



---

## **BOISE POLICE DEPARTMENT**



# **PROCEDURE MANUAL**

5/1/2025

Boise Police Department  
Procedure Manual

---

TABLE OF CONTENTS

P-100 POLICE AUTHORITY .....4

P-300 USE OF FORCE .....7

P-310 DOMESTIC VIOLENCE PROCEDURE .....12

P-311 SEARCH AND SEIZURE .....26

P-321 REPORT PREPERATION .....27

P-427 FOOT PURSUITS .....30

P-504 PHLEBOTOMY PROTOCOLS.....31

P-609 NATIONAL INTEGRATED BALLISTIC INFORMATION NETWORK .....35

P-802 PROPERTY AND EVIDENCE.....45

P-1010 COMPLAINTS .....51

## PREFACE

The Boise Police Department maintains a policy manual and a procedure manual. Both the Policy Manual and the Procedures Manual are for department use only and do not apply to any criminal or civil proceedings. Department policy and procedure should not be construed as a creation of higher legal standards of safety or care in an evidentiary sense with respect to third party claims. The failure of an employee to conform to any provision of policy, procedure, or command directives related to the performance of their duty, may form the basis for an administrative investigation and any resulting discipline.

The manuals are in addition to the *City of Boise's Employee Policy Handbook*, except as necessary to give effect to the express terms of the Collective Labor Agreement between the City of Boise and Local 486 of the International Brotherhood of Police Officers. Due to legal and/or safety concerns related to law enforcement services, it may be necessary for the Boise Police to implement rules and procedures that vary from the *City of Boise's Employee Policy Handbook*. In such cases, the variance will be clearly identified, and in the event of a conflict, the department policy and procedure will prevail. The Professional Standards Division Captain will work with Boise City Human Resources to resolve any policy conflicts.

**The Boise Police Department Procedure Manual** is a collection of both the generally applicable and division specific essential procedures, organized by operational and administrative section. Procedures shall not be in conflict with, replace, or supersede anything in the approved Policy Manual. Each procedure is a written directive, applicable to all who perform the action or task. The Division Commander may specify some procedures specific to the division. Division specific procedures included in the Procedure Manual shall be limited to those stating the essential elements of the law enforcement action. Failure to perform the specified action in accordance with the procedure is inconsistent with one or more department policies.

### **Additional resources for direction include:**

*City of Boise's Employee Policy Handbook* (applicable to all City of Boise employees)

*Collective Labor Agreement* (applicable to contract employees)

*The Officer's Resource Guide (ORG)*, a Job Performance Aid

*Critical Incident Task Force Manual*

In order to make the Policy Manual and Procedure Manual effective working documents for Department employees, it is encouraged for users to provide comments on their accuracy and usability. Any comments and recommendations for change should be directed to the Professional Standards Division Captain.

The manual is intended primarily as a reference document for Department employees.

## **P-100 POLICE AUTHORITY**

Effective Date: 05/01/2025  
Revised Date: 3/24/2025  
Issuing Authority: Chief Chris Dennison

### **P-100.1 Purpose and Scope**

Officers on duty may effect an arrest, per state or city code, for misdemeanor or felony crimes. An arrest is a necessary job function to accomplish the goals and objectives of public safety. Physical custody arrests shall never be used to punish an offender for their acts or omissions if they would not otherwise have been taken to jail.

### **P-100.2 Reference**

Below is a list of relevant documents applicable to this policy:

Policy 100 (cross reference/link)

### **P-100.3 Procedures**

When an arrest is made for which, there is both a city code and state code, the officer shall book the suspect under the state code unless approved by a supervisor.

#### **Warrant Arrest**

When an officer operating in the field contacts a subject on which a record check discloses an outstanding warrant, they shall contact Ada County dispatch to confirm the following:

Department (or another agency, which is being checked) has a valid warrant in its possession. This requires agency has the actual warrant in its physical custody. If the warrant is not held in its possession, a supervisor or Watch Commander/Lieutenant shall be notified, and they shall determine if the arrest will be made.

Warrant is valid on its face.

Out-of-state warrants have no validity in Idaho; however, knowledge of an extraditable out-of-state felony warrant is sufficient probable cause to arrest for fugitive to Idaho.

#### **Delays in Misdemeanor Arrests**

Misdemeanor arrests shall be made at the time of the offense or as soon as possible after the offense. Acceptable delays include the time involved in fresh pursuit and apprehension of the suspect. Misdemeanor arrests not made during the officer's shift shall be accomplished by obtaining a warrant of arrest or the suspect may be issued a citation.

Exceptions:

- With supervisory approval as the situation warrants.
- In situations pursuant to the domestic violence investigations and follow up.

## **Arrest of a Probation or Parole Violator**

An officer may make an arrest of a probation or parole violator without a court warrant when a probation or parole officer has supplied written authorization (agent's warrant), setting forth the person to be arrested has violated the terms of their probation or parole.

## **Arrest of a Bail Jumper**

Officers normally do not become involved in the retaking of a bail jumper. Assistance may be rendered with prior supervisory approval or if taking the defendant into custody would assist the Department.

## **Supervisory Review**

Arresting officers shall contact their supervisor/Watch Commander as soon as practical, and advise them of the circumstances of the arrest whenever:

- A felony arrest is made on probable cause and the victim is not yet identified.
- An arrest involves an unusual application of the law.

## **Arrests by a Private Person**

Officers shall use their independent professional judgment and knowledge of the applicable criminal codes and procedural laws in determining whether to receive custody of a person arrested by a private citizen. Idaho Code (when private person may arrest) does not require an officer to receive custody of a person who has been unlawfully detained by another. The officer's determination shall be governed by Idaho Code. An officer shall not accept custody of the arrested subject without probable cause to believe the subject committed a crime for which an officer, standing in the place of the private citizen at the time of the arrest, might lawfully take the subject into custody. When the legality of the private citizen's authority to arrest the subject is not clear after reasonable investigation, the officer shall contact a supervisor before accepting custody of the arrested subject.

- If the officer determines there has been an excessive and unreasonable delay by the citizen, the officer will file the necessary crime report or issue a summons signed by the citizen.
- Upon accepting physical custody of the arrested subject, an officer shall either transport them to the place of detention for booking or release them with a citation. The signature of the private person making the arrest shall be placed on the space marked "Complainant or Officer."
- The Officer shall write a report to include a statement affirming the private person is the arresting party and the arresting party requested the officer take the arrested subject into custody.

Private citizens may sign complaints for infractions or misdemeanors. The officer shall complete a General Report.

#### **P-100.4 Supervisor Responsibilities**

Supervisors are responsible for the following:

1. Review all arrest reports and submit them through ITS.

## P-300 USE OF FORCE

Effective Date: 4/1/2024  
Revised Date: 2/15/2024  
Issuing Authority: Chief Ron Winegar

### P-300.1 Procedure

This procedure will provide guidance on the investigating, reporting, and reviewing of use of force events.

### P-300.2 Definitions

The following definitions shall be applicable:

**BlueTeam** – A software program utilized to create Use of Force Reports.

**Evidence.com** – A software program utilized to store and maintain video, audio, and other electronic evidence.

### P-300.3 Reference

Below is a list of relevant documents applicable to this policy:

- Policy 300 Use of Force ([link](#))
- Policy 305 Officer-Involved Shootings and Death
- Policy 1010 Complaints

### P-300.4 Roles and Responsibilities

Below are the roles and responsibilities associated with carrying out this policy.

#### P-300.4.1 Officer Responsibilities

Officers are responsible for the following when they use hard empty hand techniques:

1. Notify a supervisor and request EMS if necessary.
2. Conduct the normal criminal investigation which includes gathering statements from witnesses and the subject (post Miranda).
3. Take photographs of the scene and any injuries or lack of injuries submitting them to Evidence.com.
4. Complete appropriate reports in ITS with detailed information about your decisions and use of force.
5. Complete a Use of Force Report in the BlueTeam Software.
6. Attach the Use of Force Report as a PDF to the ITS case. Title the PDF "Use of Force."

7. Submit the case to the supervisor for review.

Officers are responsible for the following when they use deadly force:

1. Notify a supervisor and request EMS.
2. Follow Policy 305 Officer-Involved Shootings and Death.

### **P-300.5 Supervisor Responsibilities**

Supervisors are responsible for the following when notified about a reportable use of force:

1. Respond to the scene if available and ensure medical has been requested if necessary.
2. Get a debrief of what occurred to understand who was involved, if there were witnesses, and if any external video exists. If you conduct any interviews of those involved, you will write a police report.
3. If the subject or any one present wishes to make a complaint follow Policy 1010.00 Complaint Process which will be investigated separately from the use of force.
4. Ensure witnesses are interviewed and their statements are documented in a criminal report.
5. Ensure any external video is retrieved and placed into evidence for the criminal investigation.
6. Ensure photographs have been taken of any injuries to officers, victims, or the suspect and those photographs are placed into Evidence.com.
7. Ensure the employee(s) who used force write a detailed report describing their actions.
8. Review all associated reports and OBV to ensure it accurately reflects the details viewed at the scene.
9. Complete the Use of Force Administrative Review and submit through the chain of command.
  - If policy violations are found add allegations to the officer(s) in the use of force BlueTeam.
  - Consult with the PSD Captain on who will investigate the policy violations (Division or OIA).
10. Complete the Use of Force Administrative Review and submit through the chain of command.

NOTE: Supervisors are not required to complete these steps when the only force used was the pointing of a firearm or a CEW laser during the performance of his/her duties to challenge, detain or take any person into custody.



The supervisor will only review the BlueTeam for accuracy and completeness and forward to the Office of Internal Affairs.

#### **P-300.4.3 Chain of Command Responsibilities**

##### **Lieutenant Responsibilities:**

The Lieutenant will review and forward appropriate copies of the Administrative Use of Force Review to the Division Commander with actions taken or needed, as well as any recommendations. The Lieutenant will also review use of force activities by involved officer(s) and make recommendations for changes to policy, procedure, and/or training. If there are policy violations follow procedures for Policy 1010 Complaints.

