

Chapter 1

LAW ENFORCEMENT ROLE AND AUTHORITY

1.1 DEPARTMENT AUTHORITY AND JURISDICTION

A written directive requires all personnel, prior to assuming sworn status, to take an oath of office to enforce the law, uphold the constitution of the United States and the constitution of the Commonwealth of Kentucky, and to abide by a code or canon of ethics adopted by the agency.

- *Copy of Oath of Office. Preferably one that has been executed or proof of same;*
- *Policy that states that the Oath of Office is required and list the elements mentioned in the standard;*
- *Copy of Code or Cannon of ethics adopted by the department;*
- *Copy of Signature sheet for Code and/or Cannon of Ethics;*
- *Copy of KRS stating the requirement for the class of agency applying for Accreditation.*

1.2 AGENCY JURISDICTION

A written directive delineates the jurisdiction and any concurrent jurisdiction of the agency and specifies its responsibilities and authorities therein.

- *Copy of KRS, departmental policy, and/or mutual aid agreements;*
- *Copy of Inter Local Cooperation Act Agreement;*
- *Copy of Memorandum of Understanding (Violent Crimes Task Force).*

1.3 USE OF FORCE

A written directive governs the use of force by agency personnel and specifies that:

- A. Only the force necessary to effect lawful objectives will be used;
- B. An officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious physical injury;
- C. The use of deadly force against a fleeing felon is used only when the officer believes the person to be arrested is likely to endanger human life unless apprehended without delay;
- D. The discharge of warning shots is prohibited;
- E. All sworn personnel receive, and demonstrate understanding of the use of force procedure before being authorized to carry any firearm and annually thereafter.
 - *Copy of departmental policy with the above areas highlighted.*
 - *Copy of distribution sheet of above described policies. (Policy Manual Receipt)*
 - *Copy of firearms training record.*
 - *Copy of firearm qualification training.*
 - *Copy of annual proficiency test*

1.4 SEARCH AND SEIZURE

A written directive specifies conditions under which searches can be made, establishes procedures for conducting searches, and provides guidelines for the following search criteria:

- A. Valid Search warrant;
- B. Plain view
- C. Exigent circumstances; and
- D. Valid consent
- E. Strip Search

1.5 HANDCUFFING

A written directive specifies the proper use and techniques for handcuffing.

- *Copy of procedure with above area highlighted.*
- *The types of restraints authorized by the agency; and*
- *Circumstances or conditions for their use.*

1.6 ARRESTS

A written directive specifies the legal requirements and procedures for making a physical arrest with and without a warrant

1.7 PRISONER TRANSPORTS

A written directive specifies procedures for the transportation of prisoners, to include the following:

- A. Restraint devices and methods to be used;
- B. Prisoner search requirements;
- C. Vehicle search before and after transport;
- D. Officer calls in; and Dispatch logs: destination, beginning time and mileage.
- E. Upon arrival officer calls in and Dispatch logs: ending location, time and mileage.
- F. Transport of sick, injured, or disabled prisoners;
- G. Destination actions;
- H. Notification procedures for security risk;
- I. Security and control of prisoners transported to medical facilities/hospitals for treatment;
- J. Prisoner identification confirmation procedures; and
- K. Actions required in event of a prisoner escape
 - *To establish procedures for the transportation of prisoners that ensures the safety of the transporting officer and the general public and provides for the security of the prisoner in transport and arrival at destination.*

1.8 LESS LETHAL WEAPONS

A written directive governs the use, training, and possession of less lethal weapons by agency personnel, both on and off duty.

- *Copy of departmental policy with the above area highlighted.*
- *Copy of latest training record(s) concerning less lethal weapons according to manufacturer's recommendations.*

1.9 FIREARMS AND AMMUNITION

The use and possession of firearms and ammunition, both on and off duty, are limited to those authorized by written directive.

- *Copy of departmental policy with the above area highlighted.*
- *Copy of Memo – Ammunition for duty weapons (description of ammo).*

1.10 FIREARMS PROFICIENCY

A written directive requires that officers, prior to any use or possession of firearms, demonstrate specified proficiency in the use of that firearm and as a condition of continuing use and possession of such firearm.

- A. Weapons training/qualifications will be conducted at least two times annually. One session should be held in nigh/low light conditions.
- B. Qualifications should be conducted by a certified firearms officer and records maintained.
 - *Copy of departmental policy with the above area highlighted.*
 - *Latest firearms qualification and proficiency training reports.*
 - *Copy of firearms training schedule w/curriculum.*

1.11 FIREARMS DISCHARGE AND LESS LETHAL WEAPONS

A written directive establishes an internal process for the documentation, review and disposition of any incident wherein an officer:

- A. Discharges a firearm other than in training or for lawful recreation purposes;
- B. Takes an action that results in, or allegedly results in, the injury or death of another person;
- C. Applies force to the person of another through the use of a lethal or less lethal weapon.
 - *Copy of departmental policy with the above area highlighted.*
 - *Copy of Use of Force and/or Firearms Discharge report.*
 - *These reports must have area for review and disposition by supervisors and CEO.*

1.12 POST-SHOOTING

A written directive requires the removal of any officer from a line duty assignment, pending administrative review, when such officer has used force resulting in serious physical injury or death.

- *Copy of departmental policy with the above area highlighted.*

