff, no fully jacketed, armor piercing or tracer type ammunition will be permitted.

Backup or Second Weapons

1. Deputies wishing to carry a second or backup duty weapon may do so after receiving approval and authorization, as outlined in Section E, Alternate Service Weapon Requests.
2. Approval and authorization may be granted only after the requesting officer has met the same requirements in Section E.
3. Approval by the Sheriff or Undersheriff can only be considered for those weapons .22 caliber or larger that can be concealed and properly secured upon the person of the officer.

Record of Serial Number and Description Required

1. Officers requesting authorization to carry an off duty weapon, alternate service weapon and/or a second (backup) duty weapon, are responsible for ensuring that the serial number and description of the weapon(s) to be carried is logged (on file) with the Department Firearms Instructor.

Carrying Off-Duty

1. Officers when carrying a weapon off duty must follow the criteria set forth in this

**OURAY COUNTY SHERIFF'S OFFICE
AUTHORIZATION AND CARRYING OF FIREARMS**

CLEP Standards: 20.61, 20.8, 20.10, 20.11, 20.12

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Firearms Qualification Required

1. Firearms qualification testing shall be required of each employee authorized to carry a firearm. Such testing shall include an actual firearms qualification shooting course and a written test designed to gauge an officer's knowledge of law and policy pertaining to the appropriate use of a firearm.
2. Testing shall be administered by the Undersheriff at least semi-annually.
3. The firearms qualification shoot shall be conducted in accordance with the Firearms Qualification Shooting Standard and will include qualification of the firearm(s) carried by qualified employees, also shotgun and rifle.
4. Other training as deemed appropriate, may be conducted throughout the year.

USE OF DEADLY
FORCE

OURAY COUNTY SHERIFF'S OFFICE USE OF DEADLY FORCE

EP Standards: 20.2, 20.3, 20.5, 20.9
ued: 09-01-00

Page 1 of 3

Purpose

To establish procedures governing, the use of deadly force and discharge of firearms by departmental personnel.

Policy

As long as members of the public are victims of violent crimes and officers are confronted with deadly force in the performance of their duties, it will remain necessary for police officers to be armed for the protection of society and themselves and to use deadly physical force.

Definitions

Reasonable Belief

Means the facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

Serious Bodily Injury

Any bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree. (C.R.S. 18-1-901(3)(p))

Procedure

1. Officers may use deadly physical force against any person as necessary for self-defense or the defense of another, when they have reason to believe that they or another are in immediate danger of death or serious bodily injury.
2. Officers may use deadly physical force to prevent the escape of a person who is attempting to escape by use of a deadly weapon or otherwise indicates, except through a motor vehicle violation, that he is likely to endanger human life or inflict serious bodily injury unless apprehended without delay.

**OURAY COUNTY SHERIFF'S OFFICE
USE OF DEADLY FORCE**

Page 2 of 3

Firearms Discharge - Generally

1. The discharge of firearms is prohibited when:
 - a. It appears that an innocent bystander will be injured by the discharge.
 - b. A lesser degree of force can safely and reasonably be used.
 - c. Used as a warning shot.
 - d. Fired at a "fleeing felon", unless the circumstances meet criteria stated in Section D (Procedure) of this standard.
 - e. Fired at or from a moving vehicle, except in self -defense or defense of another when the suspect is using deadly force.

2. The discharge of firearms is permitted when:
 - a. Done in the immediate defense of an officer's life or the life of another or in defense of any person in immediate danger of serious bodily injury.
 - b. Done to effect the arrest of or prevent the escape of a person whom the officer reasonably believes has just committed or is about to commit a crime against a person while using or threatening to use deadly force.
 - c. Done to prevent the escape of a person. trying to escape by the use of deadly force or who otherwise indicates, except through a motor vehicle violation, that he is likely to endanger human life or inflict serious bodily injury to another unless apprehended without delay.
 - d. It is necessary to destroy an injured animal upon direction and prior approval of a supervisor.
 - e. It is necessary to destroy a dangerous animal that will harm someone if not dealt with immediately, and capture is not possible or practical.
 - f. Authorized firearms training is being conducted.

**OURAY COUNTY SHERIFF'S OFFICE
USE OF DEADLY FORCE**

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Firearms Discharge Generally (cont,d)

- g. Engaged in a department sponsored or sanctioned competitive shooting event.

Review/Investigation Required

1. Whenever an officer discharges a firearm, either accidentally or intentionally, excepting those instances outlined in Section E (Firearms Discharge - Generally) of this standard, a review of the incident shall be conducted by the officer's immediate supervisor and a report forwarded through the chain of command to the Sheriff.
2. Such report shall contain all relevant facts and circumstances surrounding the incident and a conclusion as to whether the discharge violates department policy or procedure.
3. Whenever an officer discharges a firearm, either accidentally or intentionally, that results in injury to or death to another person, a use of force investigation resulting in death or serious bodily injury shall be conducted in accordance with the Use of Force - Generally Standard 20.1.
 - a. The written report containing all relevant facts and circumstances surrounding the incident will be forwarded to the Sheriff.

USE OF FORCE
GENERALLY

OURAY COUNTY SHERIFF'S OFFICE USE OF FORCE – GENERALLY

EP Standards: 20.1, 20.4
Revised: 09-01-00

Page 1 of 3

Purpose

To establish rules governing the use of force by departmental members.

Policy

Department members may use force to make an arrest, prevent an escape, or overcome resistance. The type and degree of force used will be reasonable and based upon the facts known to the officer. Only that force necessary to make the arrest or overcome resistance will be used. The use of physical force will end when the arrest is complete or the suspect ceases resistance, or when the resistance is overcome.

Definition

Excessive Force

Any physical force that exceeds the degree of physical force permitted pursuant to section 18-1-707 CRS. The use of excessive force shall be presumed when a peace officer continues to apply physical force in excess of the force permitted by section 18-1-707 CRS to a person who has been rendered incapable of resisting arrest.

Prior Distribution of Directives Required

Department directives pertaining to use of force, use of non-lethal force, use of deadly force and use of force as it pertains to fleeing felons, shall be distributed to all sworn personnel, and they shall receive instruction on same, prior to their being authorized to carry any department authorized lethal or non-lethal weapon.

Reporting the Use of Force

1. Whenever an officer takes action which results in injury or death to any person, or that officer applies force through the use of lethal or non-lethal weapons, it is the officer's responsibility to ensure that a supervisor is notified in a timely manner. Unless instructed otherwise by a supervisor, the officer will prepare a written report, (i.e. Offense Report, Incident Report and/or Traffic Accident Report), documenting the circumstances leading up to and pertaining to such use of force.

**OURAY COUNTY SHERIFF'S OFFICE
USE OF FORCE – GENERALLY**

EP Standards: 20.1, 20.4

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Reporting the Use of Force (cont'd)

2. Duty to report use of force by peace officers.

18-8-802 (1) CRS states: A peace officer who, in pursuance of such peace officer's law enforcement duties, witnesses another peace officer, in pursuance of such other peace officer's law enforcement duties in carrying out an arrest of any person; placing any person under detention; taking any person into custody; booking any person; or in the process of crowd control or riot control, uses physical force which exceeds the degree of physical force permitted pursuant to Section 18-1-707 CRS, must report such use of force to such officer's immediate supervisor.

- a. The report will be done by memorandum and include at a minimum, the date, time, and place of the occurrence, the identity (if known), and description of the participants, and description of the events and force used. This report shall be made in writing within ten days of the occurrence of the use of force.
- b. Any peace officer who fails to report such use of force in the manner prescribed commits a class 1 misdemeanor.
- c. Any peace officer who knowingly makes a materially false statement, which the officer does not believe to be true, in any report made pursuant to subsection (1) of 18-8-802 CRS commits false reporting to authorities pursuant to section 18-8-111 (1)(c) CRS.
- d. A peace officer who uses excessive force is subject to Colorado's criminal laws to the same degree as any other citizen.
- e. No report filed pursuant to subsection (1) of 18-8-802 CRS shall be used as evidence against a peace officer in a criminal proceeding unless there is other credible evidence which corroborates such report or in a civil action over a claim of executive or statutory privilege without a valid court order.

**OURAY COUNTY SHERIFF'S OFFICE
USE OF FORCE – GENERALLY**

EP Standards: 20.1, 20.4

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Reporting the Use of Force (cont'd)

3. On every reported incident of use of force by an officer, there will be a supervisory review by the officer's immediate supervisor. The review shall consist of the supervisor looking at the relevant facts and circumstances surrounding the incident and whether the actions taken violated department policy or procedures.
 - a. A supervisor approved copy of all use of force cases will be directed to the Sheriff or Undersheriff for review.
 4. On those incidents where injury or death occurred as a result of the officer's use of force, the supervisor shall review the incident as in paragraph 3 above, and a report in the form of a memorandum containing the relevant facts and circumstances and a conclusion as to whether the actions violated department policy or procedure, shall be forwarded through the chain of command to the Sheriff.
- It shall be the supervisor's responsibility to make any further notification(s) as he deems necessary, based upon the severity of the injury, the fact that a death has occurred, the impact the incident would or will have upon the department, or any other factor present that the supervisor may consider relevant. Such notification(s) should be made in a timely manner, consistent with the severity of the incident, but no later than the end of shift on which the incident occurred.

Rules

1. In compliance with the **Code of Conduct Standard, Section D (2) (b) -Intimidating or Threatening Behavior** which states in part "Members shall not use more force in any situation than is reasonably necessary under the circumstances". Any use of force shall be in accordance with law and this and all other applicable department policies and procedures.
 2. No officer shall display or brandish any weapon as a threat, unless its actual use is proper in the situation. When it is reasonable to anticipate that a weapon may actually be required, however, weapons may be readied for use.
- No officer shall carry, or under normal circumstances, use any weapon unless it is approved by the department. No weapon, once approved, shall be materially modified in any way.

DEATH/SERIOUS
BODILY INJURY

**OURAY COUNTY SHERIFF'S OFFICE
USE OF FORCE INVESTIGATIONS
RESULTING IN DEATH OR SERIOUS BODILY INJURY**

EP Standards: 20.9
Revised: 09-01-00

Page 1 of 5

Purpose

To establish procedures governing the investigation of use of force by officers that result in death or serious bodily injury to another person.

Procedure for Officers

1. The following procedures shall be used to investigate every incident of the use of force by a police officer that results in death or serious bodily injury to another person.
 - a. Whenever an officer uses force, either accidentally or intentionally, which results in death or serious bodily injury, upon stabilizing the situation, the officer shall immediately;
 - (1) Determine the physical condition of the injured person and render first-aid when appropriate.
 - (2) Notify the Sheriff and the Communications Center of the incident and its location.
 - (3) Request emergency aid if applicable.
 - (4) Protect the scene for follow-up investigations.
2. The officer will remain at the scene, unless injured or unless exhibiting signs of emotional distress, until relieved by a supervisor. If circumstances are such that the continued presence of the officer would cause a more hazardous situation to develop (e.g., violent crowd, etc.), the supervisor on scene shall have the authority and discretion to instruct the officer to respond to another, more appropriate location. In any case, as soon as the officer's presence is no longer needed at the scene, the officer will respond to the department to complete a detailed statement of the incident.
3. If the type of force used involves the officer's duty weapon, the officer will not be required to surrender it at the scene, but shall protect his weapon as evidence and shall submit it to the appropriate person on request.