##### **Division Commander Responsibilities:**

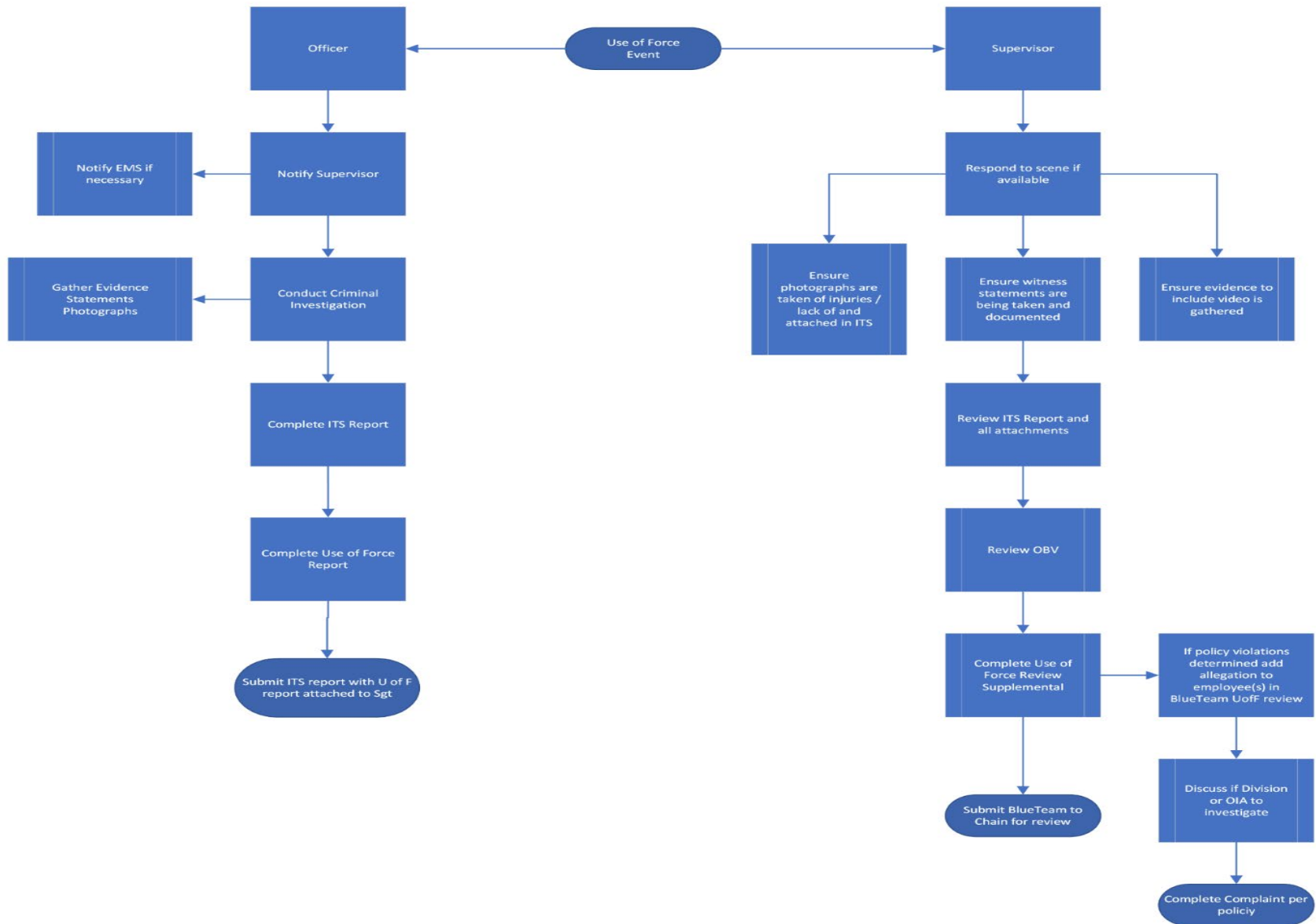
The Division Commander shall review the Administrative Use of Force Review form and forward it to the Office of Internal Affairs, including any concerns, recommendations, and/or follow up. If there are policy violations follow the procedures for Policy 1010 Complaints.

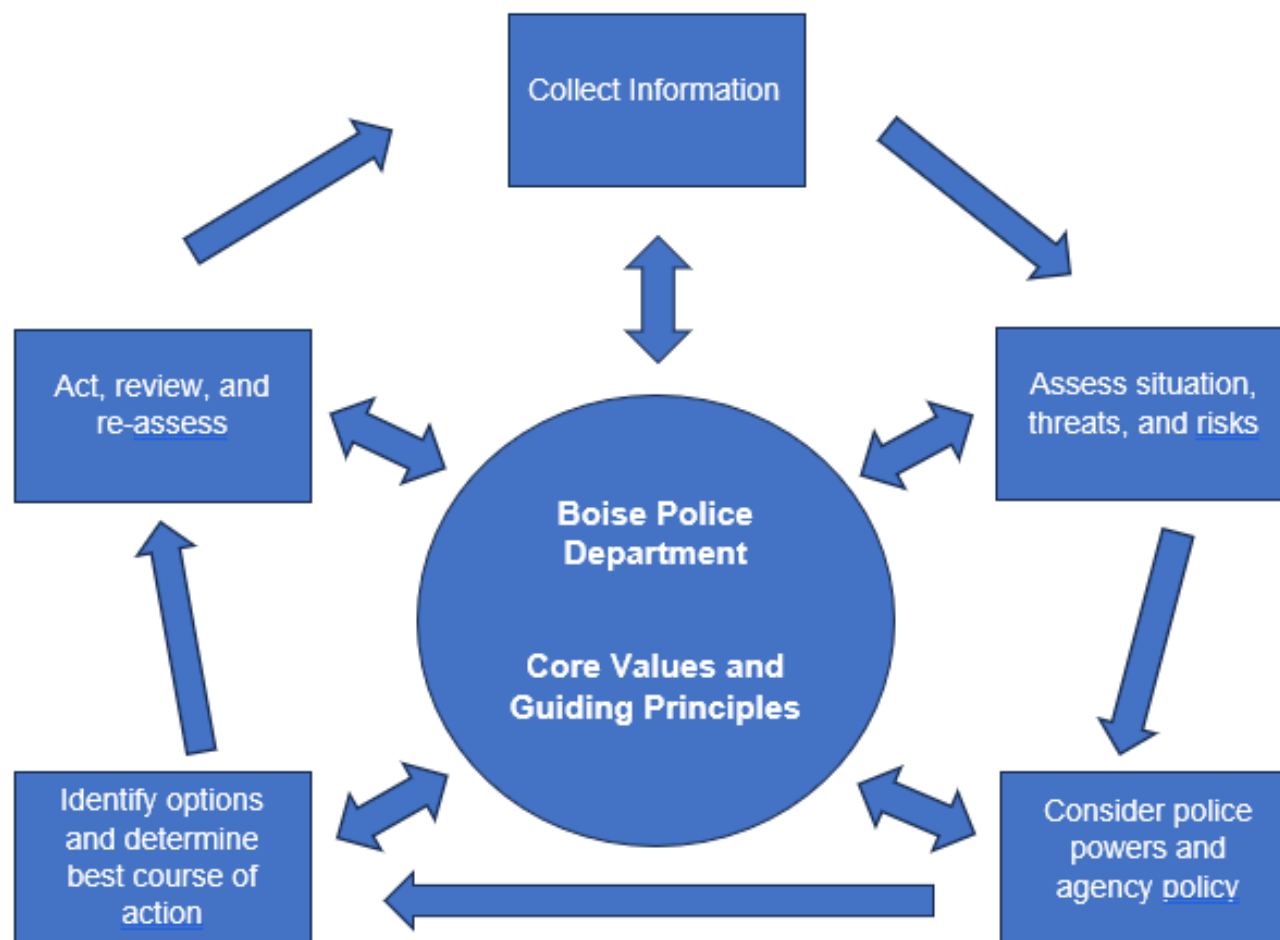
##### **Office of Internal Affairs (OIA) Responsibilities:**

OIA shall review and file the Administrative Use of Force Review form. The OIA will ensure accountability throughout the chain of command for the review of force. When litigation is expected, this office will confer with the Boise City Attorney's Office.

# Boise Police Department Procedure Manual

## Use of Force Reporting Procedures Flowchart





The Decision-Making Model depicted below is to guide employees on articulating their decisions and actions when utilizing force in both verbal and written form.

The administrative review conducted by a supervisor will encompass factors which lead up to the use of force and be viewed in the “objectively reasonable” standard per the policy. The review will employ current training and tactical principles.



## **P-310 DOMESTIC VIOLENCE PROCEDURE**

Effective Date: 4/24/2024  
Revised Date: 6/01/2024  
Issuing Authority: Chief Ron Winegar

### **P-310.1 Purpose**

To establish procedures for police intervention in situations involving domestic violence, and through victim/witness assistance, preserve the rights of victims and witnesses, in accordance with Idaho Code and federal law.

### **P-310.2 Directive**

It is the policy of the BPD to pursue the reduction of domestic violence in the community by establishing a pro-arrest policy regarding domestic violence, conducting proactive investigation of domestic violence incidents, enforcement of state and federal laws, and initiating employee training.

The procedures outlined below shall apply to all Sworn Employees and those Non-Sworn employees who are assigned to assist with Domestic Violence situations. The Patrol Captain and/or his designees are responsible for ensuring that all personnel adhere to the established procedures. These procedures describe the methods and techniques which should be utilized when handling Domestic Violence Incidents. The procedures attempt to outline the most likely situations which may be encountered but cannot be expected to address every situation or type of incident.

### **P-310.3 Act Which Constitute Domestic Violence**

Domestic violence occurs when a person commits one of the following acts against or upon a person who is a household member (see I.C. § 18-918(1)(a) and definition below).

- A. Domestic Battery
- B. Assault (domestic)
- C. Stalking
- D. Violation of a No-Contact order
- E. Violation of a Protection order
- F. Attempted Strangulation
- G. Harassment (relationship)
- H. False Imprisonment (relationship)



## P-310.4 Definitions

**Household member:** A person who is a spouse, former spouse, or a person who has a child in common regardless of whether they have been married, or a person with whom a person is cohabiting, whether they have married or have held themselves out to be husband or wife. (1)

**Dating relationship** is defined as a social relationship of a romantic nature. Factors that may be considered in making this determination include: (a) the nature of the relationship; (b) the length of time the relationship has existed; (c) the frequency of interaction between the parties; and (d) the time since termination of the relationship, if applicable.

**Predominant Aggressor:** The person posing the greatest threat. The standards for determining who the predominant aggressor shall be based on the following considerations:

1. Who was the dominant or most significant aggressor? (Power and control dynamics of the couple)
2. Who is creating the fear?
3. Who is afraid of whom and whose threats create fear of physical injury?
4. Who poses the most danger to the other?
5. What indicates risk or potential of future injury?
6. Who is seeking to stop the violence?
7. Was amount of force appropriate and reasonable defense?
8. Who is trying to avoid punishment? (The intent of the law is to protect victims of domestic violence from continuing abuse.)
9. History of violence. Are there prior complaints or history of domestic violence between the parties, witness statements, other observations indicating ongoing violence?
10. Seriousness of injuries? Consider relative severity/extent of offensive and defensive injuries inflicted on each person.
11. Who is adding pressure or control?

**Primary Aggressor:** The person "who first employs a physical force." Officers should focus on the predominant aggressor (the person posing the greatest threat), because primary aggressor focus ignores the real threat, tends to lead to arrest of the victim or dual arrest, and increases danger to the victim.

**In the presence of a child:** means in the physical presence of a child or knowing that a child is present and may see or hear an act of domestic assault or battery.

**Child:** A person under sixteen (16) years of age.

**Family dwelling:** Any premises in which the petitioner resides.



**Protection order:** Any order issued by a judge for the purpose of preventing violent or threatening violent acts or acts of harassment against, or contact or communication with, or physical proximity to, another person.

**No Contact Order:** Any order issued by a judge under Idaho Code §18-920 pursuant to a charge or conviction of an offense (an act of violence, harassment, or any offense for which a court finds that a no contact order is appropriate) against another for the purpose of preventing continued violent or threatening violent acts or acts of harassment against, or contact with, or physical proximity to, the victim of the offense.

**Foreign protection order:** A protection order issued by a court of this state or a court of any other state, any Indian Tribe, or any Territory (or possession) of the United States.

**Judicial day:** Any day upon which court business may be transacted as provided in Idaho Code.

**Battery:** Any willful and unlawful use of force or violence upon the person of another or actual, intentional, and unlawful touching of another person against the will of the other or unlawful and intentionally causing bodily harm to an individual.

**Domestic Battery:** Any household member who commits a battery.

**Assault:** An unlawful attempt, coupled with apparent ability, to commit a violent injury on the person of another; or an intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent.

**Domestic Assault:** Any household member who commits Assault.

**Traumatic Injury:** A condition of the body, such as a wound or external or internal injury, whether of a minor or serious nature, caused by physical force.

**Attempted strangulation:** Any person who willfully and unlawfully chokes or attempts to strangle a household member or a person with whom he or she has or had a dating relationship. (No injuries required)

**Stalking:** Knowingly and maliciously engaging in a course of conduct that seriously alarms, annoys or harasses the victim and is such as would cause a reasonable person substantial emotional distress; or engaging in a course of conduct such as would cause a reasonable person to be in fear of death or physical injury, or in fear of the death or physical injury of a family or household member.

**Course of conduct:** Repeated acts of nonconsensual contact involving the victim or a family or household member of the victim, provided however, that constitutionally protected activity is not included within the meaning of this definition.

#### **P-310.4 Domestic Violence**

- A. Reports of physical domestic situations should be handled in person, unless circumstances dictate otherwise, as per policy it will be the responsibility of the responding officer to decide if, based on the information provided, a priority response is warranted. (Priority 2 or 3)



- B. At a minimum two officers will respond.
- C. The first responding, officers shall park at a safe distance and approach from a position of cover. They will approach the reported incident, observe what is taking place, and report their observations to dispatch prior to making contact.
- D. If one or both parties are refugees; or do not speak English, at no time will children or family members be used as interpreters. Utilize the BPD interpreter process to complete investigation.
  - 1. Friends or neighbors may be used if only alternative.
- E. Upon making contact the involved parties will be separated. An assessment for the need of medical assistance will be conducted and requested if deemed necessary. If strangulation occurred during the incident; or victim claims “choked/strangled” within prior 72 hours, paramedics shall be called. See P-310.6 Strangulation.
- F. An assessment for the need of additional resources will be conducted and the required assistance requested if deemed necessary.
- G. Complete NCIC checks and No Contact/Protection Order checks on all parties involved.
  - 1. Check for any prior conviction(s)
    - (a) Prior Domestic Battery convictions:
      - (i) If suspect has 2 Misdemeanor convictions within 15 years, subsequent charge is a Felony.
      - (ii) If suspect has 1 Felony conviction within 15 years, subsequent charge is a Felony.
    - (b) No Contact Order convictions:
      - (i) Per I.C. § 18-920, if suspect has 2 Misdemeanor convictions within 5 years, subsequent charge is a Felony.
    - (c) Protection Order violation convictions:
      - (i). Per I.C. § 39-3612, any violation of the order by the respondent is a misdemeanor.
  - 2. If a No Contact/Protection order is in place refer to P-310.7 No Contact/Protection Orders.
- H. Determine the relationship between the involved individuals.
  - 1. If involved party is a sworn law enforcement contact supervisor immediately.
- I. Determine if any children were present during incident (Enhancement under 16 years of age)



1. Interview all children present.
  2. Record and gather all information on children and enter it on the face sheet of report.
- J. Determine who is the predominant aggressor, and if Probable Cause (PC) exists make an arrest.
1. If suspect not present complete DV tracking sheet, complete entire report (no dictation), and pass on to next shift Watch Commander.
  2. Determine victim needs and contact On-Call Victim Witness.
  3. If any of the following exist call CID:
    - (a) suspect at large and poses substantial danger to public at large;
    - (b) weapon used.
    - (c) victim in hospital.
    - (d) nature of injuries substantial.
- K. Determine if Stalking crime has occurred. (See P-310.8)
- L. Photograph scene and individuals involved.
1. Photograph suspect's hands, face, and body.
  2. Document any signs or lack of signs of injury to suspect.
  3. Photograph victim's injuries or lack of injuries.
  4. Photograph scene.
  5. Do not leave suspect or victim until photographs are taken.
  6. Collect and preserve all evidence.
  7. Seize any weapons. (see P310.7)
- M. Collect Witness Statements
1. Calling Party
  2. Victim
  3. Suspect
  4. Witnesses
  5. Children
  6. Neighbors
- N. Provide victim with victim rights packet
1. Provide DV packet (Felony or Misdemeanor).





2. If Felony, discuss DV Corp (occurs next business day)
- O. Complete crime report by end of shift to include all supplements (no dictation).
  1. Accurately and thoroughly complete the Domestic Violence Supplement (risk/lethality assessment).
  2. If Strangulation, accurately and thoroughly complete Idaho Strangulation Supplement.
  3. Accurately describe the emotional state of parties involved, especially the victim.
  4. Carefully document the physical condition of both victim and suspect, including injuries that may not be visible.
  5. Accurately document the crime scene.
  6. Include statements made by person's present, using quotes when possible.
  7. Include prior instances of emotional, physical, or sexual abuse by the suspect, reported by the victim or children at the scene, to include where and when prior incidents occurred.
  8. List all persons, using full names with date of birth, address, and contact info, who are present at the scene, including emergency medical, fire, and law enforcement personnel.
  9. Obtain and document an emergency contact person and phone number for victim.

### **P-310.5 DV Forensic Exams**

- A. DV Forensic Nurses (SART/SANE) are available for any domestic violence victim. This service is free for victims regardless of crime (misdemeanor or felony), or severity of injury.
- B. Most victims can have these exams the next business day at the Ada County Victim Services Center.
- C. If you have a victim who is willing, and needs an exam after hours:
  1. Advise your supervisor
  2. Contact the Boise City Police Victim Witness On-Call
  3. Ask for a VWC and a DV Forensic Nurse
  4. Exams are done at the Ada County Victim Services Center, unless the victim has been transported to the hospital. Exams can be done at either St. Lukes or St. Alphonsus.

### **P-310.6 Strangulation**



Strangulation is one of the most potentially lethal forms of intimate partner abuse. Strangulation epitomizes the power dynamic in most domestic violence cases. This is because these acts send a message to the victim that the batterer holds the power to take the victim's life, with little effort, in a short period of time, and in a manner that may leave little evidence of an altercation.

- A. Any indication of strangulation that may have occurred within 72 hours requires immediate medical response. Officer shall call Paramedics.
  - 1. Contact Victim Witness Coordinator if needed (shelter, hotel, phone, etc)
  - 2. Have medical release signed
- B. Investigate the strangulation
  - 1. Use the Idaho Strangulation Supplement – ask all the sign/symptom questions for:
  - 2. How was the victim strangled (manual/ligature)
  - 3. Neurological (2)
  - 4. Eyes/Eyelids
  - 5. Face
  - 6. Voice & Throat Changes
  - 7. Breathing Changes
  - 8. Ears
  - 9. Scalp
  - 10. Neck
  - 11. Mouth
  - 12. Chest
  - 13. Pain & Pressure
  - 14. Further Incidents Details
  - 15. Sexual History
  - 16. Victim Health
  - 17. Interview any witnesses
- C. If Probable Cause (PC) exists for attempted strangulation, make arrest.
  - 1. If suspect not present, complete DV tracking sheet, complete entire report (no dictation), and pass on to next shift Watch Commander.
  - 2. Make every effort to locate suspect.
- D. Complete Domestic report before end of shift.



1. If arrest is made, or Domestic Violence tracking sheet is filled out, all supplements must be completed (no dictation).
2. Complete Domestic Violence Supplement and Idaho Strangulation Supplement.

### **P-310.7 PROTECTION AND NO CONTACT ORDERS (3)**

- A. When presented with any apparently valid No Contact/ Protection Order, or the officer receives confirmation that such an order exists, and there is probable cause to believe the person named in the order (known as the respondent) violated the terms of the No Contact/ Protection Order, the violator may be taken into custody for an alleged violation of the terms stipulated within the order.
- B. A No Contact/ Protection Order is valid if:
  1. Verified as not expired or quashed Order; or
  2. Apparently valid because the result of reasonable efforts to verify the existence of the Order have not reasonably ruled out its validity.
  3. Methods to verify the existence of a No Contact/Protection Order based on an NCIC hit include a telephone call to Ada County Sheriff records to validate the order, or a call to the issuing jurisdiction for validity of the order. (4)
  4. If a non-local/out of state Order is produced by the protected v. person/petitioner, it must be verified through a telephone call to Ada County Sheriff records to validate the order, or a call to the issuing jurisdiction for validity of the order.
  5. Contact a supervisor for authorization to call the appropriate on-call prosecutor for advice if, after reading the No Contact/ Protection Order:
    - (a) there is reason to doubt the issuing court had jurisdiction over the parties named in the Order; or
    - (b) it is found to be
      - (i) an ex parte or permanent order which has not been served on the suspect and
      - (ii) there is reason to doubt the suspect had reasonable notice and opportunity to be heard.
- C. If a No Contact/ Protection Order, was issued by a court outside ADA County, within Idaho or another State, Indian tribe, or territory, appears to be valid upon its face, but cannot be verified as not expired or quashed and the result of reasonable efforts to verify the order have not lead to the officer to reasonably conclude it is invalid, it must be treated as a valid Order until such time that evidence to the contrary is received. The Officer's report for the incident should include the efforts made to verify the validity of the No Contact/ Protection Order and indicate whether the Order was verified, found to be invalid, or is apparently



valid because it cannot be verified or found invalid and must be treated as valid consistent with full faith and credit.

- D. Protection Orders issued by another state, or a Federally Recognized Indian tribe shall be given full faith and credit and enforced as if they were the orders of a State Of Idaho Court (consistent with 18 U.S.C. 110A, Subsection 2265).
- E. It is possible to have more than one valid No Contact/Protection Order in effect at the same time. One court's order does not supersede another court's order, and both may be enforceable.

However, in the case of conflicting conditions on the orders, it is necessary to enforce the order which provides the more restrictive requirements.

- F. No Contact/Protection Orders are commands of the court. It is not within the officer's scope of authority to determine the appropriateness of the offending act (e.g., violation of order provisions were trivial or inconsequential, defendant was "invited" or "allowed" back into the house, threatening or offensive behavior was provoked or precipitated by the actions of the complainant, complainant gives "permission" for violating behavior, defendant needs to remove property from premises without a notation from court allowing for same, etc.). It is within the officer's scope of authority to establish if a specific violation has occurred and to take appropriate action.
- G. Violation of a No Contact/Protection Order when the subject is at the scene should result in an arrest. When a member of the BPD responds to a scene where probable cause exists that a subject violated the terms of a valid No Contact/Protection Order, an arrest should be made. There should be no attempts to reconcile or mediate the situation. The responding officer will write a General Report and shall give a copy of the report number to the complainant/victim together with the Domestic Violence Packet and follow the steps outlined in this procedure.
- H. If the subject is not on scene, the Officer should take reasonable efforts to locate and interview (in person) the subject. If probable cause exists, the Officer should make an arrest by contacting the On Call Prosecutor to obtain a Clarke warrant. The Officer needs to verify if the investigation is a No Contact Order violation, and there are two convictions (on any victim) in the last 5 years in Idaho, the current charge is a felony.
- I. The Officer should attach the No Contact/Protection Order, to include Ex Parte or temporary orders, to the report.



## **P-310.7. SEIZURE OF WEAPONS**

- A. Officers investigating domestic abuse incidents who have probable cause to believe the domestic abuse incident involved weapons should, when lawfully possible, seize all weapons used in the assault. In other instances, it may be appropriate to take weapons for safe keeping. The purpose of this is twofold, to preserve evidence and to safeguard the welfare of the people involved.
- B. Complete a Property Invoice listing each weapon seized. Leave a copy at the residence.

## **P-310.8 STALKING**

- A. Response
  - 1. Contact and interview victim and get complete written or recorded statement including (but not limited to):
    - (a) Is this a known suspect?
    - (b) What is/was the relationship?
    - (c) When did the relationship end, or when did the victim tell the suspect to leave him/her alone? This helps to show willful and malicious intent.
    - (d) What contact has the suspect made?
      - Non-consensual communication including in-person communication, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts, or any other communications that are undesired and/or place another person in fear.
      - Following, pursuing, waiting, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by a victim.
      - Surveillance and other types of observation, whether by physical proximity or electronic means (GPS devices or apps on phone/computer)
      - Trespassing
      - Vandalism to victim's property or vehicle
      - Theft of victim's belongings or mail
      - Non-consensual touching or in person assault of victim
      - Direct physical and/or verbal threats against a victim or a victim's loved ones



- Gathering of information about a victim from family, friends, co-workers, and/or classmates
  - Manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to the victim
  - Defamation or slander against the victim;
- (e) When is the first time the victim saw the suspect or was alerted to being followed?
  - (f) What is the typical routine day of the victim?
  - (g) What public places does the victim frequent? Did suspect ever frequent victim's same public places?
  - (h) Does the victim know where the suspect lives and/or works?
  - (i) Are there any witnesses to the suspect's actions?
  - (j) Does the victim have a current No Contact or Protection Order against the suspect? If so, the stalking shall be charged as First Degree Stalking.
2. Assure victim is safe
- (a) Inform victim of community services available.
    - (i) Ada County Victim Services
    - (ii) FACES
    - (iii) Women's & Children's Alliance
  - (b) Contact Victim Witness Coordinator if resources or alternate housing is needed.
3. Contact any witnesses obtain complete written and recorded statement.
- B. Attempt to identify suspect by obtaining the following from the victim/witnesses, or Ada County Dispatch or Ada County/Boise Police Records.
- 1. Name
  - 2. Description
  - 3. Personal information
  - 4. Residence
  - 5. Place of work
  - 6. Mode of transportation
  - 7. Vehicle make, model, and license plate number



- C. Look for and collect any evidence left by the suspect.
  - 1. Any letters or notes written by the suspect to the victim. Keep latent print and DNA possibilities in mind when handling these items.
  - 2. Any objects sent to the victim or left for the victim, including "gifts" or flowers.
  - 3. Any answering machine tapes, voice mail, or other forms of taped phone messages. Document time and date. Make a tape recording of these messages to submit as evidence. This documents not only content but also tone of communication.
  - 4. Any telephone call trace or phone trap information from the telephone company or cell phone call log.
  - 5. Any evidence of phone tapping, GPS devices, or other tracking items used by the suspect.
  - 6. Photograph or copy any log/journal/diary the victim may have that documents suspect contacts or shows any dates, times, and locations of suspect encounters.
  - 7. Any security video (from grocery stores, banks, parking lot/workplace security cameras, etc) that is evidence of the suspect stalking the victim should be collected.
  - 8. Collect emails, text/instant messages, and/or screenshots of social media contact or posts used to contact the victim.
- D. Contact suspect (in person)
  - 1. The goal of the interview is to gather as much information as possible about the suspect's thinking, behavior patterns, and activities regarding the victim and to encourage change in the suspect's behavior.
    - (a) Be aware interviewing the suspect may intensify interest in the victim and provoke more extreme action.
    - (b) Research the suspect's background before the interview.
    - (c) Interview suspect with an assist officer for safety.
    - (d) Obtain as many details as possible and document the interview extensively.
    - (e) Provide the suspect a chance to view his/her actions as misunderstood by the victim and how others could have misunderstood his/her intentions.
    - (f) Question the suspect about other potential victims or crimes.
    - (g) Determine criminal activity.
    - (h) Determine the suspect's current state of mind.



- (i) What is the suspect's view of the relationship with victim.
  - (j) Ascertain if the victim has asked the suspect to stop.
  - (k) Advise the suspect that the behavior is unwanted, unacceptable, and must stop immediately.
- E. If PC exists, the suspect should be placed under arrest.
  - 1. The report shall be completed by end of shift (not dictated).
  - 2. The report should include:
    - (a) The emotional state of the victim, and victim's statements or comments showing fear of the suspect.
    - (b) All information; names, date of birth, address, contact info; for all victim(s) or witnesses.
    - (c) List any prior threats made to the victim (direct or indirect).
    - (d) Develop a timeline of the stalking behaviors towards the victim.
    - (e) List any history of violence against the victim or others.
    - (f) Any information regarding the suspect's tendency towards emotional outburst or rage; or mental illness.
    - (g) List any known substance abuse problems of the suspect.
    - (h) Document: any unsolicited correspondence, threatening or non-threatening; any actual pursuit or following of the victim; or acts of vandalism or arson committed by the suspect.
    - (i) If a suspect who is arrested and has an electronic device on his person, and the victim received any electronic communication (calls, messages, emails, or social media contact) from that suspect, the electronic device(s) should be seized. The Officer will place the device(s) in airplane mode, and put it in a faraday bag. The Officer will complete a property invoice and place the electronic device in an evidence locker at BPD as per current procedures in CID.





1. State of Idaho v. John Alan Schulz - ruling gave clarification on household member refers to the intimacy of the relationship. Two individuals who are living together in an intimate relationship qualify as household member; regardless of their sexual orientation.
2. State v. Williston: Direction from the ruling requires Officers must ask the victim if s/he had difficulty breathing or felt unable to breathe when strangled. The victim must affirm to one of these for the charge of Attempted Strangulation
3. State v. Herren: addresses the language of 18-920 (NCO) only. The Supreme Court ruled it is not a violation of the NCO order if the defendant only violates the distance restriction. The defendant has to attempt or make contact with the protected party. It would be the crime of "Contempt".
4. The Idaho Repository does not have the information necessary for Protection Orders. It is an option for No Contact Orders only.



## **P-311 SEARCH AND SEIZURE**

Effective Date: 09/30/2022

Revised Date: 09/16/2022

Issuing Authority: Chief Ryan Lee

### **P-311.1 Search Protocol for Persons of the Opposite Sex**

Searches should be conducted whenever possible by an officer of the same sex as the subject. When it is not practicable to summon an officer of the same sex as the subject, the following procedures will be followed:

1. Another officer or a supervisor should witness the search.
2. The officer will use the back of their hands, rather than the palms.
3. An officer may have a prisoner remove only the clothing which would normally be removed in mixed company.
4. A visual inspection of tight clothing may determine if a search is or is not required in the field. Loose articles of clothing may be searched by pulling (or instructing the subject to pull) the article tight against the body so the bulge of any foreign object is revealed. The officer will avoid as much hand-to-body contact as possible.
5. Shoes with sharp heels, which may serve as weapons, should be removed before transport.



## P-321 REPORT PREPERATION

Effective Date: 05/01/2025  
Revised Date: 03/24/2025  
Issuing Authority: Chief Chris Dennison

### P-321.1 Purpose and Scope

This procedure provides guidelines for documenting specific requirements in a police report.

### P-321.2 Reference

Policy 321 (cross reference/link)

### P-321.3 Procedure

#### P-321.3.1 Reporting for Property Damage and Animal Destruction

The following do not need to be documented in a BlueTeam:

- When during the course of an officer's performance of duty (such as door kicks to assist in medical emergencies or breaking out windows in vehicles) causes property damage;
- Firearm discharges related to dangerous or injured animals (animals are property under Idaho State Code) do not need to be documented in BlueTeam.

Supervisors shall still be notified in these cases and will initiate a BlueTeam only if there appears to be a policy violation (e.g., unauthorized forced entry).

Officers will document the event in an ITS report, ensuring the following language is placed in the Probable Cause section:

**"PROPERTY DAMAGE"** for forced doors or broken windows **"ANIMAL DISPATCH"** for destruction of an animal

This ITS report will serve to memorialize the event, and the use of these words in the PC block will allow for collecting relevant statistics. Members will ensure that the "Claim for damage information" form is provided to responsible parties as appropriate, and document that this occurred in the report as well.

#### P-321.3.2 NCIC Entries

##### NCIC Entry Clearance

The officer who locates a missing person, runaway, stolen vehicle, or stolen property or receives information that the NCIC entry is no longer valid is responsible for contacting Records to have the NCIC entry cleared. The employee shall note on the report that NCIC was canceled, the Records clerk who took the information, and the date and time it was called in.

##### Other Agency Hit Confirmations:

If there is an NCIC hit from another agency, Records must be contacted to confirm NCIC hit with entering agency through a YQ/YR/Locate.



NCIC entry additional requirements:

- Missing person's signature form must be obtained for an adult over age of 21.
- Stolen vehicle license plates require both plates. Single license plates may be entered if the following criteria are all met:

Theft of the plate is established.

The remaining plate is surrendered and booked into Property.

The victim agrees to cancel the missing plate's registration.

Records will be supplied with the following information for initial entry:

- The DR number from the General report or the Runaway/Missing Person report.
- Minimum descriptive information needed for an initial NCIC entry, including person's:

Full name

Date of birth

SSN (if available)

Physical description

Significant circumstances (if apply) and time officer arrived on scene

- Include the following information for complete entry:

Photo if available

County of birth

Mother's maiden name

Scars/marks/tattoos

Alcohol/drug use

Last seen wearing.

Physical problems/medications – If there are known physical problems/medications, the names of medications and what they are used for will be provided. Also include if the medications are with them.

- Vehicle:

Color

Year

Make/model

Body style



## VIN

License plate number and state of issue/date of expiration license plate

The employee shall note on the report, NCIC was called in, the Records clerk who took the information, and the date and time it was called in. Also, the employee will mark NCIC as entered on the report.



## **P-427 FOOT PURSUITS**

Effective Date: 10/14/2022

Revised Date: 09/30/2022

Issuing Authority: Chief Ron Winegar

### **P-427.1 Reporting Requirements**

Following a foot pursuit, the initiating officer shall complete the appropriate crime/arrest reports documenting the incident, at a minimum:

- Date and time of the foot pursuit.
- Initial reason and circumstances surrounding the foot pursuit.
- Course and approximate distance of the foot pursuit.
- Alleged offenses.
- Involved vehicles and officers.
- Whether a suspect was apprehended as well as the means and methods used.
- Any use of force shall be reported and documented in compliance with the Use of Force Policy.
- Arrestee information, if applicable.
- Any injuries and/or medical treatment.
- Any property or equipment damage.
- Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

Supervisors shall be responsible to monitor reports and assess officer actions for alignment with policy.



## **P-504 PHLEBOTOMY PROTOCOLS**

Effective Date: 08/01/2024

Revised Date: 07/01/2024

Issuing Authority: Chief Ron Winegar

### **504.1 Purpose and Scope**

This procedure establishes the protocols for the performance of those trained in law enforcement phlebotomy (hereafter referred to as phlebotomists) to ensure that a uniform approach is utilized in the execution of all blood draws. Law Enforcement Phlebotomists shall document all blood draws conducted for enforcement related blood draws. A written record of training blood draws and other types of blood draws should be maintained.

### **504.2 Qualifications**

Only those employees trained through a department-approved phlebotomy program may draw blood for law enforcement purposes: qualified medical personnel can be used to draw blood when a qualified department employee is not available for the blood sample.

### **504.3 Certifications**

Employees must complete a qualified phlebotomy training program.

Phlebotomists must adhere to an annual process as designated by the phlebotomy coordinator. The process will include:

- (a) Drawing 24 blood samples per year.
- (b) Attending bi-annual refresher training. This training will include but not be limited to eight (8) hours of instruction in a classroom or clinical setting. The training should include a venipuncture proficiency and written examination.

### **504.4 Standard Procedure**

- (a) A Phlebotomy Draw Report will be completed for each blood drawn from a subject. Each report shall include:
  - 1. Physical location of the blood draw (i.e., specific location in the police facility, hospital, etc.)
  - 2. Whether the blood draw was by consent, warrant or non-consent (refusal).
  - 3. Whether the subject resisted, and methods used to overcome such resistance, e.g., restraint chair, held down, etc.
  - 4. Whether the subject has any communicable, contagious, or infectious diseases. This will be noted on the State Laboratory Submittal form as well as in the phlebotomy report.
- (b) Distribution of Phlebotomy Draw Reports:



1. The phlebotomist should ensure that a copy of the Phlebotomy Draw Report is included with the report related to the investigation.
  2. A copy of the Phlebotomy Draw Report should be retained by the phlebotomist.
  3. An additional copy of the report should be forwarded to the agency phlebotomy coordinator for review.
- (c) A phlebotomist can draw blood on a suspect they have personally arrested for DUI and related offenses. If the officer/phlebotomist feels it would be in the best interest of the case to have a different phlebotomist draw the blood, one should be called.
- (d) Essential Tasks:
1. The phlebotomist shall notify the supervisor prior to a draw and the supervisor should be present whenever that draw is involuntary and/or force may be used.
  2. The phlebotomist shall advise the subject of their qualifications and the number of tubes of blood that will be extracted.
  3. The phlebotomist shall inquire if blood thinners (such as Coumadin) or any other medications have been taken.
  4. Protective gloves and face shield or protective glasses shall be worn by the phlebotomist during the blood draw. Other equipment is optional, such as a lab coat, etc.
  5. Phlebotomists should use the standard blood collection kit, obtained from the Idaho State Police Forensics Services Laboratories. (ISPFS).
  6. Only a non-alcohol swab shall be used to disinfect the blood draw site on the subject. One is provided in the blood collection kit from ISPFS Lab.
  7. If the first attempt at a blood draw is unsuccessful, an alternative site will be chosen if a second draw is necessary.
  8. Phlebotomists will not exceed two attempts at a successful draw on a cooperative subject.
  9. If the subject is uncooperative (resisting the draw by either active or passive force), any one phlebotomist will not exceed a total of two attempts.
  10. If the subject is uncooperative, the phlebotomist will document (in the DR) the subject's action(s) that led to the extra draw attempts, e.g., pulling away from the phlebotomist, actively fighting, etc.
  11. If the second attempt on a cooperative subject or the second attempt on an uncooperative subject is not successful, another phlebotomist will be used, who is subject to the same number of attempts.





12. The phlebotomist will ensure that a puncture site has clotted before placing tape over it. The fire department and paramedics will be contacted for assistance if complications occur.
13. Used needles and hubs will be disposed in a sharps disposal container and shall not be separated prior to disposal.
14. The phlebotomist shall label and package the blood by filling out all labels provided with the kit. The evidence kit will be retained in the phlebotomist's possession until it can be booked into evidence or turned over to the arresting or case officer.
15. Blood evidence should be refrigerated as soon as possible.

#### **504.4.1 Involuntary Draw Procedures**

If a driver suspected of DUI refuses the offered chemical test, after being given the opportunity to take the required chemical test, a blood draw will occur using reasonable force. In the event that an evidentiary blood sample is needed from a physically combative, non-compliant, or physically incapable driver, officers may use reasonable force to obtain the sample. A search warrant is required unless exigent circumstances exist.

Reasonable force shall be evaluated on the following criteria in accordance with Policy 300 Use of force:

- (a) The driver has stated or displayed obstructive resistance or active resistance after being advised that a sample is needed.
- (b) The amount of force used to protect all parties is necessary to restrain the driver in order to obtain the blood sample.
- (c) Physical contact shall be limited to low levels of force. An officer should not place him/herself, the person doing the blood draw, or the driver in a position where they may be injured while the blood sample is being drawn.
- (d) Low level force options for purposes of a blood draw, will be:
  1. Control holds which would control the arm for the blood draw at the minimalist level necessary.
  2. The decision to engage in physical contact with a suspect should be based upon officer to suspect size disparity, reaction times, environmental conditions and the totality of the circumstances of the incident.
  3. When an officer feels that physical contact with a suspect will increase the likelihood of injury to those involved, the blood draw should not be attempted.
- (e) Suppression of the sample by the court may result if it is determined that the force used to obtain the sample was excessive or physically abusive.



## **504.5 Equipment**

All phlebotomy equipment must be approved by the phlebotomy coordinator. Appropriate medical supplies may be obtained from a hospital or paramedics in emergencies.

The phlebotomy room will be equipped with a phlebotomy chair, protective gloves, cotton balls, tape, medical protective glasses, and blood kits.

Blood spills will be cleaned according to OSHA training and procedures.

## **504.6 Phlebotomy Coordinators**

The Phlebotomy Program Coordinator will be designated by the Chief of Police. The program coordinator should be a qualified phlebotomist or be familiar with the protocols and training as defined in these standards.

The Phlebotomy Coordinator is responsible for:

- (a) Securing equipment, maintaining call-out lists, and maintaining the phlebotomy room.
- (b) Monitoring annual proficiency requirements.
- (c) Providing training for phlebotomists.
- (d) Maintaining records
- (e) Ensuring quality of the Phlebotomy Program.



## **P-609 NATIONAL INTEGRATED BALLISTIC INFORMATION NETWORK**

Effective Date: 10/05/2023

Revised Date: 8/30/2023

Issuing Authority: Cpt. Matt Jones and Deputy Chief Tammany Brooks

### **P-609.1 Purpose and Scope**

These procedures are to establish how the Boise Police Department (BPD) will integrate the NIBIN program as an investigative tool. All members of the Department shall follow these procedures where applicable, in conjunction with Boise Police Department Policy Manual: P-609.2 POLICY, National Integrated Ballistic Information Network/NIBIN.

### **P-609.2 Introduction**

Crimes involving firearms occur every day. Linking one firearm crime to another which involved the same firearm without some prior knowledge has been a difficult task. When a firearm is fired, markings are imparted on the cartridge case. These markings include class characteristics and individual characteristics. Class characteristics can be used to determine caliber, make and model of a possible firearm. Individual characteristics can be used to show a common origin.

### **P-609.3 Scope**

The Integrated Ballistic Identification System (IBIS) is the local component of the National Integrated Ballistic Information Network (NIBIN). IBIS/NIBIN is a database system that captures, stores, and correlates digital images of fired cartridge cases recovered from a crime scene or a test fired firearm. When a discharged cartridge case is entered into the system, it is automatically compared to images of similar caliber already in the database. If a high confidence candidate emerges, it is considered a NIBIN "lead", or the linking of separate shooting incidents through firearm related evidence. A firearms examiner should microscopically compare the original physical evidence to confirm the match.

The goals of the NIBIN program are to reduce firearms violence through promoting comprehensive evidence collection, timely entry and correlation of evidence, providing investigative support, and ongoing facilitation of feedback regarding the NIBIN program. Through NIBIN, ballistic evidence can also be used to create investigative leads in cases where no prior leads existed.

The guidelines below shall be used when considering the entry of evidence and test fires into the IBIS database.

### **P-609.4 Definitions**

The Boise Police Department defines the following specific to firearms testing, cartridge case testing, and electronic tracking (eTrace).

**Abandoned Firearm** - Is any firearm discarded, found, or abandoned. Historically, firearms listed in this way have a high likelihood the gun may have been used in a crime.

**eTRACE** - Electronic Trace System is a system that allows for the secure submission of firearm trace requests through the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and



enables the user to receive trace results via the internet. eTrace is recommended as the most efficient way for law enforcement to submit trace requests, receive data, and analyze their aggregate crime gun data.

**Gun Crime** - The ATF has defined "Crime Gun" to mean "any firearm that is illegally possessed, used in a crime, or suspected to have been used in a crime. Additionally, an abandoned firearm will also be categorized as a crime gun if it is suspected it was used in a crime or illegally possessed."

**IBIS** - Integrated Ballistic Identification System. The technology provided by Ultra Electronics Forensic Technology Inc. by which cartridge cases are imaged and correlated against a regional database for the purpose of identifying potential links between shootings or recovered firearms and shootings.

**Log Book/Master Record** - Is the original record of all tests conducted and shall be maintained electronically by the intelligence Analyst responsible for conducting ATF eTrace.

**NIBIN** - National Integrated Ballistic Information Network. This program, administered by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) automates the imaging of the unique identifiers of cartridge cases fired from firearms and stores the digital images into a database for comparison across a national network of participating sites. ATF's national network allows a submitted cartridge case to be digitally imaged and auto correlated against all other images previously entered. In most instances, auto-correlation is conducted at a regional level spanning numerous jurisdictions, but it can, in appropriate circumstances, be conducted nationally. Once auto-correlation occurs, specialists review the result to make human-eye determination of potential matches or NIBIN Leads.

**NIBIN Lead** - An unconfirmed, potential link between at least two pieces of firearms ballistic evidence based on a correlation review of the digital images. This is a determination by either a firearms examiner or a trained NIBIN technician that two cartridge cases may have been fired in the same firearm. A NIBIN Lead is intended to provide a lead for investigative purposes.

**NIBIN Hit** - NIBIN results of two or more firearms ballistic evidence acquisitions that have been confirmed as a match by a firearms examiner. The NIBIN Hit is based on a correlation of the digital images and microscopic confirmation by a firearms examiner. This information/intelligence can be used for investigation purposes and is suitable for court purposes.

**Safekeeping Firearms** - Firearms booked into property for "safekeeping" only will not normally be test fired or submitted for IBIS/NIBIN unless it meets one of the listed criteria. Firearms booked for "safekeeping" will still have an "eTrace" conducted on them.

**TEST FIRE** - Firearms collected will be fired in accordance with procedures for the purpose of collecting two comparison cartridge cases using factory test fire ammunition.

**TEST FIRE AMMUNITION** - Is factory ammunition specifically used for the "Test Fire" process and supplied by the Boise Police Department.

## **P-609.5 Evidence Collection**

Below are the approved procedures for evidence collection relating to the NIBIN program.



### **P-609.5.1 Evidence Cartridge Case**

1. All cartridge cases from a scene should be collected.
2. Clearly designate as "cartridge case" on the Property Invoice. This is the only terminology that should be used when booking in a spent casing.
3. Package cartridge case(s) separately from other items (i.e., firearms, ammunition, backpacks, magazines).
  - a. Cartridge cases should be packaged separately from each other if DNA, latents, and/or trace is needed for the investigation or at the discretion of the lead investigator.
4. Book into Ada County Property Room.

### **P-609.5.2 Firearms**

1. Collect firearms following standard guidelines.
  - a. Firearms and ammunition cannot be packaged together
  - b. When known, include make, model, caliber, and firearm type on the Property Invoice
2. Book into Ada County Property Room.
3. Complete a Boise ATF Firearm Trace Request form and route to appropriate personnel as listed on the form.

### **P-609.6 Analysis Considerations Prior to IBIS/NIBIN Entry and/or Test Firing**

The following should be considered prior to conducting test firing and/or submitting IBIS/NIBIN entries.

#### **P-609.6.1 Preservation of Biological Evidence**

The lead investigator is required to determine if additional processing is needed with the firearm or evidence cartridge case prior to test firing or IBIS/NIBIN entry. This includes but is not limited to DNA, latent prints, and trace collection. Evidence processing must be completed prior to test firing and IBIS/NIBIN Entry. An evidence processing request must be submitted to the BPD Crime Lab. Processing requests not received by the lab within two weeks of collection, will be considered approval for the lab to test fire or enter into IBIS/NIBIN. Alternatively, the investigator may place the evidence on a temporary hold while they determine if other processing is necessary for the investigation. This shall be communicated to the lab in writing.

Of note - The process of test firing and entering cartridge cases into IBIS/NIBIN destroys other physical evidence and compromises the ability to test for DNA, latents, and/or trace.

#### **P-609.6.2 Firearms Examination**

The lead investigator is required to determine if firearms examination is needed. Firearms examination is conducted by an external lab. This includes, but is not limited to, function testing,



distance determination, and firearms comparison. Within two weeks of collection, discuss with BPD Crime Lab outsource options to ensure proper handling and tracking of evidence.

Alternatively, the investigator may place the evidence on a temporary hold while they determine if other firearms examination is necessary for the investigation. This shall be communicated to the BPD Crime Lab in writing.

## **P-609.7 Safety**

Only personnel who have successfully completed department approved firearms safety handling training, and who are authorized to carry a firearm or currently qualified with their issued/authorized weapons, are eligible to become a member of the NIBIN test fire team.

### **P-609.7.1 Test Fire Facility or Range Safety**

All general range safety rules and procedures are to be observed and complied with whenever test firing at that facility. Two people in person and/or remote monitoring shall be always employed when test firing.

1. Eye and ear protection and department issued soft ballistic armor is required along with any other appropriate personal protective equipment necessary for the situation.
2. First aid, trauma kit, and fire extinguisher shall be visible and easily accessible.
3. Ensure emergency access to the test firing area.
4. Proper signage and a visible indicator will be posted while conducting test fires.
5. Appropriate notice shall be given prior to test-firing.
  - a. Verbal notice for anyone in the immediate area
  - b. Department wide email
  - c. A PA announcement may be made in the building prior to test firing, at the discretion of the CID Lieutenant
6. No one will be down range/in front of the shooter while a firearm is being loaded, unloaded, or fired.
7. Only one person may be actively shooting at any given time.

Written notice of the test fire facility usage will be provided to adjoining properties once a year at the direction of the Chief or their designee.

### **P-609.7.2 Firearms Safety**

If BPD NIBIN test fire personnel are unfamiliar with the operation of a particular firearm, they shall not test fire it until they have done their due diligence to educate themselves about the firearm and its operation. Personnel may consider the use of the Range Master or armorer to determine the safe operation of a firearm. Questions of safety shall be resolved prior to the procedure continuing.



All firearms shall be inspected, and the safety checklist completed prior to test firing. Inspect for defects, modifications, and missing/broken parts. Use discretion when considering when to test fire a biohazard firearm. If a firearm is not test fired due to damage, malfunction or biohazard, BPD NIBIN test fire personnel shall document the reason in the related report.

### **SAFETY CHECKLIST**

#### **General Examinations:**

- Is the firearm unloaded? (Check tubular magazines carefully)
- Is the chamber/bore clear of obstructions?
- Does the slide move freely, or cylinder rotates freely?
- Does the trigger/ hammer move properly?
- Are there any loose, damaged, or missing parts?
- Are there any dangerous modifications?
- Is the barrel bulged, obstructed, or loose?
- Are there any firearm recall notices that should be considered?

#### **Trigger Function:**

- Does the trigger return reliably?
- Does the trigger function as designed?

#### **Hammer:**

- Does the half cock notch catch?
- Will the hammer fall from the half cock notch when the trigger is pulled?
- Does the hammer rebound when the trigger is pulled?

#### **Ammunition:**

- Ammunition used for NIBIN testing purposes will only be factory manufactured ammunition that has been purchased by the Boise Police Department. No reloaded ammunition will be used.
- Dummy rounds shall be used when determining gun function and/or magazine function.



### **P-609.7.3 Test Firing Safety**

The following safety precautions will be adhered to when conducting test firing:

1. Ensure that the firearm is safe to hand fire. If hand firing is deemed unsafe or there is a concern that the ammunition being fired might create an unsafe condition, do not fire the firearm. Primed empty cartridge cases or shotshells may also be used.
2. Point the muzzle in a safe direction (into the trap or down range) when loading the firearm.
3. Do not chamber a cartridge or close the action of a firearm until after the muzzle is in the shooting port and you are ready to shoot.
4. Ready to shoot signifies that before chambering a cartridge, closing the action or cocking the hammer, the shooter has a firm grip and a balanced stance, with the muzzle of the firearm aimed through the portal of the bullet trap.
5. Keep your finger off the trigger until you are ready to shoot.
6. Always keep a firm grip on the firearm.
7. Load only one round at a time. This can be done by hand feeding into the chamber or by utilizing a magazine.
8. The discharge of a firearm properly placed into the bullet trap port without the individual pulling the trigger and while following approved procedures will not be considered an "accidental discharge" as defined by BPD policy. In the event of a discharge resulting without the pulling of the firearm trigger, the test fire process will cease.

### **P-609.8 Test Firing**

Additional training on the NIBIN program and use of equipment is mandatory before an employee is authorized to conduct test fires.

Prior to test firing, written approval for each firearm should be given by the BPD Crime Lab, who is responsible for tracking the program and ensures all processing has been completed. Test firing may occur at a department approved range or Test Fire Facility. Test fire personnel will review the approved firearms, review requirements for IBIS submission, and determine what firearms can ultimately be test fired.

When conducting test firing, the personal safety of BPD employees shall be the top priority, and the following precautions will be followed.

1. Use approved test fire ammunition. A Supply of approved commonly used ammunition will be maintained.
2. Complete two test fires per firearm.
3. Recover and package two test-fired cartridge cases in a test fire envelope. Submit the cartridge cases to the BPD Crime Lab via a pass-through locker or hand delivery.





4. Complete a Supplemental report in ITS that includes the following (at a minimum):
  - a. Date
  - b. Test fire location (range or test fire facility)
  - c. Who performed the test fire?
  - d. Item number(s)--include magazine item numbers if applicable
  - e. Any issues/safety concerns
  - f. Ammunition used
  - g. Disposition of evidence
5. Test fire personnel shall mark the firearm packaging with the color-coded sticker or other marking to indicate that a firearm has been test fired for IBIS/NIBIN entry.
6. Book the firearm into the Ada County Property Room.

#### **P-609.8.1 Retention of Test Fires**

Cartridge cases resulting from test fires are not considered evidence and will be disposed of.

#### **P-609.8.2 Logs and Maintenance**

Below are documentation procedures and standards to be followed for the NIBIN program.

##### **1. Ammunition Inventory Log**

An inventory of the test fire ammunition will be electronically maintained and/or documented on a log located near the ammo storage location.

##### **2. Test Fire Ammo Use Log**

Test fire personnel will document the number of rounds used each time on a log located in the Test Fire Facility. The log will capture the date, name(s) of the individual conducting the test fire, and number of rounds used for each caliber.

##### **3. Bullet Trap Maintenance Log**

The routine and preventative maintenance of the bullet trap can be found in its operations manual. Generally, maintenance will occur prior to each use. Test fire personnel will document routine and preventative maintenance on a log that will be electronically maintained and/or located near the unit.



#### 4. Log Book

Completed logs shall be retained by test fire personnel for five years on BPD's secure drive.

##### **P-609.8.3 Ammunition**

Firearms should be test fired a minimum of two (2) times with jacketed ammunition.

Recommended manufacturers for specific calibers are listed below:

1. The ammunition listed was chosen because it has projectile expansion qualities and case hardness that maximize the potential for reproducing marks from the firearm barrel and action.
  - a. Avoid ammunition with primers that have manufacturer marks, heavy lines across the face of the primer, or a coating of heavy lacquer. These elements may obscure or interfere with breech face and firing pin marks.
  - b. Avoid high pressure cartridges (+P and +P+) as the higher pressure can cause primers to mark differently, resulting in a lessened possibility of matches. If it is suspected that the firearm may have been used with high pressure cartridges, test-fire the firearm with both high pressure and approved test ammunition
2. Two test fires are needed to ensure reproducibility from the firearm and to allow the best test fire to be entered into the IBIS/NIBIN.
3. Different metal surfaces receive the marks from the firearm in different ways. Both jacketed and lead test fires are recommended for .22 and .38 caliber firearms to give the IBIS and examiners the best opportunity for making a match.



<b>CALIBER</b>	<b>RECOMMENDED AMMUNITION</b>	<b>CALIBER</b>	<b>RECOMMENDED AMMUNITION</b>
.22 caliber	Remington.22 standard velocity lead round nose Remington.22 Mohawk, high velocity CCI.22 Mini Mag copper coated round nose	.25 auto	Remington PMC UMC 50 grain metal case FMJ
.32 auto	Remington UMC or PMCFMJ	.380 auto	Remington or PMC 95 grain FMJ
9mm Luger	Remington or PMC 115 grain FMJ UMC 115 grain metal case	.357 Magnum	Same as.38 Special
9mm Makarov	CCI 95 grain metal case	.357 Sig	Remington 125 grain JHP UMC 125 grain metal case Federal 180 grain FMJ
.40 S&W	Remington 180 grain JHP Federal 180 grain JHP UMC 180 grain metal case	10mm	Remington 180 grain JHP UMC 180 grain metal case Remington 200 grain metal case PMC 200 grain metal case
.45 auto	Remington or PMC 230 grain metal case UMC 230 grain metal case	7.62 X 39mm	UMC 123 Gr. Metal Case Winchester 123 Gr. FMJ
12 Gauge	Remington Lite target various loads PMC Field & Target (various loads)	.223 Remington	Remington 55 Gr. Metal Case, PMC 55 Gr. FMJ-BT Winchester 55 Gr. FMJ
CCI = Cascade Cartridge Industries R-P = Remington Peters		FMJ = Full Metal Jacket (Copper) UMC = Union Metallic Corporation (Remington)	



## **P-609.9 IBIS/NIBIN Entry**

The regional IBIS/NIBIN Unit is located at Idaho State Police - Meridian. They have granted authorized BPD technicians' access to their IBIS/NIBIN unit. These units are deployed by the ATF and are the property of the ATF and U.S. Government. Specialized security clearance is required for all IBIS/NIBIN users and is issued by the ATF. Each IBIS/NIBIN user is required to complete the ATF IBIS/NIBIN Acquisition training prior to participating in the NIBIN program.

ATF and ISP have guidelines for what can be entered into IBIS/NIBIN. Generally, the following will not be entered:

- Revolvers
- Derringers
- Items booked for destruction or safekeeping
- If there are any firearm safety concerns
- If the cartridge case was removed from the ejection port of the firearm

Ultimately a NIBIN technician will determine which cartridge cases will be entered into IBIS/NIBIN.

### **P-609.9.1 NIBIN Leads**

If there is a potential link between cartridge cases in IBIS, a NIBIN lead notification is generated by an external organization and forwarded to the BPD Crime Lab. The investigating officer and the NIBIN Leads Team will be notified by the Crime Lab. It is the responsibility of the investigating officer and/or NIBIN Leads Team to conduct follow-up if warranted. NIBIN leads shall be tracked by the NIBIN Leads Team. A supplemental report shall be issued if follow-up was warranted.

Lead notifications are not considered confirmation or comparative analysis. Comparisons to confirm a lead must be requested and the firearm and evidence should be submitted to an approved external laboratory. A confirmed match by a firearms examiner is considered a NIBIN Hit.



## **P-802 PROPERTY AND EVIDENCE**

Effective Date: 05/01/2025

Revised Date: 03/24/2025

Issuing Authority: Chief Chris Dennison

### **P-404.1 Purpose and Scope**

This procedure provides guidelines for properly handling property and evidence.

### **P-404.2 Reference**

Below is a list of relevant documents applicable to this policy:

Policy 802 Property and Evidence

### **P-404.3 Property and Evidence Handling Procedures**

#### Body Fluids

- Urine shall be placed in the evidence/property room or Ada County Victim Services Center freezer.
- Blood will be in the appropriate Forensic Services DUI blood kits or other approved container and stored in the evidence property room or Ada County Victim Services Center refrigerator.

#### Monies

- Seized monies and other negotiable instruments likely to have greater value than indicated by their face value such as coin collections, stocks, or similar items shall be processed as property evidence and secured in a safe.
- Seized monies and other negotiable instruments not likely to have greater value than indicated by their face value will be processed as property evidence.
- The case officer will:
  - a. Count the money with a witness present.
  - b. Make note of the number of bills and denominations or photocopy whenever practical.
  - c. All monies shall be counted individually by two employees. If the two employees cannot reconcile the count, a third employee shall conduct a count to reconcile the discrepancy.
  - d. Anytime an officer has money needing to be stored, they shall handle, mark and package the money according to this policy and the guidelines established in the Ada County Property/Evidence Procedure Manual.
  - e. If the amount of seized money exceeds \$1,000 a supervisor shall be notified.



- f. To book more than \$5,000 in cash, an employee from Ada County Property must be physically present at their location to take possession.
  - g. If the amount of seized money appears to exceed \$10,000 the officer shall not conduct a count of the money.
  - h. The officer, with a witness present, will seize the money and book into Ada County Property.
- A supervisor will then make an appointment with US Bank to have their personnel conduct the money count.
  - The supervisor and one witness, either sworn or civilian, will retrieve the money from the evidence area and take it to the US Bank branch located at 10556 W Fairview Ave where the count will be conducted, and a currency verification form will be completed.
  - The money will then be taken to Ada County property and booked.
  - The supervisor will write a supplement to the original DR, detailing the handling of the money and amount seized.

#### Cell Phones

- Place seized cell phones in airplane mode.
- Process request for cell phone forensics with a trained Cell Phone Examiner.

#### Computers

- Process request for computer forensics with the Department Computer Examiner.

#### Personal Property

- Found personal property
  - a. Provide the finder with reference to I.C. §55-405. If the finder does not want to go through the legally required process, BPD accepts the found property and attempts to find the owner. The finder is advised that they have relinquished any rights to the property.
  - b. Found property is entered into property and a written synopsis must describe where the items were found and by whom.
  - c. If found property has a value of \$100 or more the evidence custodian makes a reasonable attempt to determine the value and document the resources used.



### Seized stolen personal property

- Stolen property with evidentiary value (e.g. fingerprints, DNA, blood, bodily fluids, etc.) should be booked into evidence per standard procedures.
- Stolen property with no further need for processing **where owner is known**.
  - a. General:
    - Record verbal acknowledgement from owner that item cannot be altered or disposed of until case is complete.
    - Photograph, including serial numbers and identifying markings. Return to owner.
    - Detail actions on DR and property invoice.
    - Download photographs and documents into Evidence.com.
    - If owner is known but not immediately available, item may be booked as “safekeeping” at Ada County Property for later release.
  - b. Retail
    - Items stolen from a store and immediately recovered should be photographed and returned to store.
    - Photograph, obtain receipt and value, document value and responsible party in DR and return to owner.
    - Damaged items should be returned with restitution instructions, note request on DR.
  - c. Pawnshops
    - If item was recovered from a pawnshop, photograph and return to the original owner per the general procedure above.
    - Document the restitution request of amount paid, the pawnshop location, and property owner(s) as victims on the DR or supplement(s).
- Stolen property with no further need for processing **where owner is unknown**.
  - a. If item has not been reported stolen, book property as “safekeeping”, under unknown owner.

### Paraphernalia

- Felony cases with paraphernalia
  - a. All paraphernalia (including marijuana paraphernalia related to a felony case) should be booked into evidence per standard procedures.
- Misdemeanor cases with paraphernalia



- a. Photograph paraphernalia, including photos of any residue or identifying markings.
- b. Download photographs into Evidence.com under associated DR.
- c. Detail identifying information in DR supplement (e.g. residue observed, color, smell, material/texture of item).
- d. Destroy marijuana paraphernalia.
- e. Paraphernalia in misdemeanor cases used to ingest felony level drugs may only be destroyed once it is determined felony charges will not be filed and the misdemeanor case is no longer pending.
  - To destroy paraphernalia, officers shall:
    1. Place paraphernalia in the collection unit of the property room for destruction, clearly marked as 'DESTROY'.

#### Open Container, Illegal Consumption, Tobacco

- Items related to open container, illegal consumption, and tobacco charges (e.g. beer cans, liquor bottles, cigarettes) do not need to be booked into evidence.
- Photograph items and destroy or book into safekeeping when item has value and is not contraband, e.g. metal flask, tobacco vaporizer, unopened bottles of alcoholic beverages. NOTE: Tobacco vaporizers/e-cigarettes should have batteries removed per Ada County Property booking policy.
- Download photographs into Evidence.com under associated DR.

#### Evidentiary Documents / Digital Media

- Documents not requiring forensic processing, such as witness statements, photo line-ups, receipts, photos etc., should be placed in Evidence.com. They do not need to be booked into evidence.
- Third party digital audio and video, should be placed in Evidence.com unless unable then it will be booked into property and evidence.
- Photographs of children or adult victims of sexual assault, showing genitalia or breasts, will not be stored in Evidence.com. This evidence will be stored on a separate digital media for use by SVU.





## Firearms

Firearms shall be unloaded prior to submitting them to the evidence room.

Officers submitting firearms into evidence will:

- Complete an Alcohol Tobacco and Firearms (ATF) National Tracing Center Request form ATF F3312.1, and forward to the proper unit to be processed.
- Package the firearm in a gun box, seal, date and label the box.
- Package the firearm and ammunition separately.
- Submit the firearm, the ATF form, and a copy of the NCIC check (which includes criminal history) to the evidence custodian.
- Enter the firearm into the ARS database.
- Document make, model and serial number in report.

Firearms to be converted for use by the Boise Police:

- Firearms and ammunition shall not be converted for Boise Police use unless approved by the Deputy Chief prior to conversion.
- Prior to conversion, the case officer or Records Administrator again performs an NCIC check.
- If the weapon is cleared for conversion to Boise Police, a Receipt for Property Form is completed - to include property bar code number and signature of the Armorer.

## Evidence Seizures of Vehicles

All vehicles impounded for evidentiary purposes shall be towed to the city's designated evidence towing facility. Processing, including a complete inventory, shall be completed within one week, unless there are exceptional circumstances and supervisory approval.

If a vehicle cannot be adequately processed for evidence at its location, an officer may immediately impound a vehicle without notice for the purpose of obtaining evidence under the following conditions:

- If the vehicle was used as an instrument of a crime (e.g., felony hit and run, manslaughter, etc.).
- If the vehicle was the scene in which a crime occurred or was used to facilitate a crime or to transport suspects to/from a crime (e.g., location of a murder victim, used in a robbery or a narcotics case, etc.).
- When necessary to secure it until a search warrant can be obtained or pursuant to any other legal process or document.
- When the VIN is altered, obliterated, or missing or if the vehicle is suspected of being stolen.



- Other evidentiary purposes as deemed necessary.
- All impounds made for evidentiary or forfeiture purposes shall have supervisory approval.

#### Recovered Stolen Vehicles

Recovered stolen vehicles shall be handled as follows:

- If evidence processing is needed, evidence seizures procedures shall be followed.
- If the owner can be immediately located, the officer will comply with the owner's request to either have the vehicle towed at the owners' expense or leave the vehicle at the scene under the owner's responsibility. If a tow is requested, the vehicle will not be taken to City operated storage lot.

If the owner cannot be immediately located, the vehicle shall be inventoried, if possible, impounded and towed by the next tow company on the rotation list to their tow lot.



## P-1010 COMPLAINTS

Effective Date: 10/05/2023  
Revised Date: 05/01/2025  
Issuing Authority: Chief Chris Dennison

### P-1010.1 Definitions

**Corrective Action:** Response to member misconduct that may include counseling, additional training, and/or disciplinary action.

**Corrective Action Guide:** An advisory document used to provide direction to command staff, the Police Review Board (PRB), and the Chief of Police, when determining an appropriate level of corrective action. The guide shall provide guidance, the final imposition of corrective action is at the discretion of the Chief of Police.

**Demotion:** A reduction of rank.

**Loudermill Decision:** Referring to the case of Cleveland Board of Education v. Loudermill (1985), where the Supreme Court held that most public employees have a property interest in their jobs and are therefore entitled to certain due process rights prior to being terminated. Loudermill rights include a written or oral notice detailing the reasons for termination and a pre-termination hearing.

**Remedial Training:** When a member's performance or conduct has been found not meeting current standards and additional training is expected to improve performance or conduct.

**Suspension:** Removal from work status, with or without pay, for a specified period of time.

**Termination:** Termination of employment with the Boise Police Department

**Verbal Reprimand:** A corrective action normally given by a member's immediate supervisor, intended to improve a members conduct or performance which does not rise to the documentation level of a written reprimand.

**Written Reprimand:** A corrective action letter placed in the member's personnel file detailing a member's conduct or performance that violated one or more policies but does not involve an economic sanction such as a suspension, demotion, or termination.

### P-1010.2 Administrative Investigation Procedures Relating to Employees

Whether conducted by a supervisor or an employee of the Professional Standards Division, the following applies to employees:

Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on duty. If the employee is off duty, he/she shall be compensated in accordance with the current Collective Labor Agreement (CLA).

Unless waived by the employee, interviews of an accused employee shall be held at the Boise Police Department or other reasonable and appropriate place.

No more than two interviewers should ask questions of an accused employee.



Prior to any interview, an employee should be informed of the nature of the investigation.

All interviews should be for a reasonable period, and the employee's personal needs should be accommodated.

No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.

All accused and witness employees will be given a Garrity advisement.

No information or evidence administratively coerced from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview should be provided to the employee prior to any subsequent interview.

All employees subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview.

- a. The scheduling of an interview will occur based on the investigator's timeline. An interview will not be unduly delayed due to the unavailability of a representative.
- b. The representative present should refrain from interrupting the questions by injecting their own testimony or answers. Representatives will be given an opportunity at the end of questioning to offer additional information or elicit clarifying answers.
- c. If a representative should interfere with the investigators interview, they may be asked to leave, and the interview will proceed.
- d. Breaks will be provided by the investigator if there is a need.

All employees shall provide complete and truthful responses to questions posed during interviews.

An employee shall submit to a polygraph, if directed, when all of the following conditions are met:

- a. The employee has been accused of a violation of Department policy or procedure that could result in their dismissal and / or sufficient evidence exists which would lead to a preponderance that the violation for which the employee is accused has been committed.
- b. Conflicting statements of fact in the case have been established.
- c. The Chief of Police orders the polygraph examination to be taken by the accused employee.



### **P-1010.3 Administrative Investigation Procedures**

The procedures below will be followed:

- Review the investigation for any possible criminal violations. If found, consult with the Professional Standards Captain or designee and City Legal prior to proceeding.
- If the complainant was intoxicated at the time the complaint was taken, a follow-up call is required to determine if a complaint investigation is required.
- If an investigation is not required, follow policy 1010.7 Documentation.
- Obtain copies of the incident and unit history (CAD).
- Review all written reports, audio files, and video footage pertaining to the incident.
- Obtain jail records and/or jail video if relevant to the case.
- Interview all witnesses and involved employees.
- BPD employees shall be given at least 48 hours' notice in writing or electronic form prior to the interview.
  - The notice shall include an allegation including the policy number and title (only) and a brief statement to apprise the employee of what they will be questioned on.
- Audio record interviews of involved parties with direct knowledge involving the allegation.
- If there are any claims of injury, the complainant will be asked to sign a Medical Release Form so the treatment records may be obtained.
- The employee shall read and sign a copy of the Department's Administrative Privileges Form and be afforded their Garrity rights when applicable or at the employee's request.
- Complete the investigative report.
- Upload the following files into BlueTeam in PDF format if not already in a department database: any administrative documents, audio and videos files, and a copy of the CAD.
- Add links to audio and video files from Evidence.com in BlueTeam.
- Any media relating to an administrative case which is obtained from an outside source will be uploaded to BlueTeam or given to an employee of Professional Standards for secure storage.



### **P-1010.3.1 Administrative Investigation Timelines, Documentation, and Routing**

The following timelines for division level investigations will be followed with few exceptions. Any request for an extension shall include a reason why the timeline will not be met and include the requestors chain of command. Only the PSD Captain, PSD Lieutenant, or Chief's Office may grant extensions.:

- Sergeant/Supervisor initial review or investigation will be completed and routed to the next in chain within 16 calendar days of the incident or notification.
- Lieutenant (next in chain) findings will be completed and routed within 7 calendar days of receipt.
- Captain (next in chain) review will be completed and routed to the next in chain within 10 calendar days of receipt.
  - Critical Incident reviews assigned to a captain will be completed within 28 calendar days of receipt.
- Deputy Chief review will be completed and routed to OIA or Chief of Police within 14 calendar days of receipt (28 calendar days for critical incident reviews).
- Chief of Police review (if required) will be completed and routed to OIA within 14 calendar days of receipt (28 calendar days for critical incident reviews).

Due to the complexity of Office of Internal Affairs (OIA) investigations, those investigations will be completed within 30 days from the date the case is received. Extensions must be approved by the PSD Captain, Deputy Chief, or Chief. The extension shall include a reason why the timeline will not be met.

- Once an OIA investigation is sent to a division for findings, the timelines above for the lieutenant, captain, deputy chief, and chief will apply.
- Critical Incident investigations by OIA investigators will not have a set timeline due to not having control over all evidence, reports, and other needed information. Policy 305 will be followed for the initial investigation.

### **P-1010.4 Administrative Investigation Report Format**

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

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

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

**Summary** - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation.

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

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



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

## **P-1010.5 Post-Administrative Investigation Procedures**

Upon completion of a formal investigation, an investigation report should be forwarded to the lieutenant or next level of supervision within the employee's chain of command to complete a proposed findings memo. If the lieutenant in the chain of command is unable to complete the proposed findings memo, the Professional Standards Division Captain may choose another lieutenant or employee of higher rank.

### **P-1010.5.1 Lieutenant Responsibilities**

The Lieutenant will be responsible for the following:

- Review the investigation report for accuracy and thoroughness.
- Consult the Corrective Action Guide to determine the appropriate category if the allegation(s) is sustained.
- Complete a proposed findings memorandum providing the rationale to support a recommended disposition for the allegation(s).
- Attach the findings memorandum electronically in PDF format to the investigation.
- Route the entire investigation in BlueTeam to the Division Captain or designee.

### **P-1010.5.2 Division Captain Responsibilities**

The Division Captain will be responsible for the following:

- If required due to the employee(s) involved the captain may need to complete the actions taken by the lieutenant and complete a findings memorandum.
- Review the investigation and finding memorandum by the lieutenant to ensure accuracy and appropriateness.
- If the finding is anything other than sustained and there is no controverting of the finding, complete the BlueTeam chain routing comments concurring with the finding. Forward the BlueTeam to the Professional Standards Captain.
- If the finding is Sustained, the captain will request the employee's corrective action history from the Office of Internal Affairs.
- The captain will review the employee's history and refer to the Corrective Action Guide category to make a recommendation if corrective action will have an economic impact.
- The captain will make a comment in the BlueTeam routing and recommend corrective action. If the corrective action does not have an economic impact, it will be documented as a verbal reprimand or a written reprimand. If the corrective action will have an economic impact, the captain will document their recommendation and the need for a Police Review Board.



- Route the sustained finding with comments to the Deputy Chief of Police
- If controverting the finding or categorization by the Lieutenant, draft a memo detailing the rationale attaching it in BlueTeam, and route to the Deputy Chief of Police.

### **P-1010.5.3 Deputy Chief of Police Responsibilities**

The Deputy Chief of Police (DC) or designee will be responsible for the following:

- Review the proposed sustained findings and recommended corrective action. All investigations in anticipation of litigation and/or tort filings shall be reviewed, regardless of the finding.
- If agreeing with the finding and proposed corrective action, a comment will be recorded in the BlueTeam routing.
- The DC may controvert the proposed findings and/or recommended corrective action. All controverted actions shall be documented in a memorandum detailing the rationale and attached in BlueTeam.
- The DC may authorize Verbal Reprimand or Written Reprimand.
- The DC will record in BlueTeam comments the need for a Police Review Board for all recommended corrective action with an economic impact.
- Submit to Professional Standards within seven days of receipt.

### **P-1010.5.4 Police Review Board Responsibilities**

Recommendation for corrective action which may have an economic impact will be conducted through a formal Police Review Board (PRB). The employee's PRB notice should also serve as a notice of pre-corrective action/pre-termination hearing under the Loudermill Decision.

The Police Review Board's purpose is to determine the appropriate corrective action for the City regulation and/or Department policy, procedure, or directive violated after consideration of the following:

- The sustained findings;
- The surrounding facts and circumstances in the investigation;
- Any explanation offered by the employee;
- Examination of the Corrective Action Guide; and
- The range of corrective action previously imposed for the same or similar violations.

Attendees of a Police Review Board will include, whenever possible, the accused employee's chain of command that was in place at the time the incident occurred, to include the Chief of Police. The chief may choose a designee depending on the availability of the chain of command. Any employee who is called as a witness or who is involved in conducting the investigation or interview in a case may not be called to serve on the Review Board and may not be involved in recommending corrective action for that case.





The Professional Standards Captain or designee will attend all Police Review Board meetings only as an advisor and facilitator and will not participate in the discussions as it relates to the corrective action decision. The Professional Standards Captain or designee shall audio record PRB discussions with the employee.

The accused employee has the option to address the Board and may bring one representative. Additionally, the accused employee may waive attending the Board in person and opt to submit a written memorandum with their statement.

All discussions of the Police Review Board shall be confidential. The Board's purpose will be to review the facts of the case and determine corrective action. Only the final determination of the Chief of Police shall be committed to written form. Once the Chief determines the appropriate corrective action, a Corrective Action Order (CAO) will be created by the Office of Internal Affairs.

#### **P-1010.5.5 Internal Affairs Responsibilities**

- Review all BlueTeam and associated documents for accuracy and completeness.
- Complete any notification and documentation for the outcomes of the complaints, to include:
- Email correspondence for Verbal Reprimands
- Corrective Action Orders (CAO) for Written Reprimands or Suspension without Pay
- Police Review Boards are scheduled when needed through the Chief's Office
- Work with Human Resources to follow any City of Boise Employee Handbook processes for actions outside of this procedure.
- Provide documentation to waive any grievance rights if the employee chooses.

The Office of Internal Affairs will be responsible to make available the files related to the personnel investigation to the employee. Files will be made available in a manner to ensure their confidentiality.

Files related to Public Records Requests will follow procedures outlined for public records requests, and the Office of Internal Affairs will ensure the proper files are made available, if authorized.



Boise Police Department Corrective Action Guide

Categories and Descriptions	Range of Corrective Action (GACR/CB, VR, WR, SWOP, Demotion, Termination)
<p><b>CATEGORY 1:</b></p> <p>Conduct that has or may have a minimal negative impact on operations or professional image of BPD.</p>	<p>Any prior sustained violation involving the <b>same or similar conduct</b> within the past 12 months, will be considered as a prior violation, and may be considered for progressive corrective action including moving the range to the next category.</p> <p><b>GACR/ConnectBoise Entry – Verbal Reprimand</b></p>
<p><b>CATEGORY 2:</b></p> <p>Conduct that has or may have a moderate negative impact on operations or professional image of BPD or conduct that has or may have a minimal negative impact on relationships with other officers, agencies, or the public.</p>	<p>Any prior sustained violation involving the <b>same or similar conduct</b> within the past 24 months, will be considered as a prior violation, and may be considered for progressive corrective action including moving the range to the next category.</p> <p><b>Verbal Reprimand – Written Reprimand</b></p>
<p><b>CATEGORY 3:</b></p> <p>Conduct that involves a risk to safety.</p> <p>Conduct that has or may have a serious negative impact on operations or professional image of the department or that has or may have a moderate negative impact on relationships with other officers, agencies, or the public.</p>	<p>Any prior sustained violation involving the <b>same or similar conduct</b> within the past 36 months, will be considered as a prior violation, and may be considered for progressive corrective action including moving the range to the next category.</p> <p><b>Written Reprimand–Suspension Without Pay (Max 40 hrs)</b></p>
<p><b>CATEGORY 4:</b></p> <p>Conduct that could result in an adverse impact on an officer or public safety, or to the professionalism of BPD.</p>	<p>Any prior sustained violation involving the <b>same or similar conduct</b> within the past 60 months, will be considered as a prior violation, and may be considered for progressive corrective action including moving the range to the next category.</p> <p><b>Suspension Without Pay (Min 10 hours–Max 120 hrs)</b></p>
<p><b>CATEGORY 5:</b></p> <p>Conduct that involves a serious risk to officer or public safety.</p>	<p>Any prior sustained violation involving the <b>same or similar conduct</b>, will be considered as a prior violation, and may be considered for progressive corrective action.</p>



Boise Police Department  
Procedure Manual

Involves any conduct that will effectively disqualify an employee from continued employment as a law enforcement officer.	<b>Suspension Without Pay (Min 20 hours) - Termination</b>
---	--

**VR** – Verbal Reprimand  
Hours

**WR** – Written Reprimand

**SWOP** – Suspension without Pay

**Work week** = Forty

### Boise Police Department Corrective Action Guide Additional Guidelines

Any prior sustained violation involving the same or similar misconduct within the specified time frame, in a category greater than or equal to the current violation, may be considered as a prior violation.

Any prior sustained violation involving the same or similar misconduct within the specified time frame, in a category lower than the current violation, may be considered as a factor for progressive corrective action.

In cases involving multiple concurrent sustained violations, the presumptive discipline level will be set at the category of the most serious sustained violation. The additional violations may increase the penalty level by one. Violations in excess of three in the prescribed time frame will remain in the same category, however discipline may deviate from the guide.

Corrective actions are determined by the Police Chief and/or their designee. The Police Chief may deviate from this guide as conditions and circumstances warrant. The deviation factors will be documented in the Corrective Action Order.