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# **BOISE POLICE DEPARTMENT**



# **POLICY MANUAL**

**5/1/2025**

## CHIEF'S PREFACE

The Boise Police Department is committed to the protection of constitutional, human, and civil rights. We strive to make sure community members are not only safe in our city but feel safe as well.

It's my belief that anyone who enters the police profession is willing to put service and commitment to others above themselves. To help our officers and our professional staff achieve these goals we will provide best in class training, policies, and procedures. We will also give our staff ongoing education to ensure they can work with discretion and excellence in execution of duty.

This Policy Manual is our collective commitment as a Police Department to do our jobs in the most professional, ethical, and legal manner possible. This Policy Manual will help guide employees of the Boise Police Department in carrying out their assigned responsibilities.

All Boise Police Officers have taken an oath to protect and serve. To do that effectively we must have the trust of our community. We will gain and maintain that trust through a community policing model. We will work with our community and partner agencies to help people in Boise fulfill their right to live and work in freedom and safety.



Chris Dennison

Chief of Police

## **IDAHO LAW ENFORCEMENT CODE OF ETHICS / STANDARDS OF CONDUCT**

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

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

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

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

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself with sincere and unfaltering commitment to my chosen profession . . . law enforcement.

Reference: [IDAPA 11.11.01.057.07](#)

# MISSION OF THE BOISE POLICE DEPARTMENT



***To Protect, Serve and Lead Our  
Community to a Safer Tomorrow***

## BOISE POLICE DEPARTMENT CORE VALUES

The following are core values of the Boise Police Department, in no particular order of priority:

**SAFETY:** Safety is of paramount importance in all aspects of our work. We regard the safety of our employees, our citizens, and our communities as our highest priority.

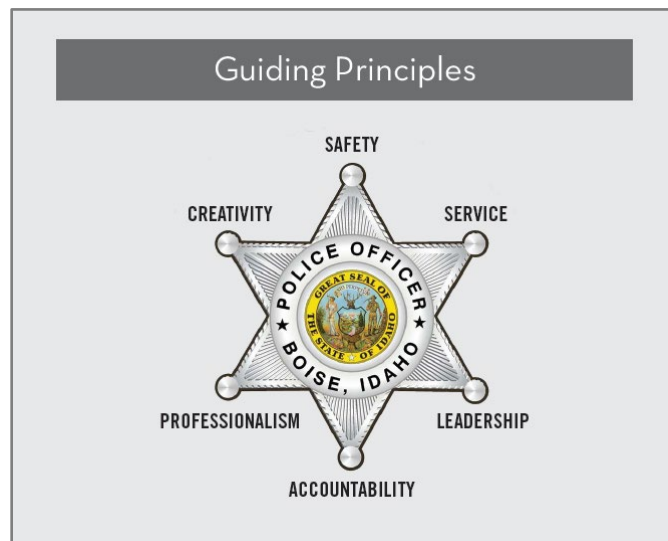
**SERVICE:** We are committed to making decisions in the best interests of the community we serve, providing the highest quality police services, and exceeding our customers' expectations. We embrace community input and involvement to enhance public safety, prevent and solve crime, and address quality of life issues.

**LEADERSHIP:** We strive to maintain the proud tradition of our past while meeting the challenges of our future. We expect our employees to be leaders in our organization and community. We believe in doing the right thing, in the right way, at the right time, and for the right reasons.

**ACCOUNTABILITY:** We strive to be courageous, fair, and decisive and hold ourselves accountable for our actions and decisions. We operate openly, maintaining public trust and confidence.

**PROFESSIONALISM:** We require the highest professional and ethical standards and demonstrate honesty and integrity in our words and actions. We treat everyone with respect and dignity, preserve life, protect property, and respect constitutional rights while enforcing the law with fairness and impartiality.

**CREATIVITY:** We provide an environment that fosters creative thinking and an individualized and innovative approach to each situation. We continuously seek employee input to improve our practices, programs, and services.



## TABLE OF CONTENTS

100 POLICE AUTHORITY .....	9
101 CHIEF EXECUTIVE OFFICER .....	11
200 ORGANIZATIONAL STRUCTURE AND RESPONSIBILITY .....	15
201 EXECUTIVE ORDERS .....	18
202 EMERGENCY MANAGEMENT PLAN .....	19
203 TRAINING .....	21
205 ADMINISTRATIVE COMMUNICATIONS .....	23
207 RETIREE IDENTIFICATION CARD / CONCEALED FIREARMS .....	24
300 USE OF FORCE .....	27
302 HANDCUFFING AND RESTRAINTS .....	37
304 CONDUCTED ENERGY WEAPON .....	43
305 CRITICAL AND TRAUMATIC INCIDENTS .....	50
306 FIREARMS .....	58
307 VEHICLE PURSUITS .....	67
308 OFFICER RESPONSE TO CALLS .....	80
309 CANINES .....	83
310 DOMESTIC VIOLENCE .....	88
311 SEARCH AND SEIZURE .....	93
312 ADULT ABUSE .....	95
313 PROTECTIVE CUSTODY OF ADULTS AND CHILDREN .....	100
314 CHILD ABUSE .....	103
315 MISSING PERSONS .....	108
316 PUBLIC ALERTS .....	114
317 VICTIM AND WITNESS ASSISTANCE .....	118
318 MALICIOUS HARASSMENT .....	120
319 STANDARDS OF CONDUCT .....	122
320 INFORMATION TECHNOLOGY USE .....	129
321 REPORT PREPERATION .....	131
322 NEWS MEDIA RELATIONS .....	135
323 SUBPOENAS AND COURT APPEARANCES .....	138
324 GUARDING PERSONS IN CUSTODY AT A HOSPITAL .....	140
325 OUTSIDE AGENCY ASSIST .....	142

Boise Police Department  
Policy Manual

---

327 DEATH INVESTIGATIONS .....	144
330 LIMITED ENGLISH PROFICIENCY SERVICES .....	146
333 CHAPLAINS .....	154
336 SERVICE ANIMALS .....	159
338 OFF-DUTY LAW ENFORCEMENT ACTIONS.....	162
340 DEPARTMENT USE OF SOCIAL MEDIA .....	164
342 COMMUNITY ENGAGEMENT.....	167
400 PATROL FUNCTION.....	169
401 BIASED-BASED POLICING .....	171
403 CRIME AND DISASTER SCENE INTEGRITY .....	173
404 SPECIAL OPERATIONS GROUP (SOG).....	175
405 RIDE-ALONG PROGRAM .....	181
406 HAZARDOUS MATERIAL RESPONSE.....	184
407 HOSTAGES AND BARRICADE INCIDENTS.....	186
408 RESPONSE TO BOMB CALLS .....	190
410 CIVIL COMMITMENTS.....	195
411 CITATION RELEASE .....	198
412 FOREIGN DIPLOMATIC AND CONSULAR REPRESENTATIVES.....	200
414 IMMIGRATION VIOLATIONS .....	203
417 AIRCRAFT ACCIDENTS .....	206
420 CRIMINAL ORGANIZATION.....	210
421 WATCH COMMANDERS .....	213
423 MOBILE DATA COMPUTER USE .....	214
424 PORTABLE AUDIO/VIDEO RECORDERS .....	217
425 PUBLIC RECORDING OF LAW ENFORCEMENT ACTIVITY .....	222
427 FOOT PURSUITS .....	225
430 CIVIL DISPUTES.....	229
433 MEDICAL AID AND RESPONSE .....	231
500 TRAFFIC FUNCTION AND RESPONSIBILITY .....	235
501 TRAFFIC COLLISION REPORTING.....	238
502 VEHICLE TOWING POLICY.....	240
504 IMPAIRED DRIVING .....	243
505 TRAFFIC CITATIONS .....	249

Boise Police Department  
Policy Manual

---

600 INVESTIGATION AND PROSECUTION.....	250
602 CONFIDENTIAL INFORMANTS .....	254
603 EYEWITNESS IDENTIFICATION .....	255
604 BRADY MATERIAL DISCLOSURES.....	258
605 UNMANNED AERIAL SYSTEM (UAS) OPERATIONS .....	260
606 SEXUAL ASSAULT INVESTIGATIONS .....	263
607 WARRANT SERVICE .....	267
608 OPERATIONS PLANNING AND DECONFLICTION .....	269
609 NATIONAL INTEGRATED BALLISTIC INFORMATION NETWORK (NIBIN).....	270
701 PERSONAL COMMUNICATION DEVICES .....	272
703 VEHICLE USE .....	275
802 PROPERTY AND EVIDENCE .....	281
803 RECORDS UNIT .....	282
804 RECORDS MAINTENANCE AND RELEASE.....	283
805 PROTECTED INFORMATION .....	288
900 TEMPORARY CUSTODY AND DEPARTMENT INTERVIEW ROOMS .....	291
901 TEMPORARY CUSTODY OF JUVENILES.....	293
902 CUSTODIAL SEARCHES .....	300
1000 RECRUITMENT AND SELECTION.....	304
1003 EARLY INTERVENTION SYSTEM (EIS) .....	308
1004 ANTI-RETALIATION.....	309
1005 REPORTING OF EMPLOYEE CHARGES AND CONVICTIONS .....	312
1006 DRUG AND ALCOHOL-FREE WORKPLACE.....	313
1008 COMMUNICABLE DISEASES .....	315
1009 SMOKING AND TOBACCO USE .....	316
1010 COMPLAINTS.....	317
1011 SEAT BELTS .....	326
1012 BODY ARMOR.....	328
1015 COMMENDATIONS AND AWARDS .....	330
1016 FITNESS FOR DUTY .....	334
1017 MEAL PERIODS AND BREAKS .....	337
1018 LACTATION BREAKS .....	338
1020 OVERTIME PAYMENT REQUESTS.....	340



Boise Police Department  
Policy Manual

---

1021 OUTSIDE EMPLOYMENT .....	342
1022 OCCUPATIONAL DISEASE AND WORK-RELATED REPORTING .....	347
1023 PERSONAL APPEARANCE STANDARDS .....	348
1024 UNIFORM REGULATIONS.....	351
1026 POLICE DEPARTMENT BADGES .....	357
1028 MEDICAL OR INJURY TEMPORARY MODIFICATIONS.....	359
1030 EMPLOYEE SPEECH, EXPRESSION AND SOCIAL NETWORKING .....	362
1032 WELLNESS PROGRAM .....	366
1033 LINE-OF-DUTY DEATHS.....	370
EO 2020-02 / ENTRIES IN PERFORMANCE MANAGEMENT SYSTEM .....	374
EO 2021-01/ OC AEROSOL USAGE.....	376
EO 2024-01 EXECUTIVE ORDER ENFORCEMENT OF BCC 5-7-3 .....	378
2.000 Arrests, Searches, Detentions, and Citations .....	383
4.000 Special Field Responses .....	385
6.000 Juveniles.....	386
11.000 Conduct.....	387
13.000 Department Facilities.....	389
14.000 Command and Supervision .....	390
17.000 Equipment.....	391
30.000 Personnel Administration .....	393
31.000 Compensation and Benefits .....	394
P-2.00 Arrests, Searches, Detentions, and Citations .....	398
P-6.000     Juveniles .....	400
P-14.000    Command and Supervision.....	404
P-17.000    Equipment.....	406
P-30.000    Personnel Administration.....	410

## 100 POLICE AUTHORITY

Effective Date: 08/17/2022  
Revised Date: 7/27/2022  
Issuing Authority: Chief Ryan Lee

### 100.1 Purpose and Scope

The purpose of this policy is to affirm the authority of the members of the Boise Police Department to perform their functions based on established legal authority.

### 100.2 Policy

It is the policy of the Boise Police Department to limit its members to only exercise the authority granted to them by law. While this department recognizes the power of police officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of police authority.

### 100.3 Police Officer Authority

The authority of certified full-time police officers of the Boise Police Department whose duties include and primarily consist of the prevention, investigation and detection of crime shall apply when performing their assigned functions and duties outside the City when any of the following exist ([Idaho Code 67-2337](#)):

When a request for police assistance is made by another law enforcement agency.

When the officer has probable cause to believe a crime is occurring involving a felony or an immediate threat of serious bodily injury or death to any person.

When the officer is in fresh pursuit as defined in and pursuant to ID Statute, Title 19 Chapter 7\_Fresh Pursuit Law.

As authorized by this department pursuant to an existing mutual assistance compact with an outside jurisdiction.

Officers of this department will not routinely perform police duties outside of the City limits except as approved by the Division Captain or Chief of Police or designee.

#### 100.3.1 Police Officer Powers of Arrest

An officer may make an arrest in obedience to a warrant, or may, without a warrant, make an arrest under any of the following circumstances ([Idaho Code 19-603](#)):

1. For a misdemeanor or felony committed or attempted in his/her presence.
2. When probable cause exists to believe that a person has committed a felony not in his/her presence.

#### 100.3.2 Other Authority

Sworn members of this department who enter the state of Oregon in order to provide or attempt to provide police assistance have Oregon peace officer authority within 50 miles of the Idaho-Oregon border ([ORS 133.405](#)). Such authority shall only apply when officers are acting:

1. In response to a request for police assistance initiated by an Oregon sheriff, constable, marshal, municipal police officer, or member of the Oregon State Police.
2. In response to a reasonable belief that emergency police assistance is necessary to preserve life and circumstances make it impractical for Oregon police officials to formally request assistance.
3. For the purpose of assisting Oregon police officials with emergency assistance in response to criminal activity, traffic accidents, emergency incidents, or other similar public safety situations, regardless of whether an Oregon police official is present at the scene of the incident.

Boise Police Department officers have no authority to enforce Oregon traffic or motor vehicle laws.

Whenever practicable, officers should seek permission from a department supervisor before entering Oregon to provide police services. As soon as practicable, officers exercising police authority in Oregon shall submit any appropriate written reports concerning the incident to the Oregon agency having primary jurisdiction over the area in which the incident occurred.

#### **100.4 Interstate Police Officer Powers**

Police officer powers may be extended to other states:

1. As applicable under interstate compacts, memorandums of understanding, or mutual aid agreements in compliance with the laws of each state.
2. When an officer enters the following states while in pursuit of a person who the officer has probable cause to believe has committed a felony:  
Oregon (ORS 133.430)  
Utah (Utah Code 77-9-1)  
Nevada (NRS 171.158)
3. When an officer enters Montana while in pursuit of a person who the pursuing officer has probable cause to believe committed a crime (§ 46-6-411, MCA).
4. When an officer enters Washington while in pursuit of a person who the pursuing officer has probable cause to believe has committed a felony; or a violation related to driving while intoxicated, driving while under the influence of drugs or alcohol, driving while impaired, or reckless driving (RCW 10.89.010).

Whenever an officer makes an arrest in Montana, Utah, Nevada, Oregon, or Washington, the officer shall take the offender to a magistrate or judge in the county where the arrest occurred as soon as practicable ([Utah Code 77-9-2](#); [NRS 171.158](#); [ORS 133.440](#); [§ 46-6-411, MCA](#); [RCW 10.89.020](#)).

#### **100.5 Constitutional Requirements**

All members shall observe and comply with every person's clearly established rights under the [United States](#) and [Idaho Constitutions](#).

## **101 CHIEF EXECUTIVE OFFICER**

Effective Date: 08/17/2022

Revised Date: 7/27/2022

Issuing Authority: Chief Ryan Lee

### **101.1 Purpose and Scope**

This policy provides guidelines for the appointment of the Chief Executive Officer of the Boise Police Department, who is required to exercise the powers and duties of the office as prescribed by state law.

### **101.2 Policy**

It is the policy of the Boise Police Department that the Chief of Police meets the minimum standards for exercising his/her authority granted by law.

### **101.3 Chief of Police**

All law enforcement chief executive officers employed within the State of Idaho are required to meet Idaho Peace Officer Standards and Training Council (POST) certification requirements within the prescribed time periods ([Idaho Code 19-5109](#)).

## 102 POLICY MANUAL

Effective Date: 08/17/2022

Revised Date: 7/27/2022

Issuing Authority: Chief Ryan Lee

### 102.1 Purpose and Scope

The manual of the Boise Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

The manual is 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 Policy Committee Chairperson will work with Boise City Human Resources to resolve any policy conflicts.

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)
- Critical Incident Task Force Manual

### 102.2 Definitions

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

**Adult** - Any person 18 years of age or older.

**Cadet** - A non-sworn volunteer position used to prepare an individual for a potential career in policing through job orientation and first-hand experience, with cadet assignments restricted to non-enforcement police-related functions.

**CFR** - Code of Federal Regulations.

**City** - The City of Boise.

**Department/BPD** - The Boise Police Department.

**Employee/personnel** - Any person employed by the Department.

**IDAPA** - Idaho Administrative Procedure Act (Example: IDAPA 16.02.24.110).

**ITD** - The Idaho Transportation Department.

**Juvenile** - Any person under the age of 18 years.

**Manual** - The Boise Police Department Policy Manual.

**May** - Indicates a permissive, discretionary or conditional action.

**Member** - Any person employed or appointed by the Boise Police Department, including:

- Full- and part-time employees
- Sworn peace officers
- Reserve, auxiliary officers
- Professional Staff employees
- Volunteers

**Officer** - Those employees, regardless of rank, who are sworn peace officers of the Boise Police Department.

**On-duty** - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

**Order** - A written or verbal instruction issued by a superior.

**POST** - The Idaho Peace Officer Standards and Training Council.

**Professional Staff** - Employees who are not sworn peace officers.

**Rank** - The title of the classification held by an officer.

**Shall or will** - Indicates a mandatory action.

**Should** - Indicates a generally required or expected action, absent a rational basis for failing to conform.

**Supervisor** - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

**USC** - United States Code.

**Volunteer** - Individuals or organized community groups who voluntarily perform services for the Boise Police Department without compensation. Volunteers serve "at-will" and are not considered employees of the City of Boise.

### 102.3 Policy

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable, and circumstances may arise which warrant departure from these guidelines. It is the intent of

this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

#### **102.3.1 Disclaimer**

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Boise Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Boise Police Department reserves the right to revise any policy content, in whole or in part.

#### **102.4 Authority**

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue Executive Orders, which shall modify those provisions of the manual to which they pertain. Executive Orders shall remain in effect until rescinded, or until such time as they may be permanently incorporated into the manual.

#### **102.5 Issuing the Policy Manual**

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the Policy Manual and Executive Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

#### **102.6 Periodic Review of the Policy Manual**

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

#### **102.7 Revisions to Policies**

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Division Captain will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Division Captains, who will consider the recommendations and forward them to the Policy Committee Chair, as appropriate.

## **200 ORGANIZATIONAL STRUCTURE AND RESPONSIBILITY**

Effective Date: 08/17/2022

Revised Date: 7/27/2022

Issuing Authority: Chief Ryan Lee

### **200.1 Purpose and Scope**

This policy establishes the organizational structure of the department and defines general responsibilities of department members.

### **200.2 Policy**

The Boise Police Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control, and guidance of the department. Each position and assignment should have clearly identified responsibilities and a defined chain of command.

### **200.3 Divisions**

The Chief of Police is responsible for administering and managing the Boise Police Department. There are six divisions in the department as follows:

- Administrative Support Division
- Patrol Division
- Criminal Investigations Division
- Community Outreach Division
- Professional Standards Division
- Training Division

In addition, the organizational structure includes a cross-divisional Special Operations Group (SOG) and a Public Safety Communications team.

#### **200.3.1 Administrative Support Division**

The Administrative Support Division (ASD) performs administrative functions and internal support services to each division and the organization as a whole. The Administrative Support Division is led by the Chief Administrative Officer, whose primary responsibility is to provide general management direction and control for the Administrative Support Division and serves as a liaison on behalf of the Department with City of Boise internal service departments. The Administrative Support Division consists of Support Services, Records, Crime Analysis, Crime Lab, Crime Prevention, Project Management, Fleet Services, Facilities, and Supply & Inventory.

#### **200.3.2 Patrol Division**

The Patrol Division provides 24/7 citywide policing services, responding to calls for service and protecting life and property. The Patrol Division is led by a Captain, whose primary responsibility is to provide general management direction and control for the Patrol Division. The Patrol Division consists of uniformed Patrol and specialized operations, which includes the Canine, Community Service Specialist and Telephone Reporting units.



### **200.3.3 Criminal Investigations Division**

The Criminal Investigations Division (CID) conducts criminal investigations to hold offenders accountable and provides comprehensive victim services. The Criminal Investigations Division is led by a Captain, whose primary responsibility is to provide general management direction and control for the Criminal Investigations Division. The Criminal Investigations Division consists of a Special Investigations Group (SIG) responsible for drug and organized crime investigations, and also the Violent Crimes, Special Victims, Property Crimes, Financial Crimes, and Victim Witness units.

### **200.3.4 Community Outreach Division**

The Community Outreach Division (COD) provides community-oriented policing services, with a goal of building partnerships and collaborating with neighborhoods on innovative solutions to address and prevent crime issues across the city. The Community Outreach Division is led by a Captain, whose primary responsibility is to provide general management direction and control for the Community Outreach Division. This division consists of uniformed Traffic, Bike, Neighborhood Contact, School Resource, Airport, and Boise State University teams; and Criminal Intelligence Unit (CIU), Behavioral Health Unit, and Special Events.

### **200.3.5 Professional Standards Division**

The mission of the Professional Standards Division is to protect the public, the employee, and the Department by conducting fair, thorough, and proactive investigations of alleged police misconduct. The Professional Standards Division is led by a Captain, whose primary responsibility is to provide general management direction and control for the Professional Standards Division. The Professional Standards Division includes the Office of Internal Affairs, departmental policy process, backgrounds/onboarding, and recruiting functions.

### **200.3.6 Training Division**

The Training Division (Training) manages and administers department-wide programs and processes for standardized training, leadership development, and to promote employee safety and wellness. The Training Division is led by a Captain, whose primary responsibility is to provide general management direction and control for the Training Division. This division consists of the Training unit, Armory, Patrol Academy, and the Range.

### **200.3.7 Special Operations Group**

The Special Operations Group (SOG) is a cross-divisional group of officers specially trained in advanced tactics and deployed for special or high-risk police operations. The Special Operations Group is led by a Commander, whose primary responsibility is to provide general management direction and control for the SOG units. The SOG is comprised of a Special Operations Unit (SOU) Explosive Ordnance unit (EOD), and a Crisis Negotiation Team (CNT).

### **200.3.8 Public Safety Communications Team**

The Public Safety Communications Team creates and facilitates clear, concise, and accurate communication between the Boise Police Department and both news media outlets and the general public. Information is shared through the publication of press releases, social media, other electronic communication and in person dialogue. The Public Safety Communications Team is led by a Communication Sr. Manager, whose primary responsibility is to provide general management direction and control over staff in the Public Safety Communications Team and fulfilling the role of Communication Manager on the Community Engagement Team.

## **200.4 Command Protocol**

Members of the Boise Police Department shall recognize and utilize established command protocol for succession of command and unity of command, in accordance with the standards detailed below.

### **200.4.1 Succession of Command**

The Chief of Police exercises command over all personnel in the Department. During planned absences, the Chief of Police will designate the Deputy Chief to serve as the acting Chief of Police.

Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police and Deputy Chief is as follows:

- Patrol Division
- Community Outreach Division
- Criminal Investigations Division
- Training Division
- Professional Standards Division

### **200.4.2 Unity of Command**

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., Canine, SOU), any supervisor may temporarily direct any subordinate if an operational necessity exists.

## **200.5 Authority and Responsibilities**

Each member will be assigned duties and responsibilities. Each member is delegated the authority necessary to effectively execute those responsibilities. Each member will also be held accountable for the appropriate application of that delegated authority.

## **201 EXECUTIVE ORDERS**

Effective Date: 08/17/2022  
Revised Date: 7/27/2022  
Issuing Authority: Chief Ryan Lee

### **201.1 Purpose and Scope**

Executive Orders establish an interdepartmental communication that may be used by the Chief of Police or designee to make immediate changes to policy and procedure consistent with the current Memorandum of Understanding. Executive Orders will immediately modify or change and supersede sections of this manual to which they pertain.

#### **201.1.1 Executive Order Protocol**

Executive Orders will be incorporated into the manual as required upon issuance. Executive Orders will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Executive Orders have now been incorporated in the updated Policy Manual as of the below revision date.

Any Executive Orders issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year. For example, 2023-01 signifies the first Executive Order for the year 2023.

### **201.2 Responsibilities**

#### **201.2.1 Employees**

All employees shall review and acknowledge revisions of the Policy Manual, which will incorporate changes originally made by an Executive Order.

#### **201.2.2 Chief of Police**

The Chief of Police or designee shall issue all Executive Orders. Upon issuance, Executive Orders will be communicated to all employees impacted by the Order in a timely manner.

### **201.3 Acknowledgement of Executive Orders**

All employees are required to read and obtain any necessary clarification of all Executive Orders. All employees are required to acknowledge the receipt and review of any new Executive Order. Failure of a member to review Executive Orders and changes in Policy shall not be an excuse for violation of policy. Signed acknowledgement records will be maintained by the Captain of the Training Education and Development Division.

## **202 EMERGENCY MANAGEMENT PLAN**

Effective Date: 08/17/2022  
Revised Date: 7/27/2022  
Issuing Authority: Chief Ryan Lee

### **202.1 Purpose and Scope**

This policy clarifies the role of the Boise Police Department, the City of Boise Emergency Operations Plan (EOP), the Ada County Emergency Operations Plan and responsibilities of its members pertaining to large scale emergencies and the Idaho Emergency Operations Plan (IDEOP).

### **202.2 Policy**

The Boise Police Department will prepare for large scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies.

The City Emergency Operations Plan complies with IDEOP ([Idaho Code 46-1006](#); [Idaho Code 46-1009](#)). This plan provides guidance for City emergency operations within and outside its borders, as may be required.

### **202.3 Activating the Emergency Operations Plan**

The Mayor or Mayor's designee is the only person who can declare a local disaster emergency. This declaration activates the City's EOP. Law enforcement may respond and participate in an immediate response to a disaster-type scenario in the course of their duties. This response falls within guidelines under the National Incident Management System (NIMS). However, an official declaration is needed in order to activate the EOP. This unlocks additional resources. Once the mayor or their designee declare a disaster, they will then activate the EOP for the City of Boise. Emergency operations will be managed by the City Coordination Center (CCC). The CCC is similar to an Emergency Operations Center (EOC).

Upon activation of the plan, the Chief of Police or their authorized designee shall contact the CCC and [Boise's Office of Emergency Management \(OEM\)](#) to assist with mutual aid response from local, state and federal law enforcement agencies. All requests for assistance will be made through the CCC and/or Boise OEM.

This department shall operate under the National Incident Management System (NIMS) and the Incident Command System (ICS).

#### **202.3.1 Recall of Personnel**

In the event that the Emergency Operations Plan is activated, all employees of the Boise Police Department are subject to immediate recall to service as soon as is practicable. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the highest ranking on-duty supervisor.

Failure to promptly respond to an order to report for duty may result in discipline.

#### **202.3.2 Continuity of Operations Plan**

The Continuity of Operations Plan (COOP) establishes the chain of command for the city during a disaster response. In the event the Mayor or the Mayor's designee is incapacitated and/or

unavailable, the COOP designates the next in command of the city. The COOP is located with the City's EOP.

#### **202.4 Location of the Emergency Operations Plan**

Copies of the Emergency Operations Plan are available in the Boise City Hall Emergency Management Office, the City Hall Security Office, BPD's Criminal Intelligence Unit, and via the Boise Office of Emergency Management SharePoint (restricted access). All supervisors should familiarize themselves with the Emergency Operations Plan; especially the EOP's Concept of Operations, Emergency Support Function (ESF) roles, and the Disaster Declaration checklist. Personnel wishing to review the EOP and/or supporting documents may contact the Criminal Intelligence Unit or Boise OEM for copies. The Administrative Support Division Captain will ensure that department members are familiar with the roles they will fulfill when the plan is implemented.

#### **202.5 Emergency Operations Plan**

The Chief of Police or the authorized designee shall review the Emergency Operations Plan at least annually and ensure that the plan conforms to any NIMS revisions. The Chief of Police or the authorized designee should appropriately address any needed revisions.

#### **202.6 Training**

The Department should provide annual training on the Emergency Operations Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Operations Plan and personnel responsibilities when the plan is implemented. Training should incorporate a full or partial exercise, tabletop or command discussion.

## **203 TRAINING**

Effective Date: 05/01/2025  
Revised Date: 03/19/2025  
Issuing Authority: Chief Chris Dennison

### **203.1 Purpose and Scope**

It is the policy of this department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, this department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

### **203.2 Policy**

The Department shall administer a training program that will meet the standards of federal, state, local, and the Idaho Police Officer Standards and Training (POST) Council training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

It is the responsibility of every sworn officer to ensure they are retaining their certification and following Idaho POST requirements.

### **203.3 Training Plan**

A training plan will be developed and maintained by the Training Captain. It is the responsibility of the Training Captain to maintain, review and update the training plan on an annual basis. The plan will address the following areas:

- Legislative changes
- State-mandated training
- Critical issues training

### **203.4 Training Needs Assessment**

The Training Division will conduct an annual training-needs assessment of this department. The needs assessment will be reviewed by the Deputy Chief and Chief. Upon approval, the needs assessment will form the basis for the training plan for the following year.

### **203.5 State-Mandated Training and Certification**

An officer must successfully complete the POST Basic Training Academy within one year of employment, unless challenging a basic academy under IDAPA 11.11.01.059 (IDAPA 11.11.01.057).

Unless exempted, an officer must be certified by POST within one year after being first appointed (IDAPA 11.11.01.057).

Once certified, an officer must retain their certification by attending in service training or risk suspension of their certification (IDAPA 11.11.01.131).

Any officer who fails to maintain their certification is subject to corrective action.

### **203.6 Training Procedures**

- (a) All employees assigned to attend training shall attend unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to:
  - 1. Court appearances
  - 2. First choice vacation
  - 3. Sick leave
  - 4. Physical limitations preventing the employee's participation
  - 5. Emergency situations
- (b) When an employee is unable to attend mandatory training, that employee shall:
  - 1. Notify his/her supervisor as soon as possible, but no later than at least one hour prior to the start of training.
  - 2. Document his/her absence in a memorandum to his/her supervisor.
  - 3. Make arrangements through his/her supervisor and the Training Division to attend an alternate date.
- (c) Employees who are not properly excused from training by following the above procedures are subject to corrective action.

## **205 ADMINISTRATIVE COMMUNICATIONS**

Effective Date: 4/1/2024

Revised Date: 2/15/2024

Issuing Authority: Chief Ron Winegar

### **205.1 Purpose and Scope**

Administrative communications of this department are governed by the following.

### **205.2 Correspondence**

In order to ensure that the letterhead and name of this department are not misused, all external correspondence shall be on Boise Police Department letterhead. All Boise Police Department letterhead shall bear the signature element of the Chief of Police. Personnel should use Boise Police Department letterhead only for official business, with approval of their supervisor, and utilizing City of Boise Community Engagement standards, templates, style guides, and approved logos.

### **205.3 Surveys**

All surveys made in the name of this department shall be authorized by the Chief of Police or a Division Commander.



## 207 RETIREE IDENTIFICATION CARD / CONCEALED FIREARMS

Effective Date: 1/1/2023

Revised Date: 12/2/2022

Issuing Authority: Chief Ron Winegar

### 207.1 Purpose and Scope

The purpose of this policy is to provide guidelines for the issuance, denial, suspension, or revocation of Boise Police Department identification cards to qualified former or retired law enforcement officers under the Law Enforcement Officers' Safety Act (LEOSA) ([18 USC § 926C](#)).

### 207.2 Definitions

**Retired/Separated in Good Standing:** Individuals are deemed to have retired or separated from service in "good standing", unless, at the time of separation:

1. There was a determination made or action initiated to remove, or proposal to remove, the employee from employment;
2. The employee was the subject of a pending psychological fitness for duty evaluation or had been found not fit for duty based on a psychological determination;
3. There was an unadjudicated allegation of misconduct against the employee, the investigation of which produced evidence sufficient to support an adverse personnel action;
4. The employee left the agency following formal allegations of misconduct and/or unsatisfactory performance, or after being advised they would be removed from the agency; and/or
5. The employee was indefinitely suspended from duty with or without pay.

### 207.3 Policy

It is the policy of the Boise Police Department to provide identification cards to qualified former or retired officers to facilitate the lawful carrying of concealed weapons by those individuals.

### 207.4 LEOSA

The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department who ([18 USC § 926C\(c\)](#)):

1. Separated from service in good standing from this department as an officer.
2. Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
3. Has not been disqualified for reasons related to mental health.

4. Has not entered into an agreement with this department where the officer acknowledges that they are not qualified to receive a firearm qualification certificate for reasons related to mental health.
5. Is not prohibited by federal law from receiving or possessing a firearm.

#### **207.4.1 LEOSA Identification Card Format**

The LEOSA identification card should contain a photograph of the former officer and identify them as having been employed as an officer.

If the Boise Police Department qualifies the former officer prior to its issuance, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the required standards for qualification to carry a firearm.

#### **207.4.2 Authorization**

Any qualified former law enforcement officer, including a qualified former officer of this department, may carry a concealed firearm under [18 USC § 926C](#) when they are:

1. In possession of photographic identification that identifies them as having been employed as a law enforcement officer, and one of the following:
  - a. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.
  - b. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active-duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
2. Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
3. Not prohibited by federal law from receiving a firearm.
4. Not in a location prohibited by Idaho law or by a private person or entity on his/her property if such prohibition is permitted by Idaho law.

#### **207.5 Former Officer Responsibilities**

A former officer with a card issued under this policy shall immediately notify the On-Duty Supervisor of their arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Charges and Convictions Policy.

##### **207.5.1 Responsibilities Under LEOSA**

In order to obtain or retain a LEOSA identification card, the former officer shall:

- Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed

firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.

- Remain subject to all applicable department policies and federal, state, and local laws.
- Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

The Captain of the Training Division or designee will be responsible for ensuring BPD compliance with LEOSA standards and maintaining required records.

### **207.6 Firearm Qualifications**

The Rangemaster or designee may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster or designee will maintain a record of the qualifications and weapons used.

## **300 USE OF FORCE**

Effective Date: 4/01/2024

Revised Date: 2/15/2024

Issuing Authority: Chief Ron Winegar

### **300.1 Purpose and Scope**

This policy sets forth criteria governing the use of force. All officers and Community Service Officers (CSO) are responsible for knowing and complying with this policy. Violations of this policy may result in disciplinary action, up to termination, and may subject the officer to criminal prosecution. Supervisors shall ensure that all personnel in their command know the content of this policy and operate in compliance with it.

#### **300.1.1 Sanctity of Life**

The Boise Police Department's highest priority is safeguarding the life, dignity, and liberty of all persons. Officers shall demonstrate this principle in their daily interactions with the community they are sworn to protect and serve. The Department is committed to accomplishing this mission with respect and minimal reliance on the use of force by using rapport-building communication, crisis intervention, and de-escalation tactics. Officers must respect the sanctity of all human life, act in all possible respects to preserve human life, do everything reasonably possible to avoid unnecessary uses of force, and minimize the force that is used, while still protecting themselves and the public.

#### **300.1.2 Use of Force Standard**

It is the policy of the Boise Police Department to value and preserve human life without prejudice to anyone. Officers shall use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of the officer and others. Officers shall use force only when no reasonably effective alternative appears to exist and shall use only the level of force which a reasonably prudent officer would use under the same or similar circumstances. This policy takes into consideration that there are a range of reasonable responses to each situation. Officers are expected to use de-escalation techniques when reasonably possible to reduce or eliminate the use of force, and without increasing the risk of harm to officers.

The U.S. Supreme Court in *Graham v. Connor* (1989) determined that "objective reasonableness" is the Fourth Amendment standard to be applied in assessing claims of excessive force by police. Per *Graham V. Connor*, the decision to use force "requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officer or others, and whether he is actively resisting arrest or attempting to evade arrest by flight."

In addition, "the 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The question is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving.

When making use of force decisions, officers should be mindful that subjects may be physically or mentally incapable of responding to police commands due to a variety of circumstances, including, but not limited to, alcohol or drugs, mental impairment, medical conditions, or language and cultural barriers.

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

In deciding what type of reasonable force to use, officers and CSO's must use sound judgment and their training to assess the degree of threat in a given situation, and to determine what BPD authorized force techniques or weapons will bring the situation under control in a reasonable manner. It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

### **300.1.3 Factors to Include the Reasonableness**

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

- The severity of the crime.
- Whether the subject poses an immediate threat to the safety of officers or others.
- Whether the subject is actively resisting arrest or attempting to evade arrest by flight.
- The influence of drugs/alcohol or the mental capacity of the subject.
- The time available to an officer to make a decision.
- The availability of officers or resources (including the number of officers present at the time) to de-escalate the situation.
- The proximity or access of weapons to the subject.
- The environmental factors and/or other exigent circumstances.

## **300.2 Definitions**

**Conducted Energy Weapon (CEW)** A CEW can either be used in “probe” or “drive stun” mode. The probes are deployed from the CEW with the intention of causing neuromuscular incapacitation. The “drive stun” is deployment against a body part to complete the circuit and or gain pain compliance. The CEW is considered an intermediate weapon.

**Control Hold** -Any hold designed to allow an officer to control the movement of a subject (e.g., twist lock, rear wrist lock, finger lock, etc.). A control hold can be applied without causing pain.

**Deadly force** - Any force that creates a substantial risk of causing death or serious bodily injury.

**Force** - The application of physical techniques or tactics, chemical agents, or weapons to another person. This includes the pointing of a firearm, launcher, or CEW laser while challenging, detaining, or taking any person into custody. It is not a use of force when a person allows themselves to be searched, escorted, handcuffed, or restrained.

**Hard Empty Hand Techniques** – Techniques most commonly used to overcome active aggression or life-threatening circumstances.

**Less-Lethal Force** – Any use of force which, due to possible physiological effects of application, presents less potential for causing death or serious injury than conventional deadly force options. Less-lethal force options include, but are not limited to, a specialized launcher, CEW, chemical agent, or other authorized device that can discharge, fire, launch or otherwise propel single or multiple flexible, or non-flexible projectiles, or chemical agents designed to cause physiological effects to avoid a higher level of force.

**Objectively Reasonable** – An objective standard of force viewed from the perspective of a reasonable officer, without the benefit of 20/20 hindsight, and based on the totality of the circumstances presented at the moment the force is used.

**Pain Compliance Technique** – Involves the manipulation of a person's joints or pressure points intended to create sufficient pain for the purpose of motivating a person to comply with verbal commands.

**Serious bodily injury** – A serious impairment of physical condition, including but not limited to loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of any bodily member or organ, a wound requiring extensive suturing, and/or serious disfigurement.

**Soft Empty Hand Techniques** – Techniques most commonly used to overcome obstructive resistance. This includes low levels of control other than officer presence and verbal direction.

**Totality of the circumstances** – All facts known to the officer at the time, including the conduct of the officer and the subject leading up to the use of force

### **300.3 Duty to Intervene and Duty to Report**

Any employee who observes another officer, CSO, or supervisor, from this agency or another agency using force that is clearly unreasonable under the circumstances shall immediately take reasonable action to attempt to mitigate such use of force. This may include verbal intervention or, when in a position to do so, physical intervention. Further, any officer or CSO who learns of a potentially unauthorized use of force, even if they did not witness it personally, shall promptly report this information to an on-duty supervisor at the first opportunity. If an officer or CSO witnesses or learns of their own supervisor using unauthorized force, they shall report the incident to the next level of supervision. Supervisors must respond and document the incident.

**Retaliation** - The department or any employee will not retaliate or discipline an employee who intervenes to stop any unjustified or unreasonable use of force or subsequent reporting.

### **300.4 Medical Considerations**

When an officer or CSO uses force that results in injury, complaint of an injury, or difficulty breathing, the officer or CSO shall promptly summon medical assistance, when reasonable and safe to do so, in order to ensure that the subject receives appropriate medical care. Officers will be mindful that persons in a prolonged physical encounter with officers may be at an increased

risk of medical distress or medical emergency. Officers will monitor for signs of life (e.g., pulse, respiration, and chest movement) and update responding medical personnel via Dispatch with any changes in the subject's condition. Officers should render medical aid within the scope of their departmental training and skill level while awaiting the next level of medical care.

Officers will not restrain subjects who are in custody and under control in a manner that compromises their ability to breathe. Prone handcuffed subjects will be immediately placed in a recovery or seated position once safe to do so (i.e., the placement of a subject's body in a manner that does not restrict breathing or obstruct the airway, such as on their side or upright). While handcuffed subjects are seated, they will not be forcefully bent forward at the waist, and pressure will not be applied to their back, neck, or head.

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

Medical attention shall be required for the following applications of force regardless of visible injury or complaint of injury:

1. Impact weapons /all strikes
2. Conducted Energy Weapon (CEW) usage
3. Any firearm usage where the subject is struck by a bullet or projectile
4. Less Lethal Force:
  - 40mm Impacts
  - FN303 Impacts
  - Oleoresin capicum (OC) / chemical exposure
  - All canine bites

The primary officer or on-scene supervisor shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force.

### **300.5 De-Escalation Tactics**

De-escalation tactics and techniques are actions used by officers which seek to minimize the need to use force during an incident. Such tactics and techniques may increase the likelihood of voluntary compliance when employed and shall be used when it is safe to do so. De-escalation tactics emphasize slowing an incident down to allow time, distance, and flexibility for the situation to resolve. Officers shall continually assess the dynamics of a situation and modulate their response and actions appropriately.

The application of these tactics is intended to increase the potential for resolution with a minimal reliance on the use of force, or without using force at all. If immediate action is not necessary, an officer(s) shall attempt to use verbal de-escalation techniques.



Officers shall gather information about the incident, assess the risks, assemble resources, attempt to slow momentum, and communicate and coordinate a response. In their interaction with subjects, officers should use advisements, warnings, verbal persuasion and other tactics and alternatives to force. Officers may move to a position that is tactically more secure or allows them greater distance to consider or deploy a greater variety of force options.

- De-escalation techniques may include verbal persuasion, warnings, and tactical de-escalation techniques, such as: slowing down the pace of an incident; “waiting out” subjects; creating distance (increasing the reactionary gap) between the officer and the threat; and requesting additional resources (e.g., specialized units, mental health care providers, negotiators, etc.) to resolve the incident.
- Officers should recognize that they may withdraw to a position that is tactically advantageous or allows them greater distance to de-escalate a situation.
- Officers should consider a variety of options, including lesser force or no force options.
- Officers should attempt to understand and consider possible reasons why a subject may be noncompliant or resisting arrest.
- A subject may not be capable of understanding the situation because of a medical condition; mental, physical, or hearing impairment; language barrier; drug interaction; or emotional crisis and have no criminal intent. These situations may not make the subject any less dangerous but understanding a subject’s situation may enable officers to calm the subject and allow officers to use de-escalation techniques while maintaining public and officer safety.
- Officers should continue de-escalation techniques, when feasible and appropriate, and take as much time as reasonably necessary to resolve the incident, in effort to avoid and/or minimize the use of force.

When time and circumstances allow, officers shall consider the following tactical principles:

1. Make a tactical approach to the scene.
2. Maintain a safe distance.
3. Use available cover or concealment and identify escape routes.
4. Stage EMS.
5. Control vehicle and pedestrian traffic.
6. Establish communication, preferably with one officer.

### **300.6 Use of Force**

#### **300.6.1 Levels of Resistance**

**Compliant** – Cooperative and/or responsive to lawful commands and offers no resistance.

**Obstructive Resistance** – Resistance where the subject is uncooperative, not complying with an officer’s commands, or their physical actions are intended to prevent an officer from placing the subject in custody or under control; the subject’s actions are not directed at harming the officer or others.



Examples Include:

- Standing stationary and not moving upon lawful direction
- Becoming “dead weight”
- Holding onto a fixed object (e.g., steering wheel or utility pole) or locking arms with another during a protest
- Walking or running away
- Breaking an Officer’s grip

**Active Aggression** - Physical actions or battery against the officer or another person with less than deadly force.

Examples Include:

- Punching
- Kicking
- Grabbing
- Biting

**Life Threatening**- Any action likely to result in serious bodily injury or death of the officer or another person.

### **300.6.2 Levels of Control**

Levels of control are established to identify the force intervention and at what level it is being applied. The risk for injury to the officer and subject is also taken into consideration when determining levels of control. Officer presence and verbal direction are not considered force.

Low level force:

Pointing of a firearm while challenging, detaining, or taking any person into custody.

1. Pointing of a CEW laser at a person while challenging, detaining, or taking any person into custody.
2. Control holds - A physical control technique that has minimal risk of injury and does not include any impact tools or strikes.
3. Pain compliance techniques – use of wrist lock, arm bar, or pressure points to gain compliance.

Officers utilizing any pain compliance technique should consider:

- Whether the person can comply with the direction or orders of the officer.
- Whether the person has been given sufficient opportunity to comply.

The purpose of pain compliance is to direct a person's actions. The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

Intermediate level force:

Strikes or kicks.

Less-Lethal Force Methods:

- Blunt impact. Officers may use a baton or projectile to immobilize a suspect who is actively resisting.
- Chemical. Officers may use chemical sprays or projectiles embedded with chemicals (e.g., pepper spray, Pava, or similar) to restrain an individual who is actively aggressive.
- Conducted Energy Weapon. Officers may use a CEW to restrain a suspect who is displaying active aggression.
- Canine (with bites)
- Deadly Force

### **300.6.3 Lateral Vascular Neck Restraint Prohibited**

The use of a Lateral Vascular Neck Restraint (LVNR), Carotid Control Hold, choke hold or any similar technique is prohibited unless deadly force is authorized.

The term choke hold refers to a technique that may inhibit breathing by compression of the airway in the neck. LVNR or Carotid Control Holds may inhibit blood flow to the brain by compression of the blood vessels and arteries in the neck.

### **300.7 Use of Deadly Force**

Where feasible, the officer shall, prior to the use of deadly force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless it is objectively reasonable that the person is aware of those facts.

An officer shall not use deadly force against another person if it reasonably appears that doing so would unnecessarily endanger innocent people. Officers should only use deadly force when:

1. The officer reasonably believes that doing so is necessary to protect the officer or others from an imminent threat of death or serious bodily injury.
2. An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

An “imminent” threat of death or serious bodily injury exists when, based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the officer or another person.

### **300.7.1 Drawing and Pointing Firearms**

Officers should carefully evaluate each tactical situation and use sound discretion when drawing a firearm in public by considering the following guidelines:

1. If the officer does not initially perceive a threat but it is objectively reasonable that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed toward an individual.
2. If it is objectively reasonable that a significant threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed encounter), firearms may be directed toward said threat until the officer no longer perceives a threat.
3. Once it is reasonably safe to do so, officers should carefully secure all firearms.

### **300.7.2 Shooting at or from Moving Vehicles**

Absent exigent circumstances, officers shall not discharge firearms from a moving vehicle.

Firearms shall not be discharged at a stationary or moving vehicle, the occupants of a vehicle, or the tires of a vehicle unless a person in the vehicle is imminently threatening an officer or another person present with deadly force. The moving vehicle alone does not presumptively constitute a threat that justifies the use of deadly force.

Officers shall not move into, remain, or otherwise position themselves in the path of a vehicle in an effort to detain or apprehend the occupants. Any officer in the path of a moving vehicle shall immediately attempt to move to a position of safety rather than discharging a firearm at the vehicle or any of the occupants.

Because this policy may not cover every situation that may arise, a deviation from this policy may be objectively reasonable and objectively necessary depending on the totality of the circumstances. A deviation from this policy would, for instance, be justified if the officer used a firearm in an attempt to stop an imminent vehicle attack on a crowd or a mass casualty terrorist event.

### **300.8 Use of Force Performance**

The Boise Police Department utilizes a decision-making model for analyzing the performance of officers and CSOs who are involved in a use of force event. When an officer or CSO uses force, they will describe their decision making at each significant point of the contact. The officer or CSO's decisions will be assessed during the review to ensure compliance with this policy has been met. Refer to Use of Force Procedure for Decision Making Model diagram and description.

### **300.9 Reporting Requirements**

#### **300.9.1 Officer Responsibility**

All use of force involving soft empty hand techniques shall be documented in a detailed report in the report writing system, checking the box indicating the use of soft empty hand techniques, by the officer.

Any officer or CSO who uses reportable force involving hard empty hand techniques shall, as soon as practical, make an oral report to an on-duty sergeant or command officer in the following situations:

- When an officer discharges a firearm (intentional or unintentional) while on duty, except during a supervised training session.
- When an officer discharges a firearm while off-duty pursuant to his or her authority as a law enforcement officer.
- When an officer or CSO uses force that results in death or injury, or when a subject complains that an injury has been inflicted.
- When an officer or CSO uses an intermediate force option(s) (e.g., strikes, oleoresin capicum, CEW, or baton) on a person, whether or not an injury is sustained.
- Whenever an officer points a firearm or points a CEW laser during the performance of his/her duties to challenge, detain or take any person into custody.
- When a canine is deployed and bites a member of the public.

The officer or CSO must complete all appropriate reports including a use of force report based on the type of force used.

Exceptions to reportable force a Use of Force Report is not required when no injury or complaint of injury occurs as a result of:

- Low profile pat down/high profile pat down/arm lock/standing search.
- Routine handcuffing.
- When an officer uses a hobble or WRAP device to control a suspect.
- Felony prone handcuffing (front and rear).
- Felony prone search/felony kneeling.
- Baton escort technique.
- Dispatching and injured or dangerous animal.

### **300.9.2 Supervisor and Chain of Command Responsibility**

A sergeant shall be assigned and respond to the scene if available in the following situations:

1. When an officer engages in any reportable use of force involving hard empty hand techniques.
2. When an officer discharges a firearm (intentional or unintentional) while on duty, except during a supervised training session or when dispatching an injured animal.
3. When an officer discharges a firearm while off-duty pursuant to his or her authority as a law enforcement officer. (Refer to Policy 338).
4. When an officer or CSO uses force (including, but not limited to, a less-lethal weapon) that results in death or injury, or when a subject complains that an injury has been inflicted.

5. When an officer or CSO reports a use of force by another officer or CSO, or of any other law enforcement agency, that he or she believes is unauthorized.

### **300.10 Training**

Sworn officers and Community Service Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

Subject to available resources, the Training Division Captain should ensure that officers receive periodic training on de-escalation tactics, including alternatives to force. Training Division members will conduct a training review of every use of deadly force. Training Division members may also conduct reviews of other uses of force by request.

Training shall be conducted on a regular basis following the requirements set by Idaho POST. The Training Division may exceed the required training set by Idaho POST in any topic as determined appropriate.

### **300.11 Use of Force Annual Review**

The Training Division Captain or his or her designee should complete a comprehensive annual review on use of force incidents. The review shall not contain the names of officers, suspects or case numbers, and should include but not be limited to:

- An analysis of use of force patterns and trends
- Training needs recommendations
- Equipment needs recommendations
- Policy revision recommendations

### **300.12 Policy Review and Updates**

This policy shall be regularly reviewed and updated to reflect developing practices and procedures.

## **302 HANDCUFFING AND RESTRAINTS**

Effective Date: 6/1/2024  
Revised Date: 4/24/2024  
Issuing Authority: Chief Ron Winegar

### **302.1 Purpose and Scope**

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

### **302.2 Policy**

The Boise Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

### **302.3 Use of Restraints**

Only members who have successfully completed department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has any other apparent disability.

#### **302.3.1 Restraint of Detainees**

Situations may arise where it may be reasonable to restrain an individual who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to assure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

### **302.4 Alternative Means of Restraint**

Alternative Means of Restraint include but are not limited to:

- (a) Handcuffing the person with multiple sets of linked handcuffs
- (b) Use of the entire WRAP system
- (c) Use of the WRAP's ankle strap
- (d) Use of plastic handcuffs, aka flex-cuffs
- (e) Use of an ambulance gurney with five-point straps
- (f) Use of a straight leg hobble

#### **302.4.1 Restraint of Pregnant Person**

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety.

#### **302.4.2 Restraint of Juveniles**

A juvenile under 12 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

#### **302.4.3 Notifications**

Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during transportation to the jail.

#### **302.5 Application of Handcuffs or Plastic Cuffs**

Officers should, as soon as possible, handcuff or use plastic cuffs to secure a person who is under arrest for a warrant or a crime to reduce the risk of injury.

Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint during an investigatory stop or other detainment.

Officers should have articulable facts to support the use of handcuffs in these situations. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs shall be placed between the base of the palm and the ulna and radius bones at the wrist, double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists and checked for tightness.

In situations where one pair of handcuffs does not appear sufficient to restrain the individual or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

##### **302.5.1 Transporting Subjects**

Except in extraordinary circumstances officers will transport subjects under arrest or placed on a mental hold in handcuffs, plastic cuffs, or other restraint device such as the WRAP.

Officers may use handcuffs when transporting individuals for a courtesy ride. Consent to search and transport shall be obtained prior to placing the subject in the back of the car.

#### **302.6 Application of Spit Hoods/Masks/Socks**

Spit hoods/masks/socks are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of restrained individuals due to the potential for impaired or distorted vision on the part of the individual. Officers should avoid comingling individuals wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated including hair, head and clothing prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

### **302.7 Application of The Wrap**

The WRAP is a temporary restraining device comprised of a velcro strapped leg panel, torso harness, ankle strap and backside handcuff carabiner. The device immobilizes the body into a straight-legged seated position. Used properly, it restricts a subject's ability to do harm to oneself or others. Officer safety is enhanced and the risk of injury to the subject is reduced.

In determining whether to use the WRAP, officers should consider:

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.
- (b) Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).
- (d) Whether conventional methods of restraint have failed.

#### **302.7.1 Guidelines for Use of the Wrap**

When applying the WRAP, the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the WRAP. In all cases, a supervisor shall be notified as soon as practicable after the application of the WRAP.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility, or the person no longer reasonably appears to pose a threat.



- (c) Restraint straps should be checked frequently for tightness, and adjusted as necessary, until the WRAP is removed. The harness straps shall never be tightened to the point they interfere with the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while the WRAP is in use. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of distress such as sudden quiet or inactivity, complaints of chest pain, change in facial color, complaint of extreme heat, vomiting, and/or labored breathing, and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) Movement of the person can be accomplished in three ways, depending on the level of their cooperation; the person can be carried, allowed to stand and shuffle walk or be transported in a vehicle.
- (g) Once secured in a vehicle, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (h) If in custody and transported by ambulance/paramedic unit, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

### **302.7.2 Device Removal**

Based on the prisoner's combativeness or level of aggression, officers should employ appropriate control techniques and tactics when removing the WRAP.

### **302.7.3 The Wrap's Ankle Strap**

The ankle strap is one part of the WRAP restraint system. The ankle strap may be used alone (without the rest of the WRAP system) to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. Use of the ankle strap will follow the same guidelines listed above for the WRAP.

## **302.8 Application of Leg Restraint Devices**

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Departmentally approved leg restraints are the WRAP Device and hobble. Officers shall not use the hobble for the maximum restraint technique, putting a person on his stomach and tying his cuffed hands to his bound feet behind his back.

In determining whether to use the leg restraint, officers should consider:

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.

- (b) Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., hitting his/her head against the interior of the patrol unit, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

### **302.8.1 Guidelines for Use of Leg Restraints**

When applying leg restraints, the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility, or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by ambulance/paramedic unit, the restrained person shall be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

### **302.9 Required Documentation**

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

### **302.10 Training**

Subject to available resources, the Training Captain should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper use of handcuffs, the WRAP, hobble, and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.

- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

## **304 CONDUCTED ENERGY WEAPON**

Effective Date: 10/05/2023  
Revised Date: 08/30/2023  
Issuing Authority: Chief Ron Winegar

### **304.1 Purpose and Scope**

This policy provides guidelines for the issuance and use of the Conducted Energy Weapon (CEW).

### **304.2 Definitions**

**Conducted Energy Weapon (CEW)** - A CEW can either be used in “probe” or “drive stun” mode. The probes are deployed from the CEW with the intention of causing neuromuscular incapacitation. The “drive stun” is deployment against a body part to complete the circuit and or gain pain compliance. The CEW is considered an intermediate weapon.

**CEW Deployments** - The following methods of deployment may be utilized:

- Discharging CEW probes
- Conducting a drive stun with CEW
- Arc warning – visual and/or auditory warning used in an attempt to gain compliance
- Laser warning – visual warning used in an attempt to gain compliance

### **304.3 Policy**

The CEW is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects. Deployment of the CEW shall be in compliance with this policy and in accordance with Department training.

### **304.4 Issuance and Carrying the CEW**

Only officers who have successfully completed department-approved training may be issued and carry the CEW. CEWs are individually issued to sworn officers of this Department.

Officers shall only use the CEW and cartridges that have been issued by the Department. Uniformed officers who have been issued the CEW shall wear the device in a department approved holster on their person. Non-uniformed officers may temporarily secure the CEW in a locked compartment of the vehicle while on duty.

Officers wearing an Honor Guard uniform or class A uniform at a ceremonial event are exempted from wearing a CEW.

Officers carrying the CEW shall perform a function test prior to deploying in the field with the CEW. CEW batteries shall be docked on the provided docking station a minimum of every 30 days, in accordance with manufacturer guidelines.

When carried while in uniform, officers shall carry the CEW in a support-side holster attached to the duty belt or external vest carrier, on the opposite side of the duty weapon. The CEW holster

may be attached to allow a cross draw or support side draw. Any exceptions require prior authorization from the Chief of Police or designee.

1. All CEWs shall be clearly and distinctly marked to visually differentiate them from the duty weapon and any other device.
2. Whenever practicable, officers should carry two or more cartridges on their person when carrying the CEW.
3. Officers shall be responsible for ensuring that their issued CEW is properly maintained and in good working order.
4. Officers shall not deploy both a firearm and the CEW at the same time.

### **304.5 Verbal and Visual Warnings**

A verbal warning of the intended use of the CEW shall precede its application unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

1. Provide the individual with a reasonable opportunity to voluntarily comply.
2. Provide other officers and individuals with a warning that the CEW may be deployed. If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the laser and or arc warning in a further attempt to gain compliance prior to the application of the CEW. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

### **304.6 Use of the CEW**

The CEW has limitations and restrictions requiring consideration before its use. The CEW should only be used when its operator can safely approach the subject within the operational range of the device. Although the CEW is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options. Officers should, if practicable, ensure a plan is in place for taking physical control of the subject once the CEW has been deployed.

#### **304.6.1 Application of the CEW**

The CEW may be used in the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

- The subject is violent or is being actively aggressive (as defined in the Use of Force Policy)

Mere flight from a pursuing officer, without other known circumstances or factors, is not sufficient cause for the use of the CEW to apprehend an individual. Officers should continually assess the totality of the circumstances to include potential risks to the suspect as well as the continued threat to the public if not apprehended prior to considering the use of the CEW to apprehend a fleeing suspect.

Once the suspect is restrained or has complied, there shall be no further use of the CEW.

### **304.6.2 Special Deployment Considerations**

The use of the CEW on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device.

Added caution is warranted when considering the use of a CEW against individuals in an elevated risk population group, including individuals who appear to be or are known to be:

1. Pregnant
2. Elderly
3. Individuals with obviously low body mass, including small children; as well as individuals who are vulnerable due to situational factors, including:
4. Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray
5. Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles, or close proximity to deep or swift water)
6. Officers shall not use a CEW to disperse an active crowd

Because the application of the CEW in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

The CEW shall not be used to psychologically torment, elicit statements or to punish any individual.

### **304.6.3 Targeting Considerations**

Officers shall avoid the head, neck, chest and groin on the front of the body and avoid the head and neck on the back of the body. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the CEW probes to a precise target area, officers shall monitor the condition of the subject if one or more probes inadvertently strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

### **304.6.4 Multiple Applications of the CEW**

Officers shall apply the CEW for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the CEW against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the CEW appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the CEW, including:

- Whether the probes are making proper contact.

- Whether the individual has the ability and has been given a reasonable opportunity to comply.
- Whether verbal commands, other force options or tactics may be more effective.

Officers should generally not intentionally apply more than one CEW at a time against a single subject. Officers should generally not intentionally deploy CEW probes from one CEW on multiple individuals.

#### **304.6.5 Actions Following Deployments**

Officers shall notify a supervisor of all CEW deployments. The probes and wire should be secured in a fashion so as not to expose the probe ends and be discarded in a sharps container or turned over to medics on scene to be disposed of. If a subject dies or experiences significant injury subsequent to the use of the CEW, the cartridge and probes should be photographed and collected as evidence or left on scene for CITF investigators. This is also the case if the CEW was used in conjunction with a lethal force option. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

#### **304.6.6 Dangerous Animals**

The CEW may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

#### **304.6.7 Off-Duty Considerations**

Officers are not authorized to carry department CEWs while off-duty.

Officers shall ensure that CEWs are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

#### **304.7 Documentation**

Officer Responsibilities:

1. Officers shall document all CEW deployments in the related arrest/crime report. The report should include, at a minimum:
  - The crime(s) committed.
  - Threat posed to innocents and/or officers by the suspect.
  - Description of type/level of resistance.
  - Warnings given prior to deployment of CEW. If no warning was given, an explanation of why.
  - Approximate distance suspect was from the officer when the CEW was deployed.
  - Plan and or assignments made to take suspect into custody after CEW deployment. If no plan and or assignments were made an explanation of why.

- Where the CEW probes impacted the suspect and was the deployment successful.
  - Medical care that was provided to suspect.
2. Unintentional discharges shall be reported to a supervisor as soon as practicable.
  3. Gaining compliance by pointing the CEW at a person, activating the CEW laser or performing an arc warning shall also be reported to a supervisor and documented in an ITS report. Within the Probable Cause block of the report, the verbiage “CEW display”, “CEW laser” or “CEW arc warning” shall be included, along with details for the justification for the use of the CEW.

### **304.8 Medical Treatment**

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove CEW probes from a person’s body. Used CEW probes shall be treated as a sharp’s biohazard, similar to a used hypodermic needle, and handled appropriately. An exception to this requirement would be incidents when a subject continues to be combative, and the officer determines that the subject requires being maximally restrained. Officers may remove the probe using the approved removal device and technique if leaving the probes in the subject while applying a form of maximum restraints would result in intensified pain or injury to the subject.

All persons who have been struck by CEW probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories shall, as soon as practicable, be examined by paramedics or other qualified medical personnel:

1. The person is suspected of being under the influence of controlled substances and/or alcohol
2. The person may be pregnant
3. The person reasonably appears to be in need of medical attention
4. The CEW probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck)
5. The person requests medical treatment

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CEW.



### **304.9 Supervisor Responsibilities**

- A supervisor shall respond to all incidents where the CEW was deployed, in accordance with the Use of Force policy. When practicable, a supervisor should respond to developing incidents where CEW usage is reasonably likely to occur.
- A supervisor shall ensure all associated reports are completed by officers involved in the use of force.
- A supervisor shall review all CEW deployments and document them in BlueTeam, in the form of the CEW deployment mask and the Sergeants Use of Force Supplement. Data captured should include, at a minimum:
  - Crime(s) committed
  - Threat suspect posed to innocents and or officers
  - Type/level of resistance of the suspect
  - The distance the suspect was from the officer when the CEW was deployed
  - Type of mode used (probe or drive stun)
  - Medical care provided to the suspect
  - Any injuries sustained by the suspect
  - Any injuries sustained by responding officers
- A supervisor shall review all associated body worn camera video and attach video to the associated BlueTeam.
- A supervisor shall ensure the batteries from all CEWs that were used to gain compliance of a suspect are docked prior to the officer going off-duty.
- Supervisor shall ensure photographs of probe sites are taken and witnesses interviewed.
- A supervisor shall review the device logs of the CEWs that are assigned to the officers on their respective teams at the start of each shift rotation to ensure officers are in compliance with section 304.3 of this policy.
- Any policy violations will be investigated through the Policy 1010.00 Complaint process.

#### **304.9.1 Lieutenant Responsibilities**

The lieutenant shall review the supervisor's investigation and all attached documentation, to include video footage, and associated evidence in BlueTeam to ensure accuracy and completeness.

#### **304.9.2 Captain Responsibilities**

The captain will be responsible for the following:

1. Complete the Use of Force Administrative Review by reviewing the BlueTeam, to include associated video and evidence to ensure accuracy and completeness.
2. Once the review is complete, forward it to Professional Standards Division.

### **304.10 Training & Review**

The Training Division will provide annual training on the CEW in compliance with manufacturer's suggested requirements.

A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Chief of Police or designee. All training and proficiency for CEWs will be documented in the officer's training file.

CEW exposures during training could result in injury to personnel and shall not be mandatory for certification.

The Training Division Captain should ensure that CEW training includes:

1. A review of this policy
2. A review of the Use of Force Policy
3. Performing draws to reduce the possibility of unintentionally drawing and firing a firearm
4. Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest, and groin
5. Handcuffing a subject during the application of the CEW
6. De-escalation techniques
7. Restraint techniques that do not impair respiration following the application of the CEW
8. Transition drills, both escalation and de-escalation, between CEW and other weapon systems, including firearm transitions
9. A review of manufacturer minimum certification requirements, to ensure alignment

The Training Division Captain or designee should periodically analyze the report forms to identify trends, including deterrence and effectiveness.

## **305 CRITICAL AND TRAUMATIC INCIDENTS**

Effective Date: 6/01/2024

Revised Date: 4/24/2024

Issuing Authority: Chief Ron Winegar

### **305.1 Purpose and Scope**

The purpose of this policy is to establish policy and procedures for the investigation of an officer involved incident where death or an injury is likely to cause death, as a result of a use of force or involved traffic crash.

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

### **305.2 Policy**

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

### **305.3 Types of Investigations**

Officer-involved critical incidents involve several separate investigations. The investigations may include:

- (a) A criminal investigation of the suspect's actions.
- (b) A criminal investigation of the involved officer's actions.
- (c) An administrative investigation of the involved officer's actions.

### **305.4 Control of Investigations**

This department conforms to the Critical Incident Task Force (CITF) Protocol for investigating officer-involved deaths or injuries likely to cause death. The following scenarios outline the jurisdictional responsibilities for investigating critical incidents.

#### **305.4.1 Criminal Investigations**

The CITF is responsible for the criminal investigation of the suspect's actions and of the officer's actions. The criminal investigation will be reviewed by an outside prosecuting attorney's office. Under the CITF Protocol, the criminal investigation is generally referred to one or more outside agencies with a lead agency being ultimately responsible for the investigation.

#### **305.4.2 Administrative Investigation**

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

### **305.5 Investigation Process**

The following procedures are guidelines used in the investigation of an officer-involved critical incident.

### **305.5.1 Uninvolved Officer Responsibilities**

Upon arrival at the scene of an officer-involved critical incident, the first uninvolved BPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate

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

### **305.5.2 Supervisor Responsibilities**

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

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
  - 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any BPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
  - 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
  - 2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
  - 3. Account for shots down range from the subject and ensure safety checks are initiated for any impacted areas.
- (c) Provide all available information to the Watch Commander and Ada County Dispatch. If feasible, sensitive information should be communicated over secure networks.
- (d) Coordinate with investigators to provide damage forms and communicate with owners of damaged property.
- (e) Take command of and secure the incident scene with additional BPD members until properly relieved by another supervisor or other assigned personnel or investigator.
- (f) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.

1. Each involved BPD officer should be given an administrative order not to discuss the incident with other involved officers or BPD members pending further direction from a supervisor.
2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

### **305.5.3 Watch Commander Duties**

Upon learning of an officer-involved critical incident, the Watch Commander shall be responsible for coordinating all aspects of the incident until relieved by the Chief of Police or a Division Commander.

### **305.5.4 Notifications**

The Watch Commander or their designee will notify the Senior Command Group as soon as practicable. The Senior Command Group will be comprised of the following:

- Chief of Police
- Deputy Chief of Police
- All Division Captains
- Public Information Officer (PIO)
- Chief Administrative Officer (CAO)

The Watch Commander or their designee will then notify the Lieutenants group of needs and updates.

Division Captains will notify personnel in their division to include the following:

- Criminal Investigations Division Captain
- CID Lieutenant for hospital (if necessary)
- Peer support personnel / Chaplains
- Training Staff to replace seized weapons.
- Professional Standards Division Captain
- PSD Lieutenant for sequestering location

All outside inquiries about the incident shall be directed to the Watch Commander.

### **305.5.5 Involved Officers**

The following shall be considered for the involved officer:

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

- (a) Any request for or legal or union representation will be reasonably accommodated during first contact by investigators.

1. Involved officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
  2. Requests from involved non-BPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
- (d) A psychological consultation shall be arranged by the department for each involved BPD officer. The involved BPD officer will be required to attend two (2) sessions. A licensed mental health professional may also be provided to any other affected BPD members, upon request.
1. Interviews with a licensed mental health professional will be considered privileged.
  2. The first interview or session with a licensed mental health professional shall occur prior to the employee returning to work. The second session shall occur as determined between the involved officer and the provider. This second session will generally be held within 30 days of the incident. The mental health professional will confirm the officer has completed both sessions by notifying the Professional Standards Division with no additional information being shared.
  3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Peer support communications are covered under Idaho Title 9 Chapter 2 Section 9-203.
- (f) Involved employees will be placed on administrative leave for a minimum of 40 hours. We recognize some employees may need additional time; therefore, the Chief of Police or their designee, are authorized to allow up to an additional 40 hours of paid administrative leave upon request of the involved employee. If the department is notified by an approved mental health professional the involved employee needs more than the allowed time beyond the additional 40 hours, the Chief of Police, or their designee, will work with Human Resources to address the needs of the involved employee.

The department will work with the City and County Prosecutors offices to set over any court subpoenas while on paid administrative leave.

Involved employees on paid administrative leave will not be allowed to work any overtime or special event overtime while in this status.

### **305.6 Criminal Investigation**

The CITF is responsible for the criminal investigation into the circumstances of any officer-involved critical incident.

If available, CITF personnel from this department may be assigned to partner with investigators from outside agencies to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, CITF investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

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

#### **305.6.1 Investigative Personnel**

Once notified of an officer-involved critical incident it shall be the responsibility of the designated Criminal Investigation Division supervisor to assign appropriate investigative personnel to form the CITF to handle the investigation of related crimes. This may include a Crash Reconstruction Team if a vehicle is involved. Department investigators will be assigned to work with investigators from the CITF and may be assigned to separately handle the investigation of any related crimes not being investigated by CITF.

All related CITF reports, except administrative and/or privileged reports, will be forwarded to the designated CITF supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the Office of Internal Affairs.

#### **305.6.2 Reports by Involved BPD Officers**

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

It is generally recommended that CITF investigators interview involved officers as victim / witnesses and complete reports based on these interviews. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by involved suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

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

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

### **305.6.3 Witness Identification and Interviews**

Because potential witnesses to an officer-involved critical incident may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with CID / CITF criminal investigators to utilize available personnel for the following:

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

### **305.7 Administrative Investigation**

In addition to all other investigations associated with an officer-involved critical incident, this department will conduct an internal administrative investigation of involved BPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Professional Standards Division.

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

- (a) Any officer involved in a critical incident may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples, and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.



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

### **305.8 Audio and Video Recordings**

Any officer involved in a critical incident may be permitted to review available body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports with approval of the assigned investigators or a supervisor.

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

## **305.9 Debriefing**

Following an officer-involved critical incident, the Boise Police Department should conduct both a critical incident/stress debriefing and a tactical debriefing.

### **305.9.1 Critical Incident/Stress Debriefing**

A critical incident/stress debriefing should occur as soon as practicable. The Administrative Services Division Commander is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

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

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

### **305.9.2 Tactical Debriefing**

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

## **305.10 Media Relations**

Department members will follow Policy 322 News Media Relations for inquiries about a critical incident. Involved Officers shall be given advance notice before their names are released to the public so they may make necessary personal notifications and address any security concerns.

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

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

## 306 FIREARMS

Effective Date: 6/1/2024  
Revised Date: 4/24/2024  
Issuing Authority: Chief Ron Winegar

### 306.1 Purpose and Scope

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance, and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings.

This policy only applies to those members who are authorized to carry firearms.

### 306.2 Policy

The Department will ensure firearms are in good working order and that relevant training is provided as resources allow.

#### REFERENCE

- 49 CFR 1544.219
- 18 USC § 926B
- Idaho Code 18-3302306.3

### 306.3 Authorized Firearms, Ammunition, and other Weapons

While on duty members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Armorer, Rangemaster, Firearms Program manager, or their designee. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm. Specialty units may be issued and authorized to use firearms that differ from general agency standards.

#### 306.3.1 Handguns

The authorized department-issued handgun is the Glock 17 and Glock 47 9mm. The following additional handguns are approved for on-duty use:

MAKE	MODEL	CALIBER
Glock	17, 47	9mm
Glock	19	9mm

Any modifications to handguns must be approved and documented by the Rangemaster, Firearms Program Manager or designee.

#### 306.3.3 Patrol Rifles

The authorized department-issued patrol rifle is the AR15 5.56. The primary manufacturer for department-issued rifles is FN. The following additional manufacturers are approved for on-duty use:

Boise Police Department  
Policy Manual

MAKE	MODEL	CALIBER
FN		5.56
BCM		5.56
Centurion Arms (AMTAC)		5.56
PWS		5.56
Caracal		5.56

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (d) When a member reasonably believes that a suspect may be wearing body armor.
- (e) When authorized or requested by a supervisor.
- (f) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack or locked trunk area of the patrol vehicle. Officers who drive vehicles that do not have a locking weapons rack shall remove the rifle from their vehicle if unable to secure their rifle in the trunk or other locked container when off duty.

### **306.3.4 Personally Owned Duty Rifle**

Members desiring to carry an authorized but personally owned duty rifle must receive approval from the Rangemaster, Firearms Program Manager or designee. Once approved, personally owned duty rifles are subject to the following restrictions:

- (a) The rifle shall be in good working order and on the department list of approved firearms. Rifles must be standard factory productions and may not be “home built”. Upper and lower receivers must be from the same manufacturer see approved list in Training Division SOP.
- (b) The rifle shall be inspected by the Armorer, Rangemaster, Firearms Program Manager or designee prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the rifle, members shall complete an approved rifle user certification course and pass the department qualification. Members must demonstrate proficiency and safe handling, and that the rifle functions properly.

- (d) Members shall provide written notice of the make, model, color, serial number and caliber of the rifle to the Armorer, Rangemaster, Firearms Program Manager or designee, who will maintain a list of the information.
- (e) Officers will use Department issued ammunition only while on duty.

### **306.3.5 Authorized Back Up Handgun**

Members desiring to carry a personally owned backup handgun are subject to the following restrictions:

- (a) The handgun shall be in good working order.
- (b) The purchase of the handgun and ammunition shall be the responsibility of the member.
- (c) The handgun shall be always carried concealed and, in a holster, and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (d) The handgun shall be inspected by the Armorer, Rangemaster, Firearms Program manager, or their designee prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (e) Ammunition purchased by the officer shall be factory duty specification and must be American made hollow points consistent with Department-issued ammunition
- (f) Prior to carrying the backup handgun, members shall complete the department qualification course. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (g) Members shall complete the appropriate BPD form and provide the make, model, color, serial number and caliber of a back-up handgun to the Rangemaster, Firearms Program Manager or designee, who will maintain a list of the information. If the officer changes the firearm or makes alterations to the firearm it must be re-inspected and re-qualified with.

### **306.3.6 Off-Duty Firearms**

Members who choose to carry a firearm while off-duty, based on their authority as peace officers or as a citizen of the United States, will be required to follow State and Federal guidelines.

### **306.3.7 Ammunition**

Members shall carry only department-authorized ammunition in an assigned duty weapon. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member's firearms qualification each year. Replacement for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Armorer, Rangemaster or Firearms Program Manager or designee when needed, in accordance with established policy.

Members carrying personally owned back-up firearms may be responsible for obtaining ammunition at their own expense. Back-up ammunition should be replaced annually at the time of qualification.

### **306.4 Equipment**

Firearms carried on- duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

#### **306.4.1 Repairs and Modifications**

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Armorer.

No modifications to department issued firearms are allowed without authorization from the Rangemaster, Firearms Program Manager, or designee.

Firearms that are the property of the Department may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm.

#### **306.4.2 Duty Holsters**

Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun. Removal of the SLS (Self Locking System) Retention Hood is not allowed. The use of the hood guard and optics cover are optional.

#### **306.4.3 Tactical Lights**

Officers who have qualified with weapons mounted lights are authorized to use them.

#### **306.4.4 Optics and Sights**

Department approved Optics and sights may only be installed on a firearm carried on-duty after they have been examined by the Armorer, Rangemaster, Firearms Program Manager, or designee. Any approved optic or sight shall only be installed in strict accordance with manufacturer specifications. Once approved optic or sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it. All members shall complete a department approved training course prior to carrying an optic.

### **306.5 Safe Handling, Inspection and Storage**

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) While on duty, members shall not dry fire or practice quick draws unless they are participating in a department authorized firearms training under the direction of a Firearms Instructor.
- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present
- (d) Rifles shall be secured in the weapons mount or trunk without a round in the chamber and the firearm on safe when on duty. If the vehicle is not equipped with a weapons mount or trunk the rifle will be placed in an area to limit access and visibility.

- (e) Any firearm issued by the Department that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department armorer, or an Armorer approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Armorer will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.
- (f) Any personally owned firearm carried by the member while on duty that is determined to be malfunctioning or in need of service or repair shall not be carried. It will be the member's responsibility and expense to have an armorer inspect and repair the firearm before it could be carried on duty.

### **306.5.1 Inspection and Storage**

Department issued and backup handguns shall be inspected during each shift rotation by the member's supervisor.

The Department Armorer will conduct in depth inspection of each department issued pistol on a regular basis.

Each department member shall conduct a function check of their firearm after cleaning.

Members shall secure all firearms in a secured location when left at the department at the end of their shift.

### **306.5.2 Storage at Home**

Members shall ensure that all department issued firearms and ammunition are locked and secured while in their homes, vehicles, or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access.

- (a) Inside the home, security may be with the pistol locks included in the pistol boxes as issued, or by means of a locked cabinet or safe of the officers own choosing.
- (b) Inside a vehicle, department issued firearms will be locked in the trunk or a secured cabinet if the vehicle is equipped with one. If a firearm cannot be secured in a trunk or cabinet when at home for an extended amount of time, the firearm will be taken inside unless parked in a closed garage.

Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil liability.

### **306.5.3 Alcohol and Drugs**

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member's senses or judgment. (Members working in an undercover capacity may consume moderate amounts of alcohol to fulfill their role under close regulation from their supervisor.

## **306.6 Firearms Training and Qualifications**

All members who carry a firearm while on-duty are required to successfully complete training quarterly with their duty firearms. In addition to quarterly training, all members will qualify at

least annually with their duty firearms. Members shall qualify with their back-up firearm annually.

### **306.6.1 Non-Certification or Non-Qualification**

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, the firearms instructor shall submit a memorandum to the Training Division. The member's immediate supervisor will be notified by the Training Division prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.

Members who fail to meet minimum standards will be removed from field assignment and may be subject to corrective action.

### **306.7 Firearm Discharge**

Except during training or recreational use, any member who discharges a department owned firearm intentionally or unintentionally, on- or off-duty, or discharges a personally owned firearm on-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the appropriate policies for a critical incident. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

#### **306.7.1 Destruction of Animals**

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, Conducted Energy Weapon, oleoresin capicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

#### **306.7.2 Injured Animals**

With the approval of a supervisor, time permitting, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

### **306.9 Flying While Armed**

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to those who



intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need, with supervisor approval, to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Boise Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department, and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).
- (c) The Boise Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Boise Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

### **306.10 Carrying Firearms Out of State**

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her Department identification card whenever carrying such weapon.
- (b) The officer is not the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other Department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

### **306.11 Red Dot Equipped Handguns**

MRDS (miniature red dot sight) equipped handguns are approved for duty use by the members of the Boise Police Department. Department owned handguns (Glock 17/47 MOS) shall be utilized to accept an MRDS.

- (a) The MRDS shall be approved by the Training Division and department armorer. As technology improves, we can expect to see MRDS improve and the list of acceptable MRDS grow. The MRDS shall be installed to meet the manufacturer specifications.
  - 1. The current list of approved MRDS include the following: Trijicon RMR adjustable LED models, Holosun 507c, 508t, and 509t, SCS, Leopold DPP (Delta Point Pro), Sig Romeo 1 Pro (with Shroud), Aimpoint Acro.
- (b) MRDS will not be mounted on the Glock 17/47 MOS using the Glock MOS plate. The C&H Precision mounting plates are authorized.
- (c) MRDS equipped handguns shall have co-witnessing iron sights installed as a backup to the MRDS.
- (d) MRDS handguns shall be zeroed between 10 and 15 yards and confirmed at 25 yards. Zero confirmation shall be conducted bi-annually at minimum.
- (e) Officers shall function check the MRDS prior to the start of each shift. The function check will include turning the optic on, brightness check, and brightness with a hand-held flashlight or weapon mounted light.
- (f) Batteries shall be replaced yearly during annual inspection and/or qualification. Removal of many MRDS requires the officer to re-zero the optic. If this is the case, the officer shall zero the optic prior to the next shift.
- (g) Every officer desiring to carry an MRDS equipped handgun must have the optic, backup iron sights, and method of mounting approved by Boise Police Training Division and armorer.

- (h) Every officer desiring to carry an MRDS equipped handgun on duty will complete a department- led MRDS specific transition course (to be offered twice per year).

## 307 VEHICLE PURSUITS

Effective Date: 4/24/2024

Revised Date: 6/01/2024

Issuing Authority: Chief Ron Winegar

### 307.1 Purpose and Scope

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public and fleeing suspects.

### 307.2 Definitions

Definitions related to this policy include:

**Blocking** - Placing one or more police vehicles in a position to block a stopped or nearly stopped suspect vehicle in order to make their escape more difficult.

**Boxing-in** - The act of surrounding a moving suspect vehicle with one or more police vehicles with the intent to bring the suspect vehicle to a controlled stop.

**Forced Stop Method** – Methods and tactics used to physically end a pursuit, including stop sticks, boxing in, blocking, or PIT. Note: Primary officers or supervisors intending to use a force stop method should use specific language over the air, e.g. PIT.

**Jurisdictional Agency** – For pursuits occurring across jurisdictional boundaries, the agency into whose jurisdiction a pursuit did not originate, but into whose jurisdiction the pursuit is about to enter or has entered.

**Intercept** – A partial blockage of the roadway established by an assist unit in a pursuit to encourage the subject to stop or to reduce speed and allow officers to obtain a description of the vehicle and the subject.

**Pursuing Agency** – For pursuits occurring across jurisdictional boundaries, the agency which initiated the pursuit and intends to enter another agency's jurisdiction as a result.

**Pursuit Intervention Technique (PIT)** - A maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop.

**Ramming** - The deliberate Impact of a police vehicle into the suspect vehicle to disable or bring the suspect vehicle to a stop. Ramming is considered an extreme measure.

**Roadblocks** - The use of any structure, device, or other means for the purpose of controlling all traffic through a point on a highway, whereby all vehicles may be slowed or stopped.

**Stop Sticks** – Devices which can be spread across all or part of a roadway to deflate a fleeing suspects tire.

**Terminate** - To discontinue a pursuit or stop chasing fleeing vehicles.

**Tire deflation device** - A device designed to puncture the tires of the pursued vehicle.

**Trail** - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

**Vehicle pursuit** - An event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly or driving in a legal manner but willfully failing to yield to an officer's emergency signal to stop.

### **307.3 Policy**

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

### **307.4 Officer Responsibilities**

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by law.

Officers shall drive with due regard for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (Idaho Code 49-623):

- (a) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit.
- (c) Disregard regulations governing direction of movement or turning in specified directions

#### **307.4.1 When to Initiate a Pursuit**

Officers are authorized to initiate a pursuit for violent felony crimes and possible intoxicated/impaired drivers, where the need to apprehend/stop the vehicle outweighs the risk to public safety if the violator is not immediately captured/stopped.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher/supervisor and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) Whether weather, traffic and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.

- (f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders, and hostages).
- (k) The availability of other resources
- (l) Whether the pursuing vehicle is carrying passengers other than on-duty police officers. If the pursuing officer has personnel from outside agency/agencies or a ride-along, the officer shall discontinue involvement of the pursuit once additional units can readily replace them. At no time, should pursuits be undertaken with an arrestee in the police vehicle.

#### **307.4.2 When to Terminate a Pursuit**

Pursuits should be discontinued whenever the totality of objective circumstances known, or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape. Officers are not obligated to continue any pursuit.

When a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit. Any officers involved in the pursuit will deactivate emergency lights and siren, notify dispatch, and make a 90 degree turn from the direction of the suspect vehicle. If unable to make a 90-degree turn, the officer will stop their vehicle.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

- (a) Distance between the pursuing vehicles and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or complete inoperable.

- (e) Hazards to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) The identity of the suspect is known, and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.

### **307.5 Pursuit Vehicles**

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles whenever practicable.

Vehicle pursuits should be limited to four police department emergency vehicles (three pursuit vehicles and the supervisor vehicle, if practicable. If no supervisor is readily available to enter into the pursuit, the fourth officer is allowed to pursue to assist with post-pursuit tactics).

An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the pursuit termination point at legal speeds, following the appropriate rules of the road.

#### **307.5.1 Motorcycles**

When involved in a pursuit, police department motorcycles should be replaced by marked emergency vehicles as soon as practicable.

#### **307.5.2 Vehicles Without Emergency Equipment**

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles.

#### **307.5.3 Primary Pursuit Vehicle Responsibilities**

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless he/she is unable to remain reasonably close enough to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or others.

The primary pursuing officer should notify the dispatcher, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

- (a) The location, direction of travel and estimated speed of the suspect's vehicle.
- (b) The description of the suspect's vehicle including the license plate number, if known.
- (c) The reason for the pursuit.

- (d) The use of firearms, threat of force, injuries, hostages, or other unusual hazards.
- (e) The number of occupants and identity or description.
- (f) The weather, road, and traffic conditions.
- (g) The need for any additional resources or equipment.
- (h) The identity of other law enforcement agencies involved in the pursuit.

Unless relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for the broadcasting of the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

#### **307.5.4 Secondary Pursuit Vehicle Responsibilities**

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

- (a) Immediately notifying the dispatcher of his/her entry into the pursuit.
- (b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary unit is unable to continue the pursuit.
- (c) Broadcasting information that the primary pursuing officer is unable to provide.
- (d) Broadcasting the progress of the pursuit, updating known or critical information, and providing changes in the pursuit, unless the situation indicates otherwise.
- (e) Identifying the need for additional resources or equipment as appropriate.
- (f) Serving as backup to the primary pursuing officer once the suspect has been stopped.

#### **307.6 Pursuit Driving**

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate the pursuit. The following are tactics for officers who are involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
  - 1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
  - 2. Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.



- (c) As a general rule, officers should not pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
  - 1. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
  - 2. Request other officers to observe exits available to the suspect.
- (d) Notify the Idaho State Police and/or other agency if it appears that the pursuit may enter its jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise, or they are requested to do so by the primary pursuing officer and with a clear understanding of the maneuver process between the involved officers.

### **307.6.1 Pursuit**

In the event that initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

### **307.6.2 Officer Not Involved in the Pursuit**

Officers who are not involved in the pursuit should remain available to handle priority calls for service and should not become directly involved with the pursuit unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the police department vehicle.

Non-pursuing members needed at the pursuit termination point should respond in a nonemergency manner, observing the rules of the road.

### **307.7 Supervisory Control and Responsibilities**

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor, will be responsible for:

- (a) Immediately notifying involved officers and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.
- (d) Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.

- (e) Directing that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that assistance from canines or additional resources is requested if available and appropriate.
- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring that the Watch Commander is notified of the pursuit, as soon as practicable.
- (i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.
- (j) Controlling and managing Boise Police Department officers when a pursuit enters another jurisdiction.
- (k) Preparing a post-pursuit review and documentation of the pursuit as required.

#### **307.7.1 Watch Commander Responsibilities**

Upon becoming aware that a vehicle pursuit has been initiated, the Watch Commander should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Watch Commander has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Watch Commander shall review all pertinent reports for content and forward them to the appropriate Division Commander.

#### **307.8 Loss of Pursued Vehicle**

When the pursued vehicle is lost, the involved officers should broadcast pertinent information to assist other officers in locating the vehicle. The primary pursuing officer or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

#### **307.9 Inter-Jurisdictional Considerations**

When a pursuit enters another agency's jurisdiction, the primary pursuing officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area, and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.

All inter-jurisdictional pursuits will be conducted in compliance with current Memorandum of Understanding (MOU) agreements in place with other agencies. A supervisor of a jurisdictional agency may terminate a pursuit which enters the jurisdictional agency's boundary when the jurisdictional agency supervisor has information which raises concerns for continuing the pursuit. An order to terminate, cancel, or stop a pursuit by a commissioned officer acting in a supervisory role in the jurisdictional agency shall be immediately followed.

If the suspect in the pursuit leaves Ada County and is apprehended in another county at the end of the pursuit, the suspect must be taken before the county's magistrate where the arrest occurred, per Idaho statute.

The Chief of Police shall appoint a BPD member to represent BPD in cross-jurisdictional review processes, in accordance with the terms of the current MOU.

### **307.9.1 Assumption of Pursuit by Another Agency**

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Boise Police Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports.

The role and responsibilities of officers at the termination of a pursuit initiated by this department shall be coordinated with appropriate consideration of the needs of the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific and should be by, and to, the supervisor. Because of communication limitations between local law enforcement agencies, a request for another agency's assistance will mean that its personnel will assume responsibility for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this department, the other agency should relinquish control.

### **307.9.2 Pursuits Extending into This Jurisdiction**

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, officers from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

Supervisors should attempt to prevent another jurisdiction's pursuit from entering Boise City by employing intercepts on I-84 exits to encourage the fleeing driver to remain on the interstate.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Boise Police Department, the supervisor should consider:

- (a) The public's safety within this jurisdiction.
- (b) The safety of the pursuing officers.
- (c) Whether the circumstances are serious enough to continue the pursuit.
- (d) Whether there is adequate staffing to continue the pursuit.
- (e) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the Watch Commander should review a request for assistance from another agency. The Watch Commander or supervisor, after considering the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing agency by officers of this department will conclude at the City limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that the termination point of a pursuit from another agency is within this jurisdiction, officers shall provide appropriate assistance, including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

### **307.9.3 Termination of An Inter-Departmental Pursuit**

A BPD supervisor may terminate the pursuit of an incoming pursuing agency when concerns are raised for continuing the pursuit.

A supervisor of a jurisdictional agency may terminate a pursuit which was initiated by BPD and enters their agency's jurisdictional boundary when the jurisdictional agency supervisor has information which raises concerns for continuing the pursuit. An order to terminate, cancel, or stop a pursuit by a commissioned officer acting in a supervisory role in the jurisdictional agency shall be immediately followed.

### **307.10 Pursuit Intervention**

Pursuit intervention is an attempt to stop the suspect's ability to continue to flee in a vehicle through application of technology and force stop methods such as, tire deflation devices, blocking, boxing-in, PIT, ramming, or roadblock procedures.

#### **307.10.1 When Use Is Authorized**

Whenever practicable, an officer should broadcast their intentions to other officers before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, officers/ supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers, and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

#### **307.10.2 Forced Stop Methods Standards**

Any forced stop method, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of forced stop methods may be construed to be a use of force, including deadly force, and subject to policies guiding such use. Officers shall consider these facts and requirements prior to deciding how, when, where, and if a forced stop method should be employed.

- (a) Blocking should only be considered in cases involving violent felony suspects or suspected alcohol/drug/medically impaired drivers who pose a threat to the public's safety, and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should

only be employed by properly trained officers and after giving consideration to the following:

1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risks of injury or death to occupants of the suspect vehicle, officers, or others.
  2. All other reasonable intervention tactics have failed or reasonably appear ineffective.
  3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of danger to those involved or the public.
  4. The suspect vehicle is stopped or traveling at a low speed.
  5. Only law enforcement vehicles should be used in this tactic.
- (b) The PIT is limited to use by properly trained officers, and when practicable, with the approval of a supervisor and upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle. Utilizing PIT at speeds over 45 MPH and/or on motorcycles would constitute extreme measures and shall be considered deadly force.
- (c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted or would not be effective, and immediate control is necessary. Ramming is an extreme measure and is considered deadly force, therefore, it should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized. When ramming is used as a means to stop/disable a fleeing vehicle, one or more of the following factors should be present:
1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not stopped/apprehended.
  2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.
- (d) Boxing-in a suspect vehicle should only be attempted upon approval by a supervisor, when practicable. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle. Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.
- (e) Tire deflation devices, such as Stop Sticks, should be deployed only after notification of pursuing officers and the supervisor of the intent and location of the intended deployment, and in a manner that:
1. Should reasonably only affect the pursued vehicle,

2. Provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.
  3. Takes into account the limitations of such devices as well as the potential risk to officers, the public and occupants of the pursued vehicle.
  4. Takes into account whether the pursued vehicle is transporting hazardous materials, or a school bus transporting children.
  5. Shall not be used on motorcycles
- (f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or the public. Use of roadblocks shall only be utilized with approval from an on-duty Watch Commander and must adhere to Idaho State Code 19-622.

### **307.10.3 Preemptive Use of Force Stop Methods**

Members may utilize force stop methods preemptively as a strategy prior to a subject eluding if it is objectively reasonable under the totality of circumstances. There needs to be articulable facts about the subject and their behavior to support the use of this strategy. Members may use a force stop method without activating emergency lights or providing a warning.

### **307.10.4 Force Stop Methods and Suspect Apprehension**

Members may encounter situations where the criteria for a pursuit may not be met. In these extraordinary circumstances a Watch Commander may authorize a pursuit, or the use of force stop methods to conduct a criminal apprehension. The Watch Commander should consider the benefits of apprehension versus the risk of a pursuit or use of force stop methods.

Considerations to this exception should include:

- (a) The threat to the public.
- (b) Severity of the crime.
- (c) The ability to locate the suspect later.
- (d) The resources available to apprehend the suspect safely and effectively.

### **307.10.5 Medical Considerations**

Medical attention shall be required for the following applications of force stop methods:

- (a) PIT – If visible injuries or complaint of injury.
- (b) Boxing-in – If visible injuries or complaint of injury.
- (c) Blocking – If visible injuries or complaint of injury.
- (d) Ramming.

The primary officer or on-scene supervisor shall ensure that any person providing medical care or receiving custody of a person following any force stop methods is informed that the person was subjected to force.

### **307.10.6 Use of Firearms**

Absent exigent circumstances, officers shall not discharge firearms from a moving vehicle. Firearms shall not be discharged at a stationary or moving vehicle, the occupants of a vehicle, or the tires of a vehicle unless a person in the vehicle is imminently threatening an officer or another person present with deadly force. The moving vehicle alone does not presumptively constitute a threat that justifies the use of deadly force.

Officers shall not move into, remain, or otherwise position themselves in the path of a vehicle in an effort to detain or apprehend the occupants. Any officer in the path of a moving vehicle shall immediately attempt to move to a position of safety rather than discharging a firearm at the vehicle or any of the occupants.

Because this policy may not cover every situation that may arise, a deviation from this policy may be objectively reasonable and objectively necessary depending on the totality of the circumstances. A deviation from this policy would, for instance, be justified if the officer used a firearm in an attempt to stop an imminent vehicle attack on a crowd or a mass casualty terrorist event.

### **307.10.7 Capture of Suspects**

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspect.

### **307.11 Reporting Requirements**

All appropriate reports shall be completed to comply with appropriate laws and policies or procedures:

- (a) The primary pursuing officer shall complete appropriate crime/arrest reports.
- (b) A supervisor shall complete a BlueTeam pursuit report and administrative review. This review will be sent through the chain of command.
- (c) Level of force in vehicle and forced stop methods
  - 1. Blocking – low level force.
  - 2. Boxing in – low level force.
  - 3. Stop Sticks – low level force.
  - 4. PIT – Intermediate force at approximately 45 MPH; Deviation of this may be objectively reasonable depending on the application of the technique. Deadly force when used in obvious excess of 45 MPH.



5. Ramming –Can range from intermediate force to deadly force depending on the application of the technique and speed of the involved vehicles.

Members using a low-level vehicle force stop method will utilize the ITS reporting method for soft empty hand and write a description of the force stop method in their narrative.

Members using a PIT or Ramming shall complete a use of force report.

### **307.12 Regular and Periodic Pursuit Training**

In addition to initial and supplementary training on pursuits, all department officers will participate, in regular and periodic training addressing this policy and the importance of vehicle safety and protecting the public. Training will include recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.



## 308 OFFICER RESPONSE TO CALLS

Effective Date: 08/01/2024  
Revised Date: 07/01/2024  
Issuing Authority: Chief Ron Winegar

### 308.1 Purpose and Scope

This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

### 308.2 Policy

Often, because there are no other public or private agencies available, the public relies upon this department for assistance and advice in many routine and emergency situations. For this reason, and because there is frequently a potential for crime, it is the policy of this department to make every reasonable effort to respond to calls for service as resources permit and to render such aid or advice as circumstances appear to indicate would be warranted.

When appropriate, officers should refer members of the public to available resources through other public agencies or charitable organizations.

### 308.3 Response to Calls

The Boise Police Department recognizes the following radio "Code" definitions:

**Code One** - At your earliest convenience.

**Code Two** - As soon as practical, obeying all traffic laws.

**Code Three** - Emergency lights and siren and driving as authorized for an emergency vehicle by Idaho Code.

**Code Four** - The situation is under control and no further units should respond.

**Code Four Adam** – The scene is under control, but the suspect is not present at this time.

**Code Four At This Time** - The situation is under control at this time but is still volatile (usually by the suspect being present). Additional units should not respond but may stay in the area.

**Code Two Status** - May be used only by the supervisor and only in extreme circumstances. Advises dispatch to automatically hold all priority one calls and only dispatch priority two and three calls. Prohibits patrol units from taking breaks, making low-priority traffic stops or engaging in other low priority activities.

When a situation is not under control the officer shall either respond to the dispatch security check by saying, "Not Code Four", or by requesting additional patrol officers and advising what level of response is appropriate. A "Not Code Four" response shall mean that any other patrol officers who have already been dispatched to the call should continue, but no others should respond. If the officer on scene wishes for additional officers to respond, he/she should ask for them.

Officers dispatched "Code-3" shall consider the call an emergency response and proceed immediately. Officers responding Code-3 shall continuously operate emergency lighting equipment and shall sound the siren.

Responding with emergency light(s) and siren does not relieve the officer of the duty to continue to drive with due regard for the safety of all persons. Officers who fail to use appropriate warning equipment are not exempt from following the rules of the road nor is the driver of an authorized emergency or police vehicle relieved from the duty to drive with due regard for the safety of all persons.

Officers should only respond Code-3 when so dispatched or when circumstances reasonably indicate an emergency response is required. Officers not authorized to respond Code-3 shall observe all traffic laws and proceed without the use of red lights and siren. An officer shall also discontinue the Code 3 response when directed by a supervisor, or when the situation dictates that a Code 3 response is no longer warranted.

#### **308.4 Requesting Emergency Assistance**

In the event that an officer requests emergency assistance, the responding officer shall respond Code 3 until the situation has stabilized.

If circumstances permit, the requesting officer should give the following information:

The unit number.

- The location.
- The reason for the request and type of emergency.
- The number of units required.
- Direction of approach.

#### **308.5 Responsibilities of Responding Officer(s)**

Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Officers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle. Every officer is expected to clear each lane of travel to ensure it is clear to proceed.

The decision to continue a Code-3 response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of lights and siren at the legal speed limit. In such an event, the officer should immediately notify Ada County Dispatch. An officer shall also discontinue the Code-3 response when directed by a supervisor.

Upon receiving authorization or determining a Code-3 response is appropriate, an officer shall immediately give the location from which he/she is responding.

#### **308.6 Supervisory Responsibilities**

Having knowledge that a Code-3 response has been initiated, the Watch Commander or the field supervisor should verify the following:

- (a) The proper response has been initiated.
- (b) No more than those units reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practical.

The supervisor should monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned a Code-3 response, the supervisor may do so.

It is the supervisor's responsibility to terminate a Code-3 response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize a Code-3 response, the Watch Commander or the field supervisor should consider the following:

- The type of call
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

### **308.7 Failure of Emergency Equipment**

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the Code-3 response and respond accordingly. In all cases, the officer shall notify Ada County Dispatch of the equipment failure so that another unit may be assigned to the emergency response.

## **309 CANINES**

Effective Date: 6/1/2024  
Revised Date: 4/24/2024  
Issuing Authority: Chief Ron Winegar

### **309.1 Purpose and Scope**

This policy establishes guidelines for the use of canines to augment law enforcement services in the community, including but not limited to locating individuals and contraband and apprehending criminal offenders.

### **309.2 Policy**

It is the policy of the Boise Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

### **309.3 Assignment**

Canine teams should be assigned to assist and supplement the Patrol Division to function primarily in assist or cover assignments. However, they may be assigned by the Watch Commander and Canine Supervisor to other functions, such as routine calls for service, based on the current operational needs.

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time. If such assignment is necessary, it should only be made with the approval of the Watch Commander and Canine Supervisor.

### **309.4 Request for Canine Teams**

Patrol Division members are encouraged to request the use of a canine. Preplanned requests for a canine team from department units outside of the Patrol Division shall be reviewed by the Canine Supervisor or Designee.

#### **309.4.1 Outside Agency Request**

All requests for patrol/apprehension canine assistance from outside agencies must be approved by the Watch Commander and are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- (c) Calling out off-duty canine teams is discouraged.
- (d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (e) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.
- (f) On-duty BPD Supervisor will monitor either via radio or on-scene.

- (g) Additional BPD assist officer(s) shall accompany the handler on out-of-jurisdiction deployments.

For outside agency requests related to drug detection, the handler will ensure an on-duty supervisor is advised.

#### **309.4.2 Public Demonstration**

All public requests for a canine team shall be reviewed and, if appropriate, approved by the Canine Supervisor prior to making any resource commitment. The Canine Supervisor is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the Canine Supervisor.

#### **309.5 Apprehension Guidelines**

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer, or the handler.
- (b) The suspect is physically resisting or threatening to resist arrest, and the use of a canine reasonably appears to be necessary to overcome such resistance.
- (c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.
- (d) Severity of the crime.

A canine handler will also determine whether the deployment of the canine presents a danger to the safety of uninvolved citizens and other officers.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above should receive approval from the on-duty supervisor. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such canine use should be conducted under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect or properly physically remove the canine from the suspect.

### **309.5.1 Preparation for Deployment**

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown
- (d) The suspect's known or perceived age.
- (e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other officers at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

### **309.5.2 Warning and Announcements**

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

### **309.5.3 Reporting Deployments, Bites, and Injuries**

Handlers should document canine deployments in a canine use report. Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified, and the injuries documented in the canine use report and use of force report. The injured person shall be promptly treated by Emergency Medical Services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the Canine Supervisor. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

### **309.6 Non-Apprehension Guidelines**

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non- apprehension operation, the following guidelines apply:

- (a) Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- (c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the canine in a down- stay or otherwise secure it as soon as reasonably practicable.

#### **309.6.1 Article Detection**

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

#### **309.6.2 Narcotics Detection**

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags, and other articles.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

### **309.6.3 Bomb Explosive Detection**

Because of the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. An explosive-detection canine team will be available on-call on a 24/7 basis. When deployed, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

- (a) Utilized in the search of a building, structure, area, vehicle or article where an actual or suspected explosive device has been reported or located.
- (b) Utilized with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).
- (c) Preventive searches at special events, VIP visits, official buildings and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.
- (d) Utilized in scenes where an explosion has occurred, and an explosive device or secondary explosive device is suspected. At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

### **309.7 Canine in Public Areas**

The canine should be under the direct supervision of the handler when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- (a) A canine shall not be left unattended in any area to which the public may have access.
- (b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

### **309.8 Canine Injury and Medical Care**

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the Canine Supervisor or Canine Lieutenant as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the designated central canine files.



## 310 DOMESTIC VIOLENCE

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

### 310.1 Purpose and Scope

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

### 310.2 Definitions

Definitions related to this policy include:

**Court order** - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

### 310.3 Policy

The Boise Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

### 310.4 Officer Safety

The investigation of domestic violence cases places officers in emotionally charged and sometimes highly dangerous environments. No provision of this guideline is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

### 310.5 Investigation

The following guidelines should be followed by officers when investigating domestic violence cases:

- (a) Calls of reported, threatened, imminent, or on-going domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, reporting party, and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Criminal Investigation Division in the event that the injuries later become visible. The infliction of a traumatic injury may elevate a domestic violence from a misdemeanor to a felony (Idaho Code 18-918).
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate
- (h) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (i) Officers should take appropriate enforcement action when they determine who the predominant aggressor is and there is probable cause to believe an offense has occurred. The following factors should not be used as sole justification for declining to take enforcement action:
  - 1. Whether the suspect lives on the premises with the victim
  - 2. Claims by the suspect that the victim provoked or perpetuated the violence
  - 3. The potential financial or child custody consequences of arrest
  - 4. The physical or emotional state of either party
  - 5. Use of drugs or alcohol by either party
  - 6. Denial that the abuse occurred where evidence indicates otherwise
  - 7. A request by the victim not to arrest the suspect
  - 8. Location of the incident (public/private)
  - 9. Speculation that the complainant may not follow through with the prosecution
  - 10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect

11. The social status, community status, or professional position of the victim or suspect

### **310.5.1 If A Suspect Is Arrested**

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information by completing a Victim Information and Notification Everyday (VINE) form and give it to the jail staff to enable notification of the victim upon the suspect's release from jail. The officer will also complete the paperwork for the No Contact Order prior to leaving jail.

### **310.5.2 If No Arrest Is Made**

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
  1. Voluntary separation of the parties.
  2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
  3. If suspect is at large, ensure safety of victim and utilize the Victim Witness Coordinators (VWC) if shelter is needed.
- (b) Document the resolution in a report.
- (c) If the investigating officer is unable to locate the suspect prior to ending their shift a DV tracking sheet will be completed and passed on to the next watch.

## **310.6 Victim Assistance**

Victims may be traumatized or confused. Officers should:

- (a) Recognize that a victim's behavior and actions may be affected.
- (b) Provide the victim with the Department's domestic violence victim information handout, even if the incident may not rise to the level of crime.
- (c) Alert the victim to any available victim advocates, shelters and community resources.
- (d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
- (e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
  1. A victim who discloses strangulation, and it is within a 72-hour window from time of occurrence will be evaluated by Ada County Paramedics.
- (f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.

- (h) Officers should provide information on obtaining a civil protection order (CPO).

### **310.7 Court Orders**

#### **310.7.1 Foreign Court Orders**

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

#### **310.7.2 Verification of Court Orders**

Determining the validity of a court order or no contact order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact Ada County Records to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

### **310.8 Legal Mandates and Relevant Laws**

Idaho law provides for the following:

#### **310.8.1 Standard for Arrests**

An otherwise misdemeanor act of domestic violence may constitute a felony if the suspect has qualifying prior convictions for domestic violence. However, foreign convictions for domestic violence may not be considered by officers in elevating an arrest to a felony since only a court.

A warrant is required for arrest in cases of misdemeanor domestic violence offenses not committed in the presence of an officer, including a violation of a protection order, ex parte temporary protection order, or a no contact order.

An otherwise misdemeanor act of violating a no contact order may constitute a felony if the suspect has qualifying prior convictions for the violation of a no contact order. However, foreign convictions for violating a no contact order may not be considered by the officers in elevating an arrest to a felony since only a court may determine whether a foreign conviction qualifies (Idaho Code 18-920).

A warrant is not required if the officer has probable cause to believe a violation of a no contact order has occurred.

### **310.8.2 Reports and Records**

The Records Supervisor shall ensure that every report of domestic violence is forwarded to the appropriate prosecuting attorney as soon as practicable and in no case later than 10 days of making the report unless the case is under active investigation, in which case the report should be forwarded as soon as practicable (Idaho Code 39-6316).

### **310.8.3 Service of Court Orders**

If an officer determines that an otherwise valid foreign protection order cannot be enforced because the subject has not been notified or served with the order, the officer shall inform the subject of the order, shall make a reasonable effort to serve the order upon the subject, and allow the subject a reasonable opportunity to comply with the order before enforcing the order (Idaho Code 39-6306A(4)).

The patrol supervisor shall ensure that all court orders received for service upon a restrained person are processed and served as required by law. (Idaho Code 39-6311 and Idaho Code 18-922).

### **310.8.4 Victim Transportation**

Officers shall make every effort to arrange, offer, or facilitate transportation of the victim to a hospital for treatment of injuries or to a place of safety or shelter (Idaho Code 39-6316).

## 311 SEARCH AND SEIZURE

Effective Date: 09/30/2022  
Revised Date: 09/16/2022  
Issuing Authority: Chief Ryan Lee

### 311.1 Purpose and Scope

Both the [federal](#) and [state](#) Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Boise Police Department personnel to consider when dealing with search and seizure issues.

### 311.2 Policy

It is the policy of the Boise Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

### 311.3 Searches

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

1. Valid consent
2. Incident to a lawful arrest
3. Legitimate community caretaking interests
4. Vehicle searches under certain circumstances
5. Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action. If the supervisor is unsure of the answer, they should contact the Boise City Attorney's Office for assistance.

### 311.4 Search Protocol

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

1. Members of this department will strive to conduct searches with dignity and courtesy.
2. Officers should explain to the person being searched the reason for the search and how the search will be conducted.
3. Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
4. In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
5. When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, another officer or a supervisor should witness the search.

Boise Police Department procedure manual search Protocol for Persons of the Opposite Sex

### **311.5 Documentation**

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

1. Reason for the search
2. Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
3. What, if any, injuries or damage occurred
4. All steps taken to secure property
5. The results of the search, including a description of any property or contraband seized
6. If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented, and that current legal requirements and department policy have been met.

## 312 ADULT ABUSE

Effective Date: 02/01/2025  
Revised Date: 12/1/2024  
Issuing Authority: Chief Chris Dennison

### 312 Purpose and Scope

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Boise Police Department members as required by law.

#### 312.2 Definitions

Definitions related to this policy include:

**Adult abuse** - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

#### 312.3 Policy

The Boise Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

#### 312.4 Mandatory Notifications

Members of the Boise Police Department shall immediately notify the Idaho Commission on Aging (ICOA)'s local Area Agency on Aging when there is reasonable cause to believe that abuse, neglect, or exploitation of a vulnerable adult has occurred (Idaho Code 39-5303).

The following definitions apply to mandatory notification (Idaho Code 39-5302):

- Abuse means the intentional or negligent infliction of physical pain, injury, or mental injury.
- Neglect means failure of a caretaker to provide food, clothing, shelter, or medical care reasonably necessary to sustain the life and health of a vulnerable adult, or the failure of a vulnerable adult to provide those services for him/herself.
- Exploitation means an action which may include, but is not limited to, the unjust or improper use of a vulnerable adult's financial power of attorney, funds, property, or resources by another person for profit or advantage.
- Vulnerable adult is a person 18 years or older who is unable to protect himself/herself from abuse, neglect, or exploitation due to a physical or mental impairment which affects the adult's judgment or behavior to the extent that he/she lacks sufficient understanding or capacity to make, communicate or implement decisions regarding his/her person.

##### 312.4.1 Notification Procedure

Notification should occur as follows (Idaho Code 39-5304):

- (a) All notifications to ICOA shall be made immediately by telephone.



- (b) Information provided to ICOA shall include, if known:
  - 1. Name and address of the vulnerable adult.
  - 2. Name and address of the caretaker.
  - 3. Name and address of the alleged perpetrator.
  - 4. The nature and extent of suspected abuse, neglect or exploitation.
  - 5. Any other information that will be of assistance to an investigation.

### **312.5 Qualified Investigations**

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Idaho Code 39-5308).

### **312.6 Investigations and Reporting**

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

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

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name, and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.

- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

### **312.7 Protective Custody**

Refer to Policy 313 Protective Custody of Adults and Children.

#### **312.7.1 ICOA Assistance**

An officer shall cooperate with ICOA when assistance is requested and the officer reasonably believes an emergency exists which requires immediate entry on public or private property to ensure the safety of a vulnerable adult who is allegedly being abused, neglected, or exploited. Assistance may also include transporting the vulnerable adult to a medical facility, care-providing facility, or other appropriate and safe environment (Idaho Code 39-5305).

### **312.8 Interviews**

#### **312.8.1 Preliminary Interviews**

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

#### **312.8.2 Detaining Victims for Interviews**

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

- (a) Exigent circumstances exist, such as:
  - 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
  - 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
  - 3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

### **312.9 Medical Examinations**

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency, or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency, or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

### **312.10 Drug-Endangered Victims**

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking, or use of narcotics.

#### **312.10.1 Supervisor Responsibilities**

The Criminal Investigation Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including ICOA, other law enforcement agencies, medical service providers and local prosecutors, to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Criminal Investigation Division supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.

#### **312.10.2 Officer Responsibilities**

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

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate
- (b) Notify the Criminal Investigation Division supervisor

#### **312.10.3 Records Unit Responsibilities**

The Records Unit is responsible for:

- (a) Providing a copy of the adult abuse report to ICOA as required by law.
- (b) Retaining the original adult abuse report with the initial case file.

#### **312.10.4 Release of Reports**

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Idaho Code 39-5307; Idaho Code 74-105(11)).

### **312.11 Training**

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

- (a) Participating in multidisciplinary investigations, as appropriate.

- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

## **313 PROTECTIVE CUSTODY OF ADULTS AND CHILDREN**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **313.1 Imminent Danger of Children**

When declaring a child in imminent danger, the Department of Health and Welfare shall be contacted to take custody of the child.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Whenever practicable, the officer should inform a supervisor of the circumstances prior to declaring a child in imminent danger. If prior notification is not practicable, officers should contact a supervisor promptly after declaring a child in imminent danger.

Children may only be removed from a parent or guardian in the following situations:

- (a) When a court order has been issued authorizing the removal of the child
- (b) Without a court order, when a child is abandoned or endangered and the imminent safety risks to the child do not allow for time to obtain a court order

### **313.2 Procedure to Declare Children**

When a child is taken into emergency protective custody without a court order, the officer shall immediately take the following actions (Idaho Code section 16-1609):

- (a) Contact the Department of Health and Welfare and turn the custody of the child over to them.
- (b) Complete police reports and imminent danger paperwork and submit to the Ada County Prosecutors office.
- (c) Except in the case of child abandonment pursuant to the Idaho Safe Haven Act, notify each of the parents, guardian, or other legal custodian that the child has been taken into shelter care, and that within 48 hours excluding Saturdays, Sundays, and holidays there must be a shelter care hearing pursuant to Idaho Code 16-1615. compensation.

### **312.3 Adult Protective Custody**

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact Idaho Commission on Aging (ICOA) after notifying a supervisor or other BPD investigative unit.

Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the

adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to ICOA.

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

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

### **313.4 Protective Custody for Persons Experiencing Mental Illness**

An officer may take a person into protective custody when he/she has reason to believe that the person is gravely disabled due to mental illness or poses an imminent danger to him/herself or others based upon (Idaho Code 66-326):

- Personal observation (e.g., the person's statements, injuries, emotional state, apparent means to carry out the threat, previous history of depression/suicide attempts).
- Witness observations.
- Medical professional's observations.

After determining that an emergency mental hold is appropriate, the officer shall:

Obtain any needed medical clearance.

Transport the person to a treatment facility.

#### **313.4.1 Voluntary Evaluation**

If an officer encounters an individual who may qualify for civil commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the officers should:

- (a) Transport the individual to an appropriate facility that is able to conduct the evaluation and admit the person as a civil commitment.
- (b) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

#### **313.4.2 Protective Custody of Children Experiencing Mental Illness**

An officer may take a child 17 years of age or younger into protective custody and transport the child to an approved treatment facility or program for an emergency mental health evaluation when the officer determines (Idaho Code 16-2411):

- (a) An emergency situation exists, there is probable cause to believe the child is suffering from a serious emotional disturbance and the child is likely to cause harm to him/ herself or others.

- (b) The child is unable to preserve his/her health and safety in his/her present surroundings and both immediate detention and treatment is necessary to prevent harm to the child or others.

Probable cause shall be based upon the officer's personal observation, information from the child's parents or the recommendation of a mental health professional (Idaho Code 16-2411).

The officer shall inform the medical staff in writing of the facts that caused the detention and specifically state whether the child is otherwise subject to being held for juvenile or criminal offenses (Idaho Code 16-2411).

The law enforcement agency shall notify the child's parent, guardian, or custodian as soon as possible, but no later than 24 hours, of the child's status, location and the reasons for the child's detention. If the parents cannot be located or contacted, both the efforts made and the reasons for failure to contact the parent shall be documented in a written report (Idaho Code 16-2411).

### **313.5 Crisis Response for Persons with a Neurocognitive Disorder**

#### **313.5.1 Protective Custody Without Hearing**

An officer may take a person suspected of having a neurocognitive disorder into protective custody if:

- (a) A substantial risk that serious physical harm will be inflicted by the person upon their own person, as evidenced by threats of suicide or threats to inflict serious physical harm on themselves.
- (b) A substantial risk that serious physical harm will be inflicted by the person upon another as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm; or
- (c) The person lacks insight into the need for treatment and is unable or unwilling to comply with treatment based on the person's medical history, clinical observation, or other clinical evidence, and if the person does not receive and comply with treatment, there is a substantial risk that the person will continue to physically, emotionally, or cognitively deteriorate to the point that the person will, in the reasonably near future, inflict serious physical harm on themselves or another person.

The officer will transport and place the person suspected of a neurocognitive disorder in a hospital. A police report will be written and left with the hospital to provide supporting evidence which will be presented to the court.

#### **313.5.2 Protective Custody Upon Court Order**

If a judge issues an order authorizing the protective custody of a person likely suffering a neurocognitive disorder and it is presented to an officer, the officer will transport the person to the nearest hospital to await a hearing.

## 314 CHILD ABUSE

Effective Date: 10/01/2024  
Revised Date: 9/20/2024  
Issuing Authority: Chief Chris Dennison

### 314.1 Purpose and Scope

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Boise Police Department members are required to notify the Department of Health and Welfare of suspected child abuse.

### 314.2 Definitions

Definitions related to this policy include:

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

**Abuse** - means any case in which a child has been the victim of:

- (a) Conduct or omission resulting in skin bruising, bleeding, malnutrition, burns, fracture of any bone, head injury, soft tissue swelling, failure to thrive or death, and such condition or death is not justifiably explained, or where the history given concerning such condition or death is at variance with the degree or type of such condition or death, or the circumstances indicate that such condition or death may not be the product of an accidental occurrence; or
- (b) Sexual conduct, including rape, molestation, incest, prostitution, obscene or pornographic photographing, filming or depiction for commercial purposes, human trafficking as defined in section 18-8602, Idaho Code, or other similar forms of sexual exploitation harming or threatening the child's health or welfare or mental injury to the child.

### 314.3 Policy

The Boise Police Department will review and investigate as needed all reported incidents of alleged criminal child abuse and ensure the Department of Health and Welfare is notified as required by law.

### 314.4 Mandatory Notifications

Members of the Boise Police Department shall follow Idaho mandatory reporting laws as described in Idaho Code 16-1605

### 314.5 Qualified Investigators

If Boise Police members deem a more in-depth investigation is required for child abuse investigations, the Special Victims Unit or School Resource Officer's Unit should be available for child abuse investigations. These investigators should, as appropriate:

- (a) Conduct interviews in child appropriate interview facilities with trained forensic interviewers.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.



- (c) Present cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, the Department of Health and Welfare, community partners, and school administrators as needed.
- (e) Utilize victim advocates for necessary support.
- (f) Participate with multidisciplinary teams as applicable (Idaho Code 16-1617).

### **314.6 Investigation and Reporting**

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

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

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

All cases of the unexplained death of a child shall be investigated thoroughly.

### **314.7 Imminent Danger**

When declaring a child in imminent danger, the Department of Health and Welfare shall be contacted to take custody of the child.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Whenever practicable, the officer should inform a supervisor of the circumstances prior to declaring a child in imminent

danger. If prior notification is not practicable, officers should contact a supervisor promptly after declaring a child in imminent danger.

Children may only be removed from a parent or guardian in the following situations:

- (a) When a court order has been issued authorizing the removal of the child
- (b) Without a court order, when a child is abandoned or endangered and the imminent safety risks to the child do not allow for time to obtain a court order

### **314.7.1 Procedure**

When a child is taken into emergency protective custody without a court order, the officer shall immediately take the following actions (Idaho Code section 16-1609):

- (a) Contact the Department of Health and Welfare and turn the custody of the child over to them.
- (b) Complete police reports and imminent danger paperwork and submit to the Ada County Prosecutors office.
- (c) Except in the case of child abandonment pursuant to the Idaho Safe Haven Act, notify each of the parents, guardian, or other legal custodian that the child has been taken into shelter care, and that within 48 hours excluding Saturdays, Sundays, and holidays there must be a shelter care hearing pursuant to Idaho Code 16-1615.

### **314.7.2 Safe Haven Act Provisions**

If a child has been abandoned pursuant to the Idaho Safe Haven Act, the investigating officer shall take protective custody of the child, immediately notify the Department of Health and Welfare and transfer the child to their custody. If the child requires medical evaluation, the child shall be left in the care of a hospital. The officer shall notify the court and prosecutor of the action taken and the location of the child (Idaho Code section 39-8204).

## **314.8 Interviews**

### **314.8.1 Preliminary Interviews**

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

### **314.8.2 Contacting Suspected Child Abuse Victims for An Interview**

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

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

2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

(b) A court order or warrant has been issued.

### **314.8.3 Audio and Video Recording of Investigative Interviews**

Unless otherwise demonstrated by good cause, all investigative interviews of alleged child abuse victims shall be documented by audio or video recording (Idaho Code section 16-1618).

### **314.9 Medical Examinations**

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility, with the preferred methods being via ambulance or the Department of Health and Welfare

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

### **314.10 Drug -Endangered Children**

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

#### **314.10.1 Supervisor Responsibilities**

The Criminal Investigation Division Supervisor should:

- (a) Work with professionals from the appropriate agencies, including the Department of Health and Welfare, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Criminal Investigation Division Supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (c) Ensure officers have documented the environmental, medical, social, and other conditions that may affect the child.

#### **314.10.2 Officer Responsibilities**

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

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Criminal Investigation Division Supervisor so an interagency response can begin.

### **314.11 State Mandates and Other Relevant Laws**

Idaho requires or permits the following:

#### **314.11.1 Processing Report and Records**

The Records Supervisor shall submit to the Idaho Attorney General a report of each reported child sexual abuse incident. The report shall contain such information as specified by the Attorney General (Idaho Code section 67-1405(1)).

#### **314.11.2 Release of Reports**

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Idaho Code section 16-1626; Idaho Code section 16-1629(6); Idaho Code section 74-105(7)).

#### **314.11.3 Multidisciplinary Team Protocols**

The Criminal Investigation Division Supervisor should ensure that department members have access to the appropriate written protocols for multidisciplinary teams investigating child abuse cases (Idaho Code section 16-1617).

### **314.12 Training**

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

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

## 315 MISSING PERSONS

Effective Date: 05/01/2025

Revised Date: 03/19/2025

Issuing Authority: Chief Chris Dennison

### 315.1 Purpose And Scope

This policy provides guidance for handling missing person investigations.

### 315.2 Definitions

Definitions related to this policy include:

**At-risk** - This includes persons who are:

- (a) 13 years of age or younger.
- (b) Regardless of age, believed or determined to be experiencing one or more of the following circumstances:
  - 1. Is out of the zone of safety for his/her chronological age and developmental stage.
  - 2. Has a mental or behavioral disability.
  - 3. Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
  - 4. Has been absent from home for more than 24 hours before being reported to law enforcement as missing.
  - 5. Is in a life-threatening situation.
  - 6. Is in the company of others who could endanger his/her welfare.
  - 7. Is absent in a way that is inconsistent with established patterns of behavior and that cannot be readily explained. Most children have an established and reasonably predictable routine.
  - 8. Is involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.

**Missing person** - Any person who is reported missing to law enforcement when that person's location is unknown. This includes a person that is less than 18 years of age who is reported to the Department as abducted, lost or as a runaway (Idaho Code 18-4508(2); Idaho Code 18-4508(3)).

**Missing person networks** - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the Idaho Law Enforcement Telecommunications System (ILETS) and the Idaho Missing Person Clearinghouse.

### 315.3 Policy

The Boise Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation

reveals otherwise. The Boise Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

### **315.4 Acceptance of Reports**

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

### **315.5 Initial Investigation**

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at-risk.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either at-risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Request assistance from other resources as necessary for follow up and an area search.
- (e) Broadcast a "Be on the Look-Out" (BOLO) if the person is under 18 years of age, there is evidence that the missing person is at-risk, or when it is applicable under the facts. The alert should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 18 years of age or may be at-risk.
- (f) Ensure that entries are made into the appropriate missing person networks, as follows:
  - 1. Immediately when the missing person is under the age of 18 or at-risk.
  - 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
- (g) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (h) Collect and/or review:
  - 1. A photograph and a fingerprint card of the missing person, if available.
  - 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).

3. Any documents that may assist in the investigation, such as court orders regarding custody.
  4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (i) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
  - (j) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

### **315.6 Report Procedures and Routing**

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

#### **315.6.1 Supervisor Responsibilities**

The responsibilities of the supervisor shall include, but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
  1. The reports should be promptly sent to the Records Unit.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate issuing persons networks.
- (f) Ensuring a copy of the report is routed to the Criminal Investigation Division.
- (g) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
  1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.
- (h) When applicable, request assistance from community partners such as Idaho Mountain Search and Rescue

#### **315.6.2 Records Unit Responsibilities**

The responsibilities of the Records Unit receiving member shall include, but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the law enforcement agency having jurisdiction over the missing person's residence in cases where the missing person is a resident of another jurisdiction.

- (b) Notifying and forwarding a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known.
- (d) Updating the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

### **315.7 Investigation Follow-Up**

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Shall ensure that an Idaho elementary or secondary school is immediately notified when an enrolled child is reported missing (Idaho Code 18-4509(2)).
  - 1. The notice shall be in writing and should also include a photograph.
  - 2. The investigator, or their designee should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.
- (c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (d) Shall verify and update the Idaho Missing Person Clearinghouse, the ILETs, the NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (g) Should make appropriate inquiry with the Coroner.
- (h) Should obtain and forward medical and dental records, photos, X-rays and biological samples, as applicable.
- (i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the



Idaho State Police and enter the photograph into applicable missing person networks (34 USC § 41308).

- (j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

#### **315.7.1 Investigative Supervisor Follow Up**

- (a) Receive and review the report, assigning the case to an investigator.
- (b) Review and approve the Runaway/Missing Person Report to ensure compliance with procedure as reflected in the investigative report(s).
- (c) Notify the appropriate Lieutenant if the juvenile has been missing for 15 days or more. Also, confirm that the NCIC Missing Person Data Entry Guide booklet has been completed as much as possible and submitted to Records within 30 days of the date of the disappearance.

#### **315.8 When A Missing Person Is Found**

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the reporting party and other involved agencies and refer the case for additional investigation if warranted.

The Records Supervisor should ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to Idaho State Police.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks, including immediately in NCIC.
- (d) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

#### **315.8.1 Unidentified Persons**

Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

#### **315.9 Case Closure**

The Criminal Investigations Division supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Boise or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

### **315.10 Training**

Subject to available resources, the Criminal Investigations Division Captain