**OURAY COUNTY SHERIFF'S OFFICE
USE OF FORCE INVESTIGATIONS
RESULTING IN DEATH OR SERIOUS BODILY INJURY**

EP Standards: 20.9

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Procedure for Officers (cont'd)

4. Unless injured, the officer shall prepare a complete statement regarding the incident prior to being relieved of duty.
 - a. In the event the officer is hospitalized or otherwise incapable of completing a statement as required, the on-scene supervisor will prepare as complete a report as possible, containing the officer's verbal statements and other officer or witness statements.
 - b. The involved officer may request the presence of an attorney, other than the County Attorney, for his personal counsel.
5. Any officer directly involved in a deadly force incident, that results in injury or death should be placed on Administrative Leave upon completion of their statement. This leave shall be with full pay and benefits, pending the results of the investigation. The assignment of leave shall not imply or indicate that the officer has acted improperly, or is being punished. While on leave, the officer shall remain available at all times for official departmental interviews and statements regarding the incident and shall be subject to recall to duty at any time.
6. The officer shall not discuss the incident with anyone except:
 - a. The District Attorney or his designee.
 - b. Assigned departmental personnel.
 - c. The officer's personal attorney.
 - d. The officer's mental health professional, doctor or Clergy.
 - e. The officer's immediate family.
 - f. Any legal proceeding associated with the incident.

**OURAY COUNTY SHERIFF'S OFFICE
USE OF FORCE INVESTIGATIONS
RESULTING IN DEATH OR SERIOUS BODILY INJURY**

EP Standards: 20.9

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Procedure for Supervisors

1. In cases where the use of force by a police officer results in serious bodily injury or death to another person, the on-duty supervisor shall proceed to the scene immediately to ensure that the situation is stabilized and that the scene is secured. The supervisor shall then:
 - a. Request Investigator/CBI for evidence processing.
 - b. Obtain preliminary information and make the necessary notifications to the Undersheriff, The Sheriff, the District Attorney's Office and the County Attorney's office. Only the Sheriff will distribute press information on scene.
 - c. Assist the involved officer.
 - d. Render command assistance to the assigned investigator.
 - e. Command the investigation as any major crime scene, except that the Investigations Section will be responsible for the actual investigation and completion of the report.

Procedure for Investigators

1. The Undersheriff will be responsible for conducting all investigations involving the use of force by a police officer that results in death or serious bodily injury to another person.
 - a. A detailed crime report shall be prepared of the incident.

Procedure for Professional Standards

1. The Sheriff will be responsible for conducting an administrative review of all incidents involving the use of force by a police officer that results in death or serious bodily injury to another person.

**OURAY COUNTY SHERIFF'S OFFICE
USE OF FORCE INVESTIGATIONS
RESULTING IN DEATH OR SERIOUS BODILY INJURY**

EP Standards: 20.9

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Procedure for Professional Standards (cont,d)

2. The Sheriff, Undersheriff, or selected personnel will conduct the review. This team will be referred to as the "Use of Force Review Team" and will convene as soon as possible after the incident, to begin the review. This team will examine each incident for the following:
 - a. Adherence to departmental policies and procedures.
 - b. Insure that departmental personnel involved are in good standing in terms of training requirements that may have been used.
 - c. Review the incident for propriety of reporting, evidence gathering and preservation of the scene.
 - d. Interview all appropriate personnel involved for feedback and future training needs.
3. When the Use of Force Team completes its review the Undersheriff will submit the findings in a written report to the Sheriff.

Debriefing Required

1. In all cases, where any person has been killed or seriously injured as a result of the use of force, the involved officer will be required to undergo a debriefing with a recognized psychologist at department expense. The debriefing should take place as soon as possible, but no later than 24 hours after the incident. The purpose of the debriefing is to allow the officer to express his feelings and to deal with the moral, ethical and/or psychological aftereffects of the incident. If the examining authority determines that continued counseling is needed, the officer will not be permitted to return to work until released by the examining authority.
2. Upon returning to duty, the officer may be assigned to administrative duty for a period of time as deemed appropriate by the officer, the psychologist and the Sheriff.

**OURAY COUNTY SHERIFF'S OFFICE
USE OF FORCE INVESTIGATIONS
RESULTING IN DEATH OR SERIOUS BODILY INJURY**

EP Standards: 20.9

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Disposition of Investigation

1. If the investigation of the use of force reveals that a violation has occurred, the matter will be handled criminally or administratively as applicable, in accordance with departmental policies and professional standards.

NON-LETHAL

OURAY COUNTY SHERIFF TASER

POLICY AND PROCEDURES

100.00 USE OF TASER: The TASER is a less-lethal, electronic stunning device. Either the M26, or X26, manufactured by TASER International, are authorized for use.

The TASER is an effective tool, which has been proven to greatly reduce injuries to officers and suspects. It may be used to control suspects who are dangerous, resisting arrest, or violent, to include suspects fleeing on foot. It may also be used on persons threatening to commit suicide. It is not to be used for punishment, or coercion, but only to control subjects who are posing a physical threat.

100.01 AUTHORIZED USERS: Only employees with enforcement authority who have been certified, and maintain certification status, are permitted to carry and deploy the TASER. The TASER is to be used only in accordance with current Departmental training standards.

100.02 INSTRUCTOR CERTIFICATION: Instructor certification will be as prescribed by the department and TASER International.

100.03 INITIAL CERTIFICATION: Initial certification training will be conducted by sworn officers who have achieved Instructor status with TASER International.

A. Initial certification will require successful completion of a minimum six-hour operator course, which will include, at a minimum, instruction in the following:

- The departmental definition of Less Lethal Force
- Departmental approved Less Lethal Force options
- Department approved and accepted techniques and strategies for Less lethal Force options
- Department approved Target Zones for Less Lethal Force options
- Legal updates concerning use of force and Less lethal Force options (CRS review, current case law, etc)
- Justification for deployment/use – escalation of force (Force continuum/spectrum)
- Restrained subjects
- Prohibitions
- De-escalation techniques (verbal, hands-on CIT, etc)
- Reporting requirements (officer and supervisory)
- Weapon maintenance and safe storage
- Weapon inspection (user, supervisor, after action)
- Medical treatment and decontamination protocols, including probe removal
- Demonstrating proficiency in manipulating the weapon,
- Passing a written exam with a minimum 80% score,

- Firing a minimum of three live cartridges at a target at specified distances.

The tests will be as prescribed by the training program provided by TASER International

100.04 **RE-CERTIFICATION/ON-GOING TRAINING:** Re-certification training will be conducted by sworn officers who have achieved Instructor status with TASER International.

A. Annual recertification is required and will consist of the same topics covered in the initial certification training, including demonstrating proficiency in manipulating the weapon, passing a written exam with a minimum 80% score, and firing a minimum of two live cartridges at a target at specified distances. The tests will be as prescribed by the training program provided by TASER International.

B. On-going training should include periodic updates to assist officers in understanding how and when to deploy the TASER. Updates may be achieved through various means including, but not limited to:

- Bulletins
- Daily briefings
- Scenario based discussions

100.05 **USE AGAINST ARMED SUSPECTS:** In situations involving suspects who may be armed with a weapon, it is recommended that the TASER be used only when appropriate back up is in place, to provide lethal force cover should that become necessary. Use of the TASER on persons armed with a firearm is extremely risky, and is not generally recommended, however circumstances could exist in which its use may be appropriate.

100.06 **USE AGAINST PASSIVE SUSPECTS:** Immediate use of the TASER should be avoided with suspects who are merely passively or verbally resistive, or on persons who are already restrained with handcuffs, ripp restraints, etc., or holding cells. Prior to using the TASER in these situations, time permitting; a warning will be required to the suspect that the TASER is about to be deployed. This warning may be accompanied by an arc display and/or "painting" the suspect with the laser sight. The deterrent effect of the TASER is a valuable feature and many times compliance may be gained by such warning.

100.07 **USE AGAINST PREGNANT FEMALES:** Due to potential secondary injuries from falling, use of the TASER on a female known or suspected to be pregnant is discouraged except in extreme circumstances.

100.08 **USE AGAINST THE ELDERLY AND YOUNG CHILDREN:** Use of the TASER on elderly persons and young children is discouraged, except in the most extreme situations.

100.09 **PROHIBITED USE:** TASERs are not to be deployed against any person

who is either operating a motor vehicle, or is in actual physical control of a motor vehicle, which has the engine running, and the transmission is in gear. TASERS are not to be fired from moving vehicles.

- A. The TASER is not to be deployed on persons who are suicidal and have doused themselves with a flammable liquid, unless deadly force is justified.
- B. Due to concerns of police K-9's receiving a negative stimulus, the TASER is not to be used simultaneously on a suspect who has had a police K-9 deployed in bite mode (most police K-9's are trained with electronic shock collars). K-9 officers are not to deploy their dog on a suspect who is being subjected to a TASER deployment.

100.10 **AWARENESS OF SURROUNDINGS:** Employees should be cognizant of their surrounding when using the TASER. It should not be used in areas, which contain volatile/flammable materials such as gasoline, ether, paint thinner, or flammable gasses (propane, natural gas, meth lab fumes, etc).

100.11 **MODE OF OPERATION:** The TASER may be operated in two modes; either by firing the cartridge (probe firing) or as a stun gun (drive stun

- A. The drive stun mode may be used when deemed appropriate by the employee. When used in this mode the TASER becomes a "pain compliance" tool only, and is not as effective as a probe firing use.
 - The drive stun mode may not be effective on persons who are intoxicated, under the influence of drugs, or emotionally disturbed, or otherwise impervious to pain compliance techniques.

100.12

APPROVED TARGET AREAS: Approved target areas on the body include torso, legs, and arms. The head/neck area is to be avoided, unless deadly force would be justified.

- A. In the Drive Stun mode the brachial area of the neck, as well as the "Pelvic Triangle" are approved target zones, provided active resistance/aggression is present. These target zones are not to be used on persons who are only verbally/passively resistive.

100.13

PROBE REMOVAL: The probes may be removed by a trained TASER operator, provided the probes are not in a sensitive area (sensitive area being defined as face, neck, head, groin, nipples).

- A. Probe removal from non-sensitive areas will be conducted as soon as the subject is handcuffed and cooperative. After care will require, at a minimum, swabbing with an alcohol/iodine, wipe and the application of a band aid if bleeding is occurring. It is at the discretion of the employee as to whether probes are removed by the employee or by medical professionals at a hospital.
- B. Probe removal from sensitive areas will require removal by medical professionals at a hospital.
- C. EMS must be contacted immediately for the following reasons:
 - 1. The individual has probes imbedded in the face, neck, groin or spinal areas and in the case of females, in one or both breasts.
 - 2. Have a significant cardiac history. Patient has a history of ingested stimulants such as methamphetamine, PCP/phencyclidine, cocaine, etc. Patients exhibiting bizarre behavior or with persistently elevated vital signs.

REPORTING: The employee deploying the TASER upon a suspect must document the deployment in a "Use of Force Report" to include the circumstances warranting the deployment of the TASER, and the mode utilized.

- A. In cases involving a probe firing, the serial number of any cartridges expended shall be recorded in the employee's report. This is required even if a miss occurs.
- B. Any time a TASER has been deployed against a person, (either probe firing and/or drive stun) a police supervisor will be notified as soon as practical. The supervisor will be responsible for investigating the circumstances of the use, and for completing a department Use of Force report form. The supervisor will determine if photographs

should be taken. It may be useful for photos to be taken even if there are no visible injuries, to protect against false claims.

- 100.14 **CARTRIDGE DISPOSAL:** Expended cartridges will be processed just as evidence with proper documentation and handling. The probes should be placed point first into the firing ports of the cartridge, and secured with tape to prevent the probes from falling out. Care should be exercised with any probe, which has penetrated the skin of a person, and should be handled as a "bio hazard".
- 100.15 **CARRY METHOD/SECURITY:** Tasers are to be carried in holsters approved by the Department, and must be worn full time when on duty. They are not to be carried in pockets. TASERS should be kept in secure locations when not in use, such as lockers, locked cabinets, etc.
- 100.16 **DATA DOWN LOAD/INSPECTIONS:** Employees will make available to the Department, without delay, any TASER, to include a personally owned TASER for inspection or for data download when requested by a supervisor or member of the Professional Standards Unit.
- 100.17 **FUNCTION TEST:** As recommended by TASER International, employees should conduct a brief (one second or less) spark test at the beginning of each work shift, to ensure proper function of the electrical components. This applies to both the M26 and X26.

I _____, HAVE READ AND
**ACKNOWLEDGE THE OURAY COUNTY SHERIFF'S DEPARTMENT TASER
POLICY AND WILL ADHERE AND COMPLY WITH ITS REQUIREMENTS AND
RULES.**

DEPUTY

SUPERVISOR

DATE

(revised March 14, 2007)

OURAY COUNTY SHERIFF'S OFFICE
NON-LETHAL FORCE AND USE OF NON-LETHAL WEAPONS

PE Standards: 20.1, 20.7

SUED: 09-01-00

Page 1 of 3

Purpose

To establish procedures governing the use of non-lethal force and non-lethal weapons.

Policy

Non-lethal force and the use of non-lethal weapons refers to those applications of physical force that are of a non-deadly nature and do not normally result in serious bodily injury or death to a subject. Police officers are often confronted with situations where physical control of another is required to make an arrest or to protect the public safety. Where possible or practical, initial attempts at control shall be made through verbal means. However, in situations where physical resistance or a threat of bodily injury is encountered, and reasonable alternatives to physical force have failed, physical force may be used. Physical force shall be defined as any degree of force exceeding verbal persuasion. The application and degree of such force shall be consistent with Colorado Revised Statutes.

Reporting the Use of Force

Any time an officer applies physical force in making an arrest, gaining control over a resisting, threatening or violent subject, or in protecting himself or another from the physical force of the subject, the officer shall note the fact in his report of the incident, AND on Non-lethal report forms.

Non-Lethal Weapons

1. Non-lethal weapons may be used in the application of physical force, consistent with an officer's training and assessment of the situation being dealt with; except that the use of blackjacks, saps and sap gloves is prohibited.
2. Authorized Non-Lethal Weapons
 - a. Consistent with his/her training, officers are authorized to apply physical force through the use of a:
 - (1) Baton or PR-24
 - (2) Carotid restraint

**OURAY COUNTY SHERIFF'S OFFICE
NON-LETHAL FORCE AND USE OF NON-LETHAL WEAPONS**

EP Standards: 20.1, 20.7

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Non-Lethal Weapons (cont'd)

- (3) Chemical agent (Pepper Mace)
- (4) Electronic Immobilization Device
- (5) Tear gas dispersion
- (6) Weaponless control technique
- (7) Distraction device

Baton or PR-24

The department issued baton may kept in a readily available position in the patrol vehicle. The department issued baton may be carried by authorized uniformed and non-uniformed officers.

Carotid Restraint

The carotid restraint may be used when other alternatives short of deadly force have failed or are inappropriate to the situation. Use of a "Bar Arm Choke" is prohibited. When carotid restraint has been applied, the officer shall ensure that the subject is checked by paramedics and transported to a medical facility for treatment if required.

Pepper Aerosol Restraint Spray

Department approved oleoresin capsicum (OC) aerosol restraint spray shall be carried by all sworn police personnel whose normal duties and/or assignments may require them to make arrests or supervise arrestees. Police personnel shall adhere to the Pepper Aerosol Restraint Spray Standard when using this Use-of-Force option.

Tear Gas Dispersion

The use of Tear Gas Dispersions, either in the form of canisters, grenades or projectiles, requires prior authorization from the Sheriff, Undersheriff or shift supervisor. When used, an incident report where tear gas was used shall note the fact of its use. The authorizing commander or supervisor will ensure that the appropriate type of tear gas dispersion is used.

**OURAY COUNTY SHERIFF'S OFFICE
NON-LETHAL FORCE AND USE OF NON-LETHAL WEAPONS**

EP Standards: 20.1, 20.7

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Weaponless Control Technique

Each officer shall receive training in basic arrest control and self-defense techniques. Such training shall include weapon and weaponless applications. Records of each officer's training shall be maintained by the Training Unit.

Electronic Immobilization Device (EID)

The department issued electronic immobilization device will be carried by qualified, uniformed officers at all times. Other qualified personnel may carry the device. Use of the EID is limited to the conditions set forth in SECTION B policy above. Horseplay or malicious use of an EID will result in disciplinary action.

Sound and Light devices

1. The use of sound and light devices requires prior supervisory authorization.
2. Supervisors should consider the following when authorizing the use of sound and light devices:
 - a. Entry is authorized by court or clear exception to the warrant requirement.
 - b. A tactical entry is appropriate and the entry team faces potentially violent resistance.

PEPPER SPRAY

**OURAY COUNTY SHERIFF'S OFFICE
PEPPER AEROSOL RESTRAINT SPRAY**

EP Standards: 20.1, 20.7
Revised: 09-01-00

Page 1 of 4

Purpose

To establish guidelines for the use of oleoresin capsicum (OC) aerosol restraint spray.

Policy

The department has issued OC aerosol restraint spray to provide officers with additional use of force options for gaining compliance of resistant or aggressive individuals in arrest and other enforcement situations. It is the policy of this department that officers use OC when warranted, but only in accordance with the guidelines and procedures set forth here and in the department's use of force standards.

Procedure

1. Authorization

- a. Only officers who have completed the prescribed course of instruction on the use of OC are authorized to carry the device.
- b. Officers whose normal duties and/or assignments may require them to make arrests or supervise arrestees, shall be required to carry departmentally authorized OC while on duty.
- c. Officers shall carry only departmentally authorized OC canisters.

2. Usage Criteria

- a. OC spray is considered a use of force and shall be employed in a manner consistent with this department's use of force standards. OC is a force option following verbal compliance tactics on the use of force continuum.
- b. OC may be used when:
 - (1) Verbal dialogue has failed to bring about the subject's compliance.
 - (2) The subject has signaled his intention to actively resist the officer's efforts to make the arrest

**OURAY COUNTY SHERIFF'S OFFICE
PEPPER AEROSOL RESTRAINT SPRAY**

EP Standards: 20.1, 20.7

Page 2 of 4

Procedure (cont'd)

- c. Whenever practical and reasonable, officers should issue a verbal warning prior to using OC against a suspect.
- d. An officer may use deadly force for protection against the use, or threatened use of OC when the officer reasonably believes that deadly force will be used against him/her if he/she becomes incapacitated.
- e. Once a suspect is incapacitated or restrained, use of OC is no longer justified.

3. Usage Procedure

- a. Whenever possible, officers should be upwind from the suspect before using OC and should avoid entering the spray area.
- b. An officer should maintain a safe distance from the suspect of between three and up to thirty feet.
- c. A single spray burst of between one and three seconds should be directed at the suspect's eyes, nose and mouth. Additional bursts may be used if the initial or subsequent burst proves ineffective.
- d. Use of OC should be avoided, if possible, under conditions where it may affect innocent bystanders.

4. Effects of OC and Officer Response

- a. Within several seconds of being sprayed by OC, a suspect will normally display symptoms of temporary blindness, have difficulty breathing, burning sensation in the throat, nausea, lung pain and/or impaired thought processes.
- b. The effects of OC vary among individuals. Therefore, all suspects shall be handcuffed as soon as possible after being sprayed. Officers should also be prepared to employ other means to control the suspect to include, if necessary, other force options consistent with department standards if the suspect does not respond sufficiently to the spray and cannot otherwise be subdued.

**OURAY COUNTY SHERIFF'S OFFICE
PEPPER AEROSOL RESTRAINT SPRAY**

EP Standards: 20.1, 20.7

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Procedure (cont'd)

- c. Immediately after spraying a suspect, officers shall be alert to indications that the individual needs medical care. This includes, but is not necessarily limited to, breathing difficulties, gagging, profuse sweating and loss of consciousness. Upon observing these or other medical problems or if the suspect requests medical assistance, the officer shall immediately summon emergency medical aid.
- d. Suspects that have been sprayed shall be monitored continuously for indications of medical problems and shall not be left alone while in the officer's custody.
- e. Officers should provide assurance to suspects who have been sprayed that the effects are temporary and encourage them to relax.
- f. Air will normally begin reducing the effects of OC spray within 15 minutes of exposure. However, once the suspect has been restrained, officers shall assist the suspect by rinsing the exposed area upon arrival at the jail or securing facility.
- g. Assistance shall be offered to any individuals accidentally exposed to OC spray who feel the effects of the agent. All such incidents shall be reported as soon as possible to the officer's immediate supervisor and shall be detailed in an incident report.

5. Reporting Procedure

- a. Accidental discharges as well as intentional uses of OC spray against an individual in an enforcement capacity shall be reported to the officer's immediate supervisor as soon as possible.
- b. A use of force report shall be completed following all discharges of OC spray except during testing, training, malfunction or accidental discharge.

**OURAY COUNTY SHERIFF'S OFFICE
PEPPER AEROSOL RESTRAINT SPRAY**

EP Standards: 20.1, 20.7

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Procedure (cont'd)

6. Replacement
 - a. All OC spray devices shall be maintained in an operational and charged state by assigned personnel. Replacements for damaged, inoperable or empty devices are the responsibility of officers to whom they are issued.

Additional Usage and Instructions

1. Officers are authorized to use OC spray when a suspect or individual is destroying County property. OC can be used in order to protect property owned by the County or individual officer in the performance of duty.
2. When OC is used, officers will notify Detention personnel to observe persons sprayed for 45 minutes after incarceration for any adverse effects.

**OURAY COUNTY SHERIFF'S OFFICE
FIELD TRAINING AND EVALUATION PROGRAM**

CLEP Standards: 60.5, 60.6
Issued: 09-01-00

Page 1 of 1

A. Purpose

To establish department policy, adopting a formalized program of recruit training.

B. Policy

In support of the department's effort to select qualified police officers and ensure that adequate and consistent training is afforded sworn members of this department, a formal program for recruit police officer training shall be adopted. At a minimum, the program shall include an in-house orientation covering County and Department policies, procedures, regulations and rules, a Field Training and Evaluation Program (FTEP) and a period of probationary status in a solo-duty capacity designed to assess employee job proficiency.

C. Orientation Training

The Undersheriff shall be responsible for ensuring that the new-hire Deputies receive training in the County and Department policies, procedures, regulation and rules, completion of all applicable P.O.S.T. requirements, and shall also include issuance of all required department manuals, directives, and equipment.

- a. A new hire Deputy, after completing an initial orientation shall be scheduled to complete thorough department training in:
 1. Arrest Control and PPCT procedures, demonstrate an understanding of the use of force continuum, and training in all department issued non-lethal equipment.
 2. Firearms training including the safe handling of firearms and successful completion of the department approved qualification course(s).

TRAINING
PROGRAMS

OURAY COUNTY SHERIFF'S OFFICE TRAINING PROGRAMS

EP Standards: 60.7
ued: 09-01-00

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Purpose

To establish procedures governing the development of training programs.

Policy

Training programs exist to enhance the employee's ability to safely and efficiently perform their job tasks. They also exist to ensure that department direction in the form of new goals, objectives, policies and procedures are adhered to. In order to ensure that the department's training emphasis is properly focused, so that the desired direction is maintained, the training unit shall seek input from other sections and units within the organization before creating training programs. Training must be responsive to the needs of the department and the individual. Responsiveness is attained through communications, input and involvement at all levels of the department.

Procedure

In the process of training program development the training coordinator may consider many sources of input and feedback. Some, but by no means all, that should be considered are:

- a. The review of annual inspection reports.
- b. Staff reports and input from staff meetings.
- c. Consultations with field personnel and field observations, including input from designated instructors within the department.
- d. Training School Evaluations and questionnaires.
- e. Recommendations made by the Sheriff, Undersheriff and other departmental personnel.

**OURAY COUNTY SHERIFF'S OFFICE
TRAINING PROGRAMS**

EP Standards: 60.7

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Procedure (cont'd)

2. The training coordinator will ensure that the training courses and programs offered are job related. To establish this relationship, the training proposals submitted should cite the job analysis utilized and pertinent portions of the analysis that will substantiate the value of the training program.
3. All training program proposals will reflect the performance objectives to be achieved by the implementation of the program. These objectives should:
 - a. Identify the portions of the job analysis the training program will address.
 - b. Clearly state the material or skills to be learned by the student.
 - c. Include the mechanism for evaluation of the program by the attendees.
 - d. Include a mechanism for evaluating the effectiveness of the program via testing or practical exercise.
4. Included in the proposal will be lesson plan materials, a summary of the feedback sources and a logistical statement noting projected costs, scheduling difficulties and required facilities.
 - a. All training proposals shall be forwarded to the Training Officer and upon his consent forwarded to the Sheriff or Undersheriff for approval and adoption.

Annual Retraining for Sworn Personnel

1. Each sworn member of the Department shall be required to attend a monthly training course. The monthly training may address:
 - a. New laws and court rulings.
 - b. Revisions and general review of departmental policies and procedures.

**OURAY COUNTY SHERIFF'S OFFICE
TRAINING PROGRAMS**

EP Standards: 60.7

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Annual Retraining (cont'd)

- c. Review of the separate agency components of the local criminal justice system.
 - d. The limitations of and criteria for the exercise of discretion.
 - e. Review of interrogation and interview techniques.
 - f. Departmental Policy on the use of force and firearms requalification.
 - g. Emergency medical training.
 - h. Review of the performance evaluation system.
 - i. Emergency fire suppression techniques.
 - j. New or innovative investigative or technological techniques.
 - k. Hazardous materials procedures.
 - l. Review of contingency plans.
 - m. Crime prevention policies and procedures.
 - n. Collection and preservation of evidence.
 - o. Report writing and record systems procedures.
2. Supervisory personnel shall receive additional training on an annual basis, addressing:
- a. Employee evaluation.
 - b. Employee motivation.
 - c. Departmental discipline process.
 - d. Employee counseling.
 - e. Departmental goals.
 - f. Scheduling and use of personnel.

**OURAY COUNTY SHERIFF'S OFFICE
TRAINING PROGRAMS**

IP Standards: 60.7

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Advanced Training

1. Criteria for selection for sworn personnel to be selected to attend advanced training such as the FBI National Academy, the Northwestern University Traffic Institute, the Southern Police Institute or the Southwestern Law Enforcement Institute, they must meet the following criteria:
 - a. The candidate must have demonstrated leadership qualities and exhibited an organizational commitment.
 - b. The candidate must obtain the recommendation of his Undersheriff.
 - c. Final approval must be obtained from the Sheriff of Ouray County.
2. Mandatory Advanced Training

The following mandatory advanced training will be provided.

- a. The Undersheriff, as soon as practicable upon promotion, will attend a supervisory school at a recognized police training institute approved by the Sheriff.
 - b. In addition to primary training schools, coordinators and other administrators will complete any and all annual supervisory and managerial training that the Sheriff deems necessary.
3. Assignment

Upon completion of advanced training, the individual who has attended the training will be assigned or reassigned as his new competencies will best serve the department as determined by the Sheriff of Ouray County.

Training

1. In service training will be conducted at a staff meeting to be held on the first Tuesday of each calendar month. Attendance will be mandatory.

TESTING

**OURAY COUNTY SHERIFF'S OFFICE
TESTING**

EP Standards: N.A.
ued: 09-01-00

Page 1 of 1

Purpose

To establish procedures governing the use of testing for determination of training performance objective attainment.

Procedure

1. Training programs that do not involve High Risk and/or High Liability issues will require an evaluation of each employee's learning retention when the training has been completed.
 - a. Such evaluation should be accomplished by a written test.
 - b. Where no other standard of performance is mandated, or where none is attached to the specific test given, the employee will be required to complete the testing with 70% of the answers correct.
2. The standard of performance for all Special Standards (High Risk and/or High Liability) will require 100% accuracy on each test given.

MARKED PATROL
VEHICLES

**OURAY COUNTY SHERIFF'S OFFICE
MARKED PATROL VEHICLES**

CP Standards: 100.1, 100.2
Revised: 09-01-00

Page 1 of 1

Purpose

To establish departmental procedures governing the markings on patrol vehicles used for routine patrol duties.

Policy

Conspicuously marked patrol vehicles are readily identified as law enforcement agency vehicles from every view and from a long distance, even at night. Conspicuous marking increases safety, serves as a warning to potential violators, and provides citizens with a feeling of security.

Procedure

1. Patrol vehicles used for routine patrol duties shall, at a minimum, be equipped with the following items:
 - a. Red and blue emergency mounted lights on the roof of the patrol vehicle.
 - b. A mobile radio transceiver.
 - c. A police siren.
 - d. Reflective striping materials placed on the sides and rear of the patrol vehicle with lettering or decals indicating "Ouray County Sheriff"
 - e. A public address system.
 - f. Exterior spotlights.
 - g. A unit number located on the vehicle exterior where it is readily visible to the public.
2. Vehicles used primarily by investigations in non-uniform clothing, for covert purposes, do not have to meet this standard. These vehicles will not be authorized for emergency "Code Three" or "Code Two" vehicle operations.

OURAY COUNTY SHERIFF'S OFFICE VEHICLE PURSUITS

EP Standards: 90.1
Revised: 09-01-00

Page 1 of 5

Purpose

To establish procedures to be followed by department personnel during vehicle pursuits.

Policy

All vehicle operations shall be conducted in strict accordance with existing statutes and departmental standards. Officers engaged in emergency vehicle operations must utilize both audible (siren) and visual (emergency lights) emergency warning equipment, as defined in 42-4-212 CRS.

All personnel operating departmental vehicles shall exercise due regard for the safety of all persons, and in a manner in which to prevent damage to the vehicle. No assignment shall be of such importance, and no task shall be expedited with such emphasis, that the principles of safety become secondary.

There are no tasks in the department of such importance that they justify the reckless disregard of the safety of all innocent persons. Officers will be held strictly accountable for the consequences of their reckless disregard for the safety of others.

Definitions

Pursuit

An active attempt by a law enforcement officer (operating an authorized emergency vehicle) to apprehend one or more occupants of another moving vehicle, where the operator of the fleeing vehicle is aware of the attempt and is resisting apprehension.

Vehicle

Per CRS 42-210.1 (88); Any device which is capable of moving itself, or of being moved, from place to place upon wheels or endless tracks.

Authorized Emergency Vehicle.

In this department it is a vehicle equipped with a siren and with authorized emergency warning lights. Vehicles not equipped with the preceding equipment, or vehicles with such equipment that is inoperative will not be used as an emergency vehicle.

**OURAY COUNTY SHERIFF'S OFFICE
VEHICLE PURSUITS**

EP Standards: 90.1

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Procedure

1. The pursuit of any vehicle attempting to elude or escape is allowed in the following situations:
 - a. When a felony crime against persons has been committed and the officer knows the subject being pursued is the violator. In addition, pursuing officers must have a good faith belief that an actual or a substantial risk of death or serious bodily injury to a victim occurred prior to the vehicular pursuit.
 - b. When the suspect is a known dangerous offender, who if allowed to escape would place the public in serious jeopardy.
2. After a pursuit is initiated officers and supervisors shall be prepared to discontinue the pursuit when it becomes apparent that the risks of the pursuit outweigh the benefits of the apprehension. Factors that must be considered include traffic congestion, time of day, road conditions and the seriousness of the violation.
3. Procedures After Initiation of Pursuit
 - a. When it becomes apparent that the suspect violator is not going to yield and stop for the officer, the officer shall immediately notify Communications of the pursuit to include license plate number; description of the vehicle; number of occupants; reason for the pursuit and the direction of travel.

**OURAY COUNTY SHERIFF'S OFFICE
VEHICLE PURSUITS**

EP Standards: 90.1

Page 3 of 5

Procedure (cont'd)

- b. Officers shall continually update Communications as to their location, and vehicle speeds. Communication Section personnel shall notify the on duty supervisor immediately. The officers and the supervisors shall continually evaluate the safety risks through out the pursuit.
- c. Assisting units should station themselves at strategic points. AT NO TIME SHALL MORE THAN ONE ASSISTING UNIT JOIN THE PURSUIT unless it is known that the violator has a high potential for causing death or serious bodily injury to others. The second unit shall assist the initial car with dispatching locations and conditions of the pursuit.
- d. The Communications Section shall notify any outside agency if an officer is in pursuit in their jurisdiction.
- e. No Ouray County Sheriff 's Deputy shall join in the pursuit begun by another jurisdiction unless the pursuit conforms to our department justification for a pursuit and then only with the express permission of a supervisor. Officers will facilitate by clearing intersections, if possible.
- f. It is the responsibility of the officer, the supervisor or any command officer to order the termination of a pursuit when the risks become too great (See Section D(3)). Any officer receiving such an order shall immediately comply.
- g. Officers are not required to justify their termination of any pursuit.

OURAY COUNTY SHERIFF'S OFFICE VEHICLE PURSUITS

EP Standards: 90.1

Page 4 of 5

Procedure (cont'd)

- h. While pursuing a vehicle, the use of road blocks, ramming of suspect vehicle and blocking in, is force likely to produce death or serious bodily injury. Such methods shall be used to attempt to terminate the pursuit of persons fleeing only in situations where suspects present the gravest risk to the public if not stopped and/or apprehended.
5. Accidents During Pursuit
 - a. If the pursuing unit becomes involved in an accident, the accident should be investigated by the law enforcement agency having jurisdiction at the location of the accident. If a Ouray County Sheriff's Office unit is involved, a department supervisor will respond to the accident scene.

Pursuit Review

All pursuits, including pursuits that were discontinued, will be reviewed by the appropriate supervisor. The supervisor will conduct a review of the pursuit to ensure that it was conducted in accordance with existing policy and procedure. The supervisor will prepare a written report for the Undersheriff, addressing any violations of policy and procedure that may have occurred. If any deficiencies are noted, all corrective actions will be noted. A copy of the report will be forwarded to the Ouray County Sheriff.

Roadblock Procedures

1. The practice of establishing roadblocks to apprehend a fleeing violator is extremely hazardous and should be undertaken only after careful consideration. Only in cases where the suspect /violation constitutes an immediate and continuing threat to the safety of others and the circumstances require the immediate apprehension of the suspect, should a roadblock be used.

**OURAY COUNTY SHERIFF'S OFFICE
VEHICLE PURSUITS**

EP Standards: 90.1

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Roadblock Procedures (cont'd)

- a. Roadblock Device (tire deflator) - An officer may deploy the Roadblock Device (tire deflator) after receiving authorization from his/her immediate supervisor. Only those officers who have received training in the deployment of the device are authorized to deploy it. The device will be deployed in accordance with the established Colorado State Patrol Policy and the manufacture's user's instructions.
 - (1) Deployment sites will be selected on the basis of officer safety, suspect safety and the safety of the general public. The deployment site will allow for a safe avenue of approach and exit after passing over the device.
 - (2) The officer operating the device must have a pack set on his person. When nearing the deployment site, the pursuing officer and the officer deploying the Roadblock (tire deflator) must maintain communications. Pursuing officers must back off from the suspect as they approach the device to allow the Roadblock (tire deflator) to be safely cleared from the roadway.
 - (3) The Roadblock (tire deflator) will not be deployed when the suspect vehicle is a motorcycle. The device will only be used on vehicles with four or more wheels.

EMERGENCY *Response*
POLICE VEHICLES

**OURAY COUNTY SHERIFF'S OFFICE
EMERGENCY OPERATION OF POLICE VEHICLES**

EP Standards: 90.2
dated: 09-01-00

Page 1 of 4

Purpose

To prescribe procedures governing the operation of police patrol vehicles during emergency response.

Policy

Colorado Revised Statutes (42-4-106), grants authority to the operator of an authorized emergency vehicle to exceed certain limitations normally regulating vehicle operation. However, the officer is not relieved of the responsibility to exercise due regard for the safety of all persons using the roadway. The speed and method of operation will be reasonable and prudent. The officer must also be cognizant of other factors such as weather, road conditions, traffic conditions and the type of area in which the response is occurring.

Definition

Authorized Emergency Vehicle

Vehicles must be using siren and authorized emergency lights to be considered an authorized emergency vehicle.

Code 2

A Code 2 response consists of operating the patrol vehicle by the most direct route to the call while adhering to all traffic regulations, speed limits and rules of the road. The use of emergency lights and siren during a Code 2 response is not authorized.

Code 3

The simultaneous use of a siren, and authorized emergency lights, on a Authorized Emergency Vehicle.

Procedure

1. Classification of Police Response

- a. Only two categories of response are authorized. These two categories are routine Code 2 response and emergency Code 3 response.

2. Routine Response

- a. Officers will respond routinely Code 2 to all calls not designated as an emergency.

**OURAY COUNTY SHERIFF'S OFFICE
EMERGENCY OPERATION OF POLICE VEHICLES**

EP Standards: 90.2

Page 2 of 4

Procedure (cont'd)

3. Emergency Vehicle operation.
 - a. Officers may respond Code 3 to all calls designated an emergency and that require a faster police response than would occur if traffic laws were strictly obeyed.
 - b. Only sworn members of the department will operate police vehicles during a Code 3 response.
 - c. Manner of operation;
 - (1) Emergency warning lights and siren will be used at all times when operating Code 3.
 - (2) If the Code 3 response is based on information initiated by the officer, the officer shall notify dispatch and receive acknowledgment.
 - (3) The officer shall terminate a Code 3 response at the earliest possible time.
 - (4) The officer should remember to get to the location of the event as quickly and safely as possible. An emergency response does not automatically authorize excessive speed of the patrol vehicle.
 - (5) The operating speed of the vehicle shall be kept at a level that allows the driver to avoid hazards, including reducing speeds at intersections until certain the intersection is clear, or other drivers are yielding the right of way.
 - (6) The responding officer must remain cognizant of their own safety and that of the general public.

**OURAY COUNTY SHERIFF'S OFFICE
EMERGENCY OPERATION OF POLICE VEHICLES**

EP Standards: 90.2

Page 3 of 4

Procedure (cont'd)

4. Emergency Calls

Officers may respond in an emergency mode while responding to the following:

- a. Traffic accidents with injuries when the response of a patrol vehicle would be more expeditious than that of the rescue squad or ambulance.
- b. A life threatening medical emergency.
- c. Calls involving injured persons where the extent of injury is unknown.
- d. Any crime or hazard that endangers human life.
- e. Calls assigned by the Communications Center which are designated as an emergency when dispatched by the term Code 3.
- f. When directed by a patrol supervisor.
- g. Officer needs assistance for personal safety.
- h. Vehicle pursuits as defined in the Vehicle Pursuits Standard.

Whenever an officer initiates a Code 3 response to an emergency call, the officer will advise the Communications Center of their location and their response mode. The Communications Center will advise the responding officer of the status of other responding units to assist the officer and supervisor with information on whether or not the responding officer should continue the Code 3 response mode.

5. Cancellation of Emergency Responses.

- a. Officers should not feel compelled to continue a Code 3 response when conditions escalate to a degree which places the safety of the officer or others in jeopardy. Conditions that must be evaluated continuously are:

**OURAY COUNTY SHERIFF'S OFFICE
EMERGENCY OPERATION OF POLICE VEHICLES**

EP Standards: 90.2

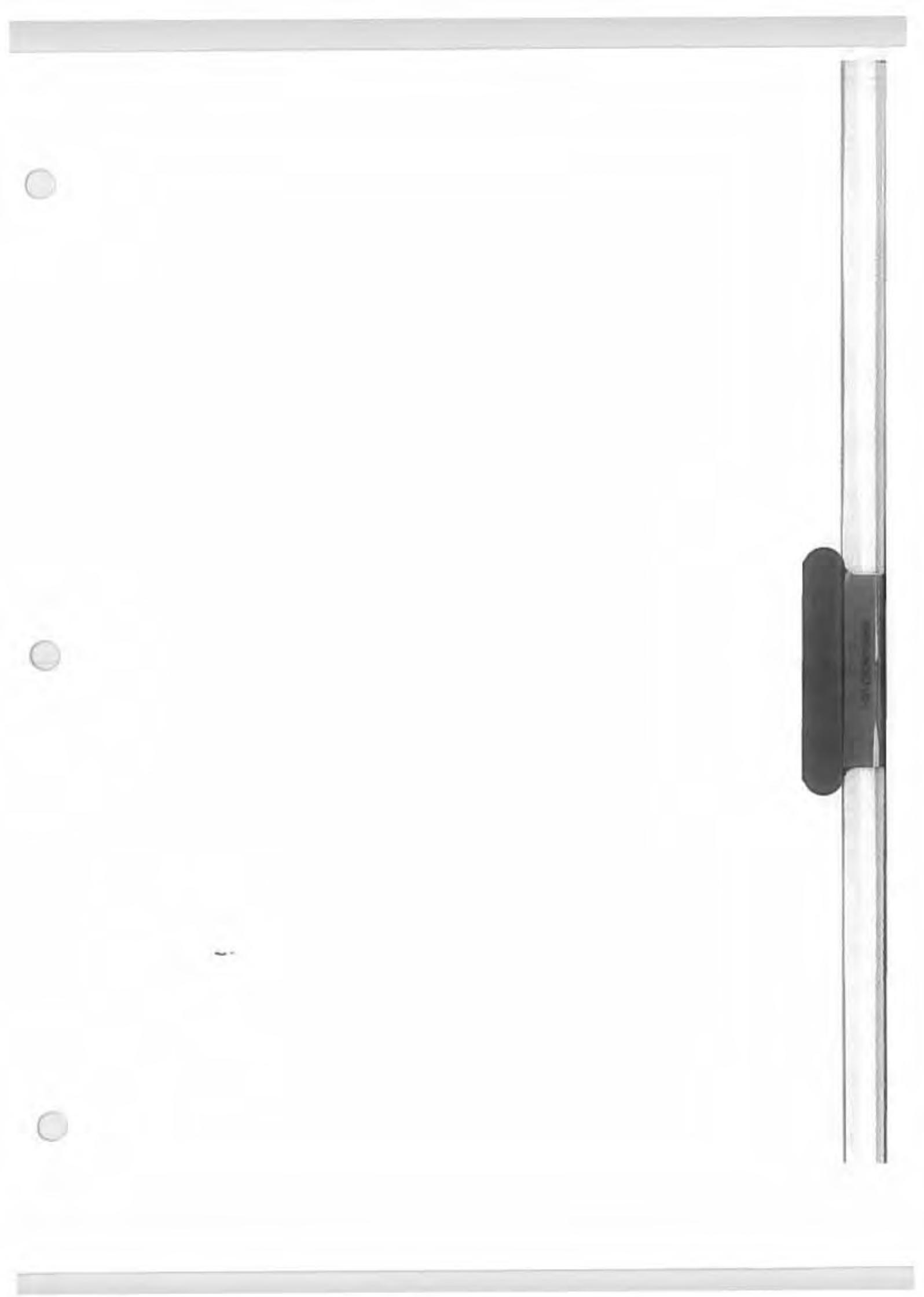
Page 4 of 4

Procedure (cont'd)

- (1) The capabilities of the officer to control the operation of the patrol vehicle.
 - (2) Vehicle speed in relation to road conditions.
 - (3) The degree of emergency or threat to others.
6. Supervisor Responsibilities - Emergency Responses.
- a. Each patrol supervisor has a responsibility to monitor the use of emergency responses by subordinates. When such assignments originate through the Communications Center, the supervisors may increase or decrease the classification of the response. A supervisor may terminate a Code 3 response at any time.

Emergency Escort of Private Vehicles

1. Emergency escorts are not authorized due to the liability and public danger involved. If an officer is requested to provide an escort by a private citizen he may:
 - a. Summon emergency medical aid to the location.
 - b. Offer any other type of assistance that is appropriate.



ABANDONED VEHICLES

PUBLIC TOW

CRS 42-4-1802

- **“Abandoned Vehicle”**
 - Any vehicle left unattended on public property. Including any portion of a highway right-of-way, inside or outside town or city limits for a period of 48 hours or longer or longer than the local ordinance allows.
- **Any vehicle in impound at request of law enforcement:**
 - Released by law enforcement
 - Not removed from impound after 72 hours of notification to owner
- **Search and Notify:**
 - 10 days to report the tow to the Dept. (to commence search)
 - 10 days (state time has to return has to return search results)
 - 10 days to notify the owner/lien holder of the tow
- **Public Tow**
 - Tow carriers that do public tows need to search state records for owner and lien holder information also.
 - Tow carriers will do a record search and pay the \$2.20 fee. (can do on internet)
 - When done by mail or in person use form DR 2539
 - Title information and request and receipt and DR 2489 Requestor and Affidavit of intended use.
 - Law enforcement and the tow carrier need to send notification to the owner and/or lien holder of record.
 - Note: Tow carrier notification will not be included with the paperwork to County.
 - Kept of file for 3 years
- **Public Tow**

- Vehicle less than 5 years old and no Colorado record found.
- When sold- Law enforcement is to provide a Certified VIN inspection
- Buyer will be required to purchase a bond for title and follow the bond procedure
- No Colorado record
- Cannot sell for 30 days

- **Appraisal**

- Completed by licensed Colorado Auto Dealer
- Law enforcement
- Current salvage vehicle
- If the appraised value of an abandoned motor vehicle sold pursuant to section 42-4-1805 (2) is two hundred dollars or less, the sell shall be made only for the purpose of junking, scrapping or dismantling such motor vehicle, and the purchaser thereof shall not, under any circumstances, be entitled to a Colorado certificate of title. The responsible law enforcement agency making the sale shall cause to be executed and delivered a bill of sale, together with a copy of the report described in section 42-4-1804, to the person purchasing such motor vehicle. The bill of sale shall state that the purchaser acquires no right to a certificate of title for such vehicle. The responsible law enforcement agency making the sale shall promptly submit a report of sale, with a copy of the bill of sale, to the department and shall deliver a copy of such report of sale to the purchaser of the motor vehicle. Upon receipt of any report of sale with supporting documents on any sale made pursuant to this subsection (2), the department shall purge the records for such vehicle as provided in section 42-4-1810 (1) (b) and shall not issue a new certificate of title for such vehicle. Any certificate of title issued in violation of this subsection (2) shall be void.

Revised 11/20/2006
Ouray County Sheriff

STATE OF COLORADO
 PUBLIC TOW
 VEHICLE INFORMATION REQUEST
 C.R.S. 42-4-1801

Sample

NOTICE OF TOW

The vehicle identified in section 2 has been reported abandoned to the Colorado Department of Revenue, DMV Title Section, by the law enforcement agency shown in Section 6. The vehicle may be reclaimed by the owner and/or lienholder with proof of ownership and payment of towing and storage fees. Failure to claim vehicle and satisfy the lien for towing and/or storage within 30 days from the postmark date of this notice may result in disposal of the vehicle. Information concerning the tow must be obtained from the law enforcement agency shown in Section 6. If there is a question concerning the legality of the towing of the vehicle, a written request for hearing must be made by the owner or lienholder of the towed vehicle to the law enforcement agency within ten (10) days of the postmark date of this notice.

STATE USE ONLY

Date Search Request Rec'd. at Revenue

Date Search Completed By Revenue

STATE USE ONLY

- Colorado Title Record Attached Registration Information Attached
 No Colorado Record Found Title Held By State of _____

VEHICLE IDENTIFICATION NUMBER (VIN)

JF1AF23B2G B100729

(OPTIONAL: Place Tape Lift Here)

VEHICLE INFORMATION

LICENSE PLATE INFORMATION

Year	Make	Body	Model	Color	State of Issue	Plate Number	Type	Expiration Date
86	Subaru			BLU	COLORADO	487 OFO		9/2007

REASON FOR TOW

CHECK ONE: Arrest MV Accident Abandoned Other _____

IMPOUND INFORMATION

Location Towed From	Address	City	County
	Dave Wood Road		Ouray
Date of Impound	Month	Day	Year
	November	17	2006
Time of Impound	Hour	Minute	AM/PM

TOW COMPANY	Name	M + H Towing
	Address	PO Box 1776
	City	MONTROSE
	Telephone	(970) 249-8662
	State	CO
	ZIP	81401
	PUC# / WWP#	CO PUCT 0339

STORAGE	Name	M + H Towing
	Address	1237 Spang Cr.
	City	MONTROSE
	Telephone	(970) 249-8662
	State	CO
	ZIP	81401

LAW ENFORCEMENT ONLY

AGENCY	Law Enforcement Agency Requesting Search	Agency Report Number	Date
	Ouray County Sheriff		
	Address	Telephone Number	Date to DOR
	541 4th St. POB 585	(970) 325-7272	
	City	Officer's Printed Name	
Ouray	Michelle R Kuhlman		
	State	ZIP	
	CO	81427	
	Law Enforcement Agent Signature		
	Michelle R Kuhlman		
	Comments		

NOTICE MAILED TO:

Owner Lienholder Other

Date Mailed

11.17.06

12173 (04/12/05)
 Colorado Department of Revenue
 Division of Motor Vehicles

**STATE OF COLORADO
 Motor Vehicle Bill of Sale**

No. 615685

INSTRUCTIONS: Complete Section A for Private Sales/Odometer Disclosure. Complete Section A, B, C for Tow/Law Enforcement Sales

Section A. Odometer Disclosure Statement

VEHICLE IDENTIFICATION NUMBER (VIN)	YEAR	MAKE	BODY	MODEL	DATE OF SALE
PRINT BUYER'S NAME (1)	PRINT BUYER'S NAME (2)			TOTAL SALE PRICE \$	
Federal law requires that you state the odometer mileage upon transfer of ownership, failure to complete or providing a false statement may result in fines and/or imprisonment.					
Current Odometer Reading (No Tenths of Miles)	TO THE BEST OF MY KNOWLEDGE: <input type="checkbox"/> THE ODOMETER READING IS THE ACTUAL MILEAGE OF THE VEHICLE. <input type="checkbox"/> THE ODOMETER READING IS IN EXCESS OF ITS MECHANICAL LIMITS. <input checked="" type="checkbox"/> THE ODOMETER READING IS NOT THE ACTUAL MILEAGE. - WARNING ODOMETER DISCREPANCY.				
SELLER(S) CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE. BUYER'S SIGNATURE BELOW ACKNOWLEDGES TRANSFER OF OWNERSHIP AND RECEIPT OF ODOMETER STATEMENT.					
SELLING COMPANY/AGENCY (Please Print)			SELLER'S AGENT HANDPRINTED NAME		
SELLER'S AGENT SIGNATURE			DATE OF STATEMENT		
SELLER'S STREET ADDRESS			STATE	ZIP	
SELLER'S SIGNATURE (1) (REQUIRED)			BUYER'S SIGNATURE (2) (REQUIRED)		
SELLER'S HANDPRINTED NAME (1)			BUYER'S HANDPRINTED NAME (2)		
SELLER'S STREET ADDRESS		CITY	STATE	ZIP	

Section B. Appraisal For Abandoned Vehicles

Vehicle ID (required for 1953 and earlier model vehicles and ALL motorcycles)	GENERAL VEHICLE CONDITION	APPRAISED VALUE \$
CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		
LAW ENFORCEMENT AGENCY	AGENCY / DEALERSHIP NAME	
OLICEN LICENSED DEALERSHIP DEALER NUMBER:	DATE	
VEHICLES APPRAISED \$200 OR LESS. THIS VEHICLE MUST BE JUNKED OR DISMANTLED, NO COLORADO TITLE OR SALVAGE RECEIPT/TITLE WILL BE ISSUED. VEHICLES APPRAISED OVER \$200. IT IS THE RESPONSIBILITY OF THE BUYER TO BRING THE VEHICLE INTO COMPLIANCE WITH THE REQUIREMENTS FOR TITLING AND REGISTRATION.		

SECTION C. REPORT OF SALE OF ABANDONED VEHICLE (for use by tow carrier and law enforcement only)

PUBLIC PRIVATE SALE WAS HELD AND THE ABOVE VEHICLE WAS SOLD AS PRESCRIBED BY LAW.

THE FEES MUST BE IN COMPLIANCE WITH COLORADO PUBLIC UTILITIES COMMISSION REGULATIONS

THE AMOUNT OF THE PURCHASE PRICE WAS DISPOSED OF IN THE FOLLOWING MANNER:

STORAGE	LAW ENFORCEMENT EXPENDITURES	PROCESSING	OTHER
\$	\$	\$	\$

COPIES, IF ANY, TO BE FORWARDED TO DOR CASHIER (1375 SHERMAN STREET, ROOM 186, DENVER, CO 80261) WITHIN 30 DAYS OF SALE

IF PERFORMED UNDER CONTRACT WITH LOCAL LAW ENFORCEMENT, AGENCY: LIABILITY CODE 9020

Distribution: Original with title application 2 Copies DOR cashier 1 Copy seller(s) records

**STATE OF COLORADO
 LAW ENFORCEMENT
 PUBLIC TOW REQUIREMENTS CHECK LIST
 C.R.S. 42-4-1801**

Sample

A vehicle is considered abandoned when A) left unattended on public property for a period of 48 hours or longer B) or a period longer than any limit prescribed by any local ordinance C) any motor vehicle stored in an impound lot at the request of a law enforcement agency and not removed from the impound lot within 72 hours after the time the law enforcement agency notifies the owner or agent that the vehicle is available for release upon payment of any applicable charges or fees.

Tow operator is required to be registered with the Colorado Public Utilities Commission and Department of Revenue, Division of Motor Vehicles.

STEP	WHAT YOU NEED TO DO	FORM NEEDED
1	As soon as possible but no later than 10 business days after the vehicle has been towed, the responsible law enforcement agency must submit a record search request to the Colorado Department of Revenue, DMV, Title section, either by electronic submission through the Colorado Web site or by completion and submission of a DR 2008 form by first class, certified mail, or in person. The tow operator is also required to perform a search for owner and lienholder information utilizing the Colorado Web site or by submission of a DR 2539 form and a DR 2489, Requestor Release and Affidavit of Intended Use. Owner and lienholder information may be provided to the tow operator by the responsible law enforcement agency.	DR 2008
2	Within 10 business days from receipt of the completed record search from the Department of Revenue, the responsible law enforcement agency must notify owner(s) and lienholder(s) of record. Notification must include contact information for the responsible law enforcement agency, tow operator's name, PUC permit number, address, storage address, phone numbers, date of tow, location towed from, vehicle information including year, make, model, color, VIN, license plate and charges as of date of mailing. Notification must also advise owner(s) and lienholder(s) that vehicles not claimed within 30 calendar days of the postmark of the notice will be disposed of. The notice must also advise owner(s)/lienholder(s) of their right to a hearing to determine the legality of the towing of the vehicle and that such request must be made to the responsible law enforcement agency in writing and made within 10 days of the postmark of the notice. Notice should also indicate that information about the vehicle can only be obtained from the responsible law enforcement agency and/or the tow operator. Proof of notification must remain on file with the responsible law enforcement agency for 3 years. The tow operator is also required to send the same notification to all owners and/or lienholders. Notices sent by tow operators must be sent first class, certified, return receipt requested. Tow operator shall retain proof of notification on file for 3 years. If there is any indication that the vehicle is from out of state, a search must be run through that state.	
3	Vehicles not retrieved shall be sold or disposed of using the following timeframe: <input type="checkbox"/> Vehicles shall be sold or disposed of not less than 30 calendar days nor more than 60 calendar days from the postmark date of notification. Vehicles with no Colorado record found shall be sold or disposed of not less than 30 calendar days nor more than 60 calendar days from the date that the search was completed.	
4	Vehicles with an appraised value of \$200 or less must be sold as parts only or junk. No Colorado title can be issued. These vehicles should be sold using a Colorado Motor Vehicle Bill of Sale, DR 2173. Bill of sale must clearly indicate "junk" or "parts only" and "no title." A copy of the DR 2173 must be sent to the Department of Revenue, DMV, Title Section so the record may be purged.	DR 2173

5	<p>The following is required when selling a vehicle with an appraised value of more than \$200.</p> <ul style="list-style-type: none"> ▣ Original DR 2008 with search results attached - valid for 1 year ▣ Original DR 2173 Motor Vehicle Bill of Sale - appraisal must be complete and exceed \$200. When a bond is required the appraisal is valid for 45 days ▣ Original Verification of VIN DR 2395 - for vehicles with a Colorado record or vehicles 5 years or older with no Colorado record - valid for 1 year ▣ Original Certified VIN Verification DR 2704 - for vehicles with a model year of less than 5 years when no Colorado record is found, valid for 1 year, law enforcement will provide ▣ Bond - for vehicles with a model year of less than 5 years when no Colorado record is found, buyer must provide <p>Purchaser must make application for title at the motor vehicle office in the county in which they reside. Secure and verifiable identification is required to obtain a title or registration in the State of Colorado.</p>	<p>DR 2008 DR 2173 DR 2395 DR 2704 (as required) Bond (provided by buyer as required). Please see DR 2841 for acceptable identification documents.</p>
6	<p>The law enforcement agency is required to disclose current or previous salvage information to buyer. Vehicles sold as junk or parts only must have JUNK OR PARTS ONLY, NO TITLE written on the motor vehicle bill of sale.</p>	<p>DR 2710 DR 2173</p>
7	<p>When the purchase price of the vehicle exceeds the limits set forth by the Colorado Public Utilities Commission the law enforcement agency must submit 2 copies of the DR 2173 and balance from proceeds should be sent to Colorado Department of Revenue, Cashier, 1375 Sherman Street, Room 186, Denver CO 80261, within 30 days of date of sale.</p>	<p>DR 2173</p>

FORM NUMBER	FORM NAME	SUPPLIER
DR 2008	Public Tow Vehicle Information Request	Department of Revenue kpicariello@spike.dor.state.co.us www.revenue.state.co.us
DR 2099	Tow Carrier Registration	www.revenue.state.co.us
DR 2173	Secured* Motor Vehicle Bill of Sale <i>*secured forms must be purchased from supplier listed at right. The state does not provide secured forms.</i>	CIADA - 303-239-8000 CADA - 303-831-1722
DR 2395	This form includes a VIN Verification (formerly the DR 2087), a title application (formerly the DR 2411), and the Colorado Dealer's Statement (formerly the DR 2418)	www.revenue.state.co.us
DR 2410	Application for Salvage Title	www.revenue.state.co.us
DR 2489	Requestor Release Affidavit	www.revenue.state.co.us
DR 2704	Certified VIN Inspection	www.revenue.state.co.us
DR 2710	Rebuilt from Salvage Disclosure	www.revenue.state.co.us
DR 2774	Public Tow Requirements Checklist	www.revenue.state.co.us

For assistance with forms, please call 303-205-5758.

1.0000000000000000

**OURAY COUNTY SHERIFF'S OFFICE
PRISONER TRANSPORTATION**

EP Standards: 180.1, 180.2
Revised: 09-01-00

Page 1 of 6

Purpose

To establish guidelines for the searching, handling and transportation of prisoners.

Policy

Prisoners will be searched at the time of arrest to ensure the safety of officers and to prevent the destruction of evidence.

Searching Prisoners

1. All persons arrested will be searched. All arrested persons received from another officer or another agency will be searched, even if the other officer states the person has been searched. Prisoners shall be searched each time they come into the transporting officer's custody, including to and from court appearances, hospital visits, or interview sessions.
2. Strip searches will be conducted according to Colorado Revised Statute 16-3-405. Sheriff's Office guidelines are as follows:
 - a. **Strip Search**
The act of requiring an arrested person to remove or arrange some or all of their clothing so as to permit a visual inspection of the genitals, buttocks, anus or the breasts of a female arrestee.
 - b. No search of any body cavity other than the mouth shall be conducted without the authorization of the employee's supervisor or supervisor in charge. The search must be performed under sanitary conditions and conducted by a licensed physician or nurse.
 - c. No person arrested for a traffic offense or a petty offense, shall be strip searched prior to arraignment, unless probable cause exists to believe that the individual is concealing a weapon or a controlled substance or that the individual is a parolee or an offender serving a sentence in any correctional facility in the state, or the individual is arrested for driving while under the influence of drugs.

**OURAY COUNTY SHERIFF'S OFFICE
PRISONER TRANSPORTATION**

EP Standards: 180.1, 180.2

Page 2 of 6

Searching Prisoners (cont'd)

- d. Any strip search that is conducted shall be performed by a person of the same sex as the arrested person, and on premises where the search cannot be observed by persons, not physically conducting the search.

Transporting Prisoners

1. All persons arrested, detained, or transported shall be handcuffed behind the back, or in front with a restraining belt or chain. They shall also be seat-belted in the vehicle and the doors locked. At no time will anyone be handcuffed to any portion of a vehicle. Restraints shall not be applied which would aggravate any existing illness or injury known to the officer at the time of the arrest which would limit treatment by medical personnel.
2. Handicapped, sick or injured prisoners shall be restrained reasonably to prevent injury or escape from custody. If the handicapped prisoner is confined to a wheelchair, or other non-ambulatory device, then an ambulance may be utilized for the transport. In special situations, a patrol supervisor should be notified for assistance. If an arrested person is seriously injured or ill, medical attention shall be sought prior to transport. Any prescribed medication should accompany the arrestee, but be secured during transport.
 - a. When transporting mentally disturbed prisoners, alternate restraining devices shall be used which have been designed to restrain the prisoner securely without causing injury. However, this does not prevent the use of handcuffs in emergency situations. The type of restraint used should be documented.
 - b. Persons detained pursuant to Emergency Commitments (protective custody or temporary mental hold and treat) shall be restrained.
3. All Sheriff Office vehicles used for transportation will, at a minimum, have the rear door handles and window cranks removed, on four door model vehicles, to ensure that the prisoner cannot exit the vehicle without the aid of the transporting officer.

**OURAY COUNTY SHERIFF'S OFFICE
PRISONER TRANSPORTATION**

EP Standards: 180.1, 180.2

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Transporting Prisoners (cont'd)

4. All vehicles used for transporting arrested persons will be searched prior to, and after transporting of said persons. A search is made under the assumption that an opportunity exists for the introduction of contraband, weapons and/or other items.
5. Ideally, when on extended transports, female prisoners should be transported by female officers. When unreasonable to do so, two male officers will transport and shall radio beginning and ending mileage, along with the vehicle number.
 - a. The information relayed to communications will be recorded in the event/audit file for the transport incident.
 - b. In the event an officer is transporting a prisoner of the opposite sex, and the prisoner is requesting the use of a rest room, the officer shall ensure the safety and security of the prisoner by taking all appropriate actions.
6. Vehicles will be inspected by the officer, prior to use. The officer will ensure that funds are available for food, fuel and lodging if needed. If, during an extended prisoner transport an officer determines that a prisoner will require a meal prior to arrival at a detention facility, the location where the meal is taken will be chosen at random.
7. Prisoners are permitted to communicate with the transporting officer and other arrestees in the vehicle, but cannot talk to an attorney, bondsman, or other parties while being transported.

Providing Law Enforcement Service While Engaged in Transport

1. An officer will not handle another law enforcement incident while transporting a prisoner, unless the incident is of such magnitude that a life is placed in jeopardy or an innocent person is at risk of serious bodily injury. The officer must also be concerned with the safety of his prisoner, and will not expose the prisoner to unnecessary hazards.

**OURAY COUNTY SHERIFF'S OFFICE
PRISONER TRANSPORTATION**

EP Standards: 180.1, 180.2

Page 4 of 6

Arrival at the Holding Facility

1. Upon arrival at a detention facility, transporting officer(s) shall secure all firearms, ammunition, chemical agents and other weapons in the proper lockers, usually provided at most facilities, prior to entering the booking area with an arrestee or inmate.
 - a. Most facilities will have their personnel remove the restraints or handcuffs from the prisoner.
 - b. If the facility requires the prisoner remain restrained, the officer will remove those restraints issued by the Sheriff's Office and the detention facility shall restrain the prisoner with their own equipment.
 - c. The appropriate reports shall be completed and supplied to detention facility personnel on all persons arrested. Which include any special risks or circumstances (suicide risk, communicable diseases, escape risk, etc). All prisoners turned over to other agencies or facilities, shall be signed for by an agent of the receiving agency.

Prisoner Escape

1. Should a prisoner escape during a transport, the transporting officer shall notify the affected jurisdiction through the Communications Center of the escape. Initial information to be supplied via the radio includes:
 - a. Description of the prisoner.
 - b. Direction of travel and means.
 - c. Weapons or possible weapons.
 - d. Possible accomplices.
 - e. Reason prisoner was being held and charges pending.
2. If, within the Sheriff's Office's own jurisdiction, a patrol supervisor shall respond to the scene and, in all cases, the Undersheriff will be notified.

**OURAY COUNTY SHERIFF'S OFFICE
PRISONER TRANSPORTATION**

EP Standards: 180.1, 180.2

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Prisoner Escape (cont'd)

3. If outside the Sheriff's jurisdiction, the affected jurisdiction will be notified and a request made for an officer from the affected jurisdiction to respond to the scene.
4. The transporting officer shall complete a written report of the incident.

Prisoner Security

1. For safety reasons, all persons in custody must be under observation at all times, from point of arrest to the time of detention processing.
2. Arresting officers are responsible for the safety of prisoners, and are also responsible to insure that other officers are not placed in hazardous situations by the actions of their prisoners.
 - a. When a prisoner is considered a security risk, the presiding judge should be notified. The following issues should be reviewed with the judge prior to the arrival of the prisoner in court:
 - (1) Use of restraining devices in the courtroom.
 - (2) Assignment of additional personnel.
3. Prisoners being transported for any unusual circumstances such as funerals, visiting a critically ill family member or any other like situation, provide extraordinary opportunities to a prisoner for unauthorized personal contact, escape, or infliction of injury on himself or others.
 - a. Prisoners being transported in the above situation will be escorted by a minimum of two officers.
4. When a subject, in Deputy Sheriff custody, is transported to a medical facility for treatment, the transporting officer will keep the subject under observation at all times. If the arrestee is admitted to the hospital, an on-duty patrol supervisor shall arrange for the posting of a guard.

**OURAY COUNTY SHERIFF'S OFFICE
PRISONER TRANSPORTATION**

EP Standards: 180.1, 180.2

Page 6 of 6

Prisoner Identification Prior to Transport

1. Each prisoner being transported from a detention facility shall be positively identified as the person to be moved.
2. The following criteria may be used for identification purposes:
 - a. Name and date of birth.
 - b. Case/detention reports.
 - c. Physical description.
 - d. Detention photos or other photographs.
 - e. Use of right index fingerprint comparison on the custody report.
 - f. All other documentation that is necessary to prove identification (charges, warrants, proper commitment papers, medical records, property).
3. When a prisoner is transported to court, accompanying documentation should include the prisoners name, facility prisoner number and court to which the prisoner is to be delivered.
4. When transporting a prisoner to another facility, the documentation should include commitment papers and the prisoner's medical records and personal property.
5. For interstate transports, the escort officer must have a properly executed Governor's warrant or a properly executed waiver.
6. All documentation outlined above, if available, shall accompany the prisoner and be given to the receiving facility with special emphasis on any information relating to prisoners escape-risk or suicide potential.

CLOTHING ALLOWANCE

OURAY COUNTY SHERIFF'S OFFICE
UNIFORM AUTHORIZATION AND CLOTHING ALLOWANCE

EP Standards: 110.1
Revised: 09-01-00

Page 1 of 1

Purpose

To outline the procedure for provision and wear of uniforms or civilian clothing by department personnel when engaged in law enforcement activities.

Policy

Employees engaged in activities for which the department requires wearing a uniform will be furnished such a uniform.

Procedure

A Deputy Sheriff's uniform will be worn by sworn personnel while engaged in law enforcement activities when the uniform is appropriate.

1. Upon initial employment or assignment, all sworn personnel will be issued the following uniform items where applicable:
 - a. One field duty jacket
 - b. Two long sleeve shirts
 - c. Two short sleeve shirts
 - d. Badge, name tag and collar brass.
2. Sworn personnel whose normal duty requires daily wear of civilian clothing must be able, when directed, to report for duty in Deputy Sheriff uniform.
3. Name tags will be worn on the outer garment by personnel in uniform, directly above and centered over the right breast pocket, or in a similar position if no pocket.
4. Personnel in uniform may not wear any visible earrings, bracelets, hair ornaments, or necklaces.
5. Appropriate pins awarded for completion of a law enforcement academy, recognition of accreditation, years of service with the county, and department marksmanship may be worn over the name tag, arranged horizontally if more than one award.
6. Uniforms will be neat, well fitted, clean, pressed, and in good repair when worn. Unserviceable department uniform items may be exchanged for serviceable items on a one for one basis.
7. Department uniform items will be returned to the department when a person leaves the department.

**OURAY COUNTY SHERIFF'S OFFICE
SOFT BODY ARMOR**

EP Standards: 110.2
ued: 09-01-00

Page 1 of 1

Purpose

To establish procedures pertaining to the use of soft body armor (protective vests).

Policy

Soft body armor will be available for issue to each officer while performing routine field duties.

Procedure

1. Any officer desiring to wear soft body armor may request the department to purchase department approved soft body armor at no cost to the officer.
2. If an officer requests the department to purchase soft body armor, the officer will be strongly urged to wear it when in uniform and on duty.

JUVENILE OPS.

**OURAY COUNTY SHERIFF'S OFFICE
JUVENILE OPERATIONS**

EP Standards: 130.1, 130.2
ued: 09-01-00

Page 1 of 4

Purpose

To provide a written directive, covering procedures relating to the handling of Sheriff's Officer contacts involving juveniles.

Policy

To comply with the letter, spirit and intent of comprehensive state legislation, relating to juveniles and diversion from or intake into the criminal justice system.

Procedure

1. The Children's Code of the State of Colorado (Section 19-1-103 et seq. CRS) has specific requirements for most situations involving contacts between law enforcement agencies and juvenile offenders or abused or neglected children.
2. The Code also sets forth responsibilities and relationship between agencies dealing with these juveniles. In this regard, the Sheriff's office maintains a continuing program of coordination and cooperation with:
 - a. District (juvenile) Courts
 - b. District Attorney's Office
 - d. Probation Department
 - d. All other Law Enforcement Agencies within the County
 - e. The Juvenile Diversion Project Office
 - f. Social Services
 - g. Child Protective Team
3. The department shall maintain a list of social service agencies, within the Ouray County area, that provide services to juveniles. Copies of this list shall be available to each officer so they will be aware of the alternatives and resources available to them in dealing with juveniles. It shall be the responsibility of the Undersheriff to insure this list is updated periodically.

**OURAY COUNTY SHERIFF'S OFFICE
JUVENILE OPERATIONS**

EP Standards: 130.1, 130.2

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Procedure (cont'd)

4. Contacts with juveniles, in both criminal and non-criminal situations, make up a significant portion of the contacts between law enforcement and the public. Because of this, responsibility for juvenile operations cannot be relegated to a single unit or small group of persons within the Sheriff's Office. Each patrol officer and investigator is accountable for the proper handling of juvenile problems within the framework of the Children's Code and the centralized diversion program operated by the Office of the District Attorney.

5. There are specific and clear statutory requirements to be met under the Colorado Children's Code. Topics covered, among others, are when custody can be effected, when and to whom notification of custody is required, evidentiary considerations for taking statements (interviews), when the use of summons is allowed, diversion programs, and use of detention and shelter facilities. Reference to the code, as presently structured or as it is amended, is essential in properly dealing with juveniles.

When dealing with juvenile offenders, officers of the Sheriff's office will use the least coercive among reasonable alternatives, consistent with preserving order, public safety and individual liberty.

a. The usual alternatives are:

- (1) Release on summons for violations of non-felony state traffic, game and fish, and parks and recreation laws or regulations, the offenses specified in section 18-13-121, CRS, concerning tobacco products, the offense specified in section 18-13-122 CRS, concerning the illegal possession or consumption of ethyl alcohol by an underage person; the penalty for which cannot include a jail sentence.

- (2) **Juvenile Diversion.** Diversion represents a alternative to a formal court filing. In certain eligible cases (non-serious, misdemeanor or criminal offenses), Deputies *may* refer a youth to Ouray County Juvenile Diversion. Juvenile offenders and their parents must complete a Juvenile Diversion contract. If any of the conditions set forth in the contract are violated, the case will be referred to the District Attorney's office for prosecution.

- (3) Outright release, normally including a verbal warning and may include meeting with parents or guardian, without further action.

**OURAY COUNTY SHERIFF'S OFFICE
JUVENILE OPERATIONS**

EP Standards: 130.1, 130.2

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Procedure (cont'd)

- (3) Temporary custody pursuant to Section 19-2-201, CRS, with and release to the care of parent or other responsible adult in accordance with Section 19-2-203, CRS
 - (4) Temporary custody pursuant to Section 19-2-201, CRS, with detention in accordance with Section 19-2-203, CRS
- b. In determining which alternative to pursue, consideration should be given to:
- (1) Nature of the offense.
 - (2) Age and circumstances of offender.
 - (3) Offender's record.
 - (4) Recommendations of complainant or victim.
- c. When taking a juvenile into custody:
- (1) Notification must be made without unnecessary delay to a parent, guardian, or legal custodian in accordance with Section 19-2-203 (1), CRS.
 - (2) If released to a parent or other responsible adult, the juvenile must be taken directly to the court or detention or shelter without unnecessary delay in accordance with Section 19-2-203, (3) (b) CRS.
 - (3) For any custodial interrogation, including advisement of rights, the provisions of Section 19-2-210, CRS, are governing as to the procedure to be followed. The duration of a juvenile interrogation shall not be longer than reasonably necessary and will not involve more than two officers at any one time. Procedures of this department and the juvenile justice system will be explained as part of the process.

**OURAY COUNTY SHERIFF'S OFFICE
JUVENILE OPERATIONS**

EP Standards: 130.1, 130.2

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Procedure (cont'd)

Taking children in custody based on being a runaway or needing protection is covered by Section 19-3-401, CRS. The Department of Social Services, if not already involved, is the agency that assumes responsibility for the child from the Sheriff's Office.

Persons who are required to report child abuse or neglect, or circumstances or conditions that would lead to abuse or neglect, are listed in Section 19-3-304, CRS. Sheriff's officers of this agency, are covered by this listing.

The Records Administrator for this department is responsible for maintaining records of juveniles in accordance with Part 9, Article 2, Title 19 CRS, including but not limited to provisions for:

- a. Separation of juvenile from adult records.
- b. Expunge records by court order.
- c. Limiting access to juvenile records.

OURAY COUNTY SHERIFF'S OFFICE VICTIMS ASSISTANCE PROGRAM

EP Standards: N.A.
ued: 09-01-00

Page 1 of 1

Purpose

To establish guidelines for the Victim Assistance Program which provides a support system for victims of criminal or traumatic incidents.

Policy

In an effort to aid and comfort victims of criminal or traumatic incidents, an officer may activate the Victim Assistance Program. The Victim Assistance Program is composed of civilian volunteers who have been trained to assist people who have been the victim of a criminal or traumatic event. After the officer has assessed the scene for victim support needs, notification for the victim assistance volunteer to respond shall be requested by the officer via the Communications Center's paging system. The Ouray County Sheriff's Office Victim Assistance Program will provide victim support at any time or day.

Procedures

1. Officers shall activate the Victim Assistance Program in the following incidents when deemed necessary:
 - a. Domestic Violence
 - b. Sexual Assault
 - c. Child Abuse
 - d. Homicide
 - e. Suicide
 - f. Assault
 - g. Unattended Death
 - h. Injury Traffic Accidents
 - i. Crimes involving the elderly or handicapped
 - j. Situations where a citizen is experiencing emotional trauma as a result of any event requiring police assistance.
2. Victim Assistance Volunteers will not provide support if the victim is known to be a suspect.
3. A Victim's Assistance Volunteer will not be sent into any adversarial situation or any other situation that may put the volunteer at risk.

**OURAY COUNTY SHERIFF'S OFFICE
UNUSUAL OCCURRENCES**

EP Standards: 150.1
Revised: 09-01-00

Page 1 of 1

Purpose

To establish the role of the department in unusual occurrences.

Policy

Natural disasters such as earthquakes, tornadoes, snow storms, floods or man made catastrophes such as fires, hazardous and toxic chemical releases, riots, and mass civil disobedience, require a specific approach to command. A coordinated effort to command will reduce the loss of lives and property by limiting the duplication of efforts, assigning responsibilities, and unifying the command personnel of several agencies into a single command unit.

Procedure

1. The Ouray County Sheriff's Office has developed and will maintain a Emergency Operations Procedure Manual, which will be utilized during unusual occurrences.
 - a. The responsibility of developing and maintaining the manual shall lie with the Sheriff and the Undersheriff.
 - b. The manual shall be reviewed and updated at least annually or as needed.
2. The Sheriff or Undersheriff, or their designee, will maintain a liaison with Ouray County emergency preparedness personnel, State emergency preparedness personnel and other affected agencies. Additionally, they will help with planning, coordinating and participating in any simulated disaster drills.
3. The Sheriff, Undersheriff or their designee will be responsible for seeing that agency equipment designated for use in unusual situations is inspected at least once each month for operational readiness.
 - a. Current listing of agency equipment designated for use in unusual occurrences will be included in the Special Operations Procedure Manual.

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THRENTS

**OURAY COUNTY SHERIFF'S OFFICE
HAZARDOUS DEVICES AND BOMB THREATS**

EP Standards: 150.1

Revised: 09-01-00

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Purpose

To establish duties of personnel in bomb threat and hazardous device incidents.

Definitions

Principal

The individual in charge of the threatened business or residence, i.e, owner/manager or reasonable person.

Hazardous Device

Any improvised item(s) which may explode or burn violently, resulting in personal injury or property damage.

H.D.T. Hazardous Device Technician

Bomb Threat Procedure

1. The person receiving the threat will make every effort to obtain information, including:
 - a. What time will it go off?
 - b. What does it look like?
 - c. Where is it placed?
 - d. How much and what type of explosive?
 - e. Phone number of caller (phone line lock)?
 - f. Exact wording of threat?
 - g. Why placed?
 - h. Voice, age, gender, emotional state and background noise.
2. Communications Center will:
 - a. Notify the on-duty patrol supervisor.
 - b. Dispatch one patrol unit.

**OURAY COUNTY SHERIFF'S OFFICE
HAZARDOUS DEVICES AND BOMB THREATS**

EP Standards: 150.1

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Bomb Threat Procedure (cont'd).

- c. First officer on scene will act as Incident Commander (IC).
 - d. Alert the Fire Department to standby at the Firehouse.
 - e. Notify Ambulance to standby.
3. The officers assigned to the call will:
- a. Contact and remain with the IC for direction, coordination and assistance.
 - b. Advise the IC of the facts then known.
 - c. Leave their portable radios on. Make only transmissions that are absolutely necessary.

Evacuation

- a. The (IC) is responsible for the decision on whether or not to evacuate the building.
- b. Department personnel will assist in maintaining order.
- c. The assigned officers, with the concurrence of a supervisor, may order and initiate an evacuation, partial or total, if it is believed there is imminent danger and the Principal declines to evacuate.

Search.

- a. The (IC) will designate employees to do the searching and ensure searchers do not touch any suspicious items.
- b. The assigned officers will ensure obvious areas are not overlooked and assist in searching public areas including parking lots, building exteriors, waiting rooms, rest rooms and stairways.

**OURAY COUNTY SHERIFF'S OFFICE
HAZARDOUS DEVICES AND BOMB THREATS**

EP Standards: 150.1

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Bomb Threat Procedure (cont,d)

6. Suspicious hazardous device located.
 - a. The IC will instruct Communications Center to notify:
 - (1) Nearest available HDT to respond.
 - (2) The Fire Department.
 - (3) The FBI if the device is located on an aircraft, at an airport, in a federal building or on federal land.
 - (4) The Sheriff and Undersheriff.
 - b. The IC and the assigned officers should:
 - (1) Ensure that the premise is evacuated and secure an area at least 300 feet in radius around the suspicious device.
 - (2) Make certain the device is not disturbed in any way.
 - (3) Ensure the safety of persons at the scene pending the neutralization of the device.
7. Removal of Suspicious Device
 - a. The HDT will identify the nearest safe area, handle loading and provide transport.
 - b. The IC may determine the route and provide an escort. The escort should, (this is an exception to the Emergency Operations of Police Vehicle Standards).
 - (1) Not exceed the posted speed limit.
 - (2) Use emergency lights only.
 - (3) Consist of a lead vehicle and a follow-up vehicle.

**OURAY COUNTY SHERIFF'S OFFICE
HAZARDOUS DEVICES AND BOMB THREATS**

EP Standards: 150.1

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If Detonation Occurs

1. Communication Center will notify the Fire Department and an Ambulance if not already on scene.
2. The Fire Department will:
 - a. Respond and assume full control of any fire suppression, with the Sheriff's Office assisting at the scene.
 - b. The Sheriff's Investigator and Fire Marshall will conduct a joint investigation.

Outside Agency Assistance

The Communications Center will maintain a list of qualified persons available to assist with the handling of hazardous devices or explosives.

Suspicious Package Procedure, (independent of a bomb threat)

1. The responding officer should:
 - a. Secure a safe area around the suspicious package.
 - b. Notify the Sheriff or Undersheriff.
 - c. Determine if the Fire Department and Ambulance should be notified to standby at their stations or at the scene.
 - d. Consider use of an X-ray device to evaluate the package.
 - e. Discuss with a supervisor whether or not to request a HDT.
 - f. Notify the FBI if the suspicious package is located on an aircraft, at an airport, in a federal building or on federal land.
2. Arrival of HDT
 - a. The HDT will assume control of the suspicious package and determine the best course of action.

OURAY COUNTY SHERIFF'S OFFICE SPECIAL EVENTS

EP Standards: 150.1
ued: 09-01-00

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Purpose

To establish a departmental procedure for special events.

Procedure

Special events create unusual problems for law enforcement especially in the area of traffic control. Vehicular and pedestrian congestion problems become more complex, emergency situations are more likely to occur and the safety of those attending the special event becomes a more critical problem. In meeting these needs the following procedure will be utilized:

1. Upon learning of a special event, the Undersheriff will normally assign the Patrol Deputy to the event. Deputies may be assigned to other law enforcement responsibilities associated with the event.
2. The Undersheriff or appointee will be responsible for planning the traffic control, security and/or crowd control. The Undersheriff or appointee shall direct such plans to the Sheriff upon completion for approval.
3. The time, location and anticipated attendance shall be determined.
4. If the event is a parade, the route will be determined and coordinated with other public service and transportation agencies to provide an opportunity in adjusting normal schedules of service.
5. Provide for adequate emergency service access to the scene of the event, including fire and ambulance services, as warranted.
6. Determine the need for point traffic control.
7. Adequate publicity will be provided for any changes or alterations in road utilization, parking availability, public transportation services and the location of the event or parade route to inform the general public.
8. Provisions should be made for identifying those persons working directly with the event to assist them in crossing Sheriff lines. This includes promoters of the event, vendors, and press personnel.
9. The traffic flow plan for the event should allow for ingress and egress of vehicles and pedestrians, provide adequate parking, provide alternate routes for through traffic and identify the need for temporary traffic controls and parking restrictions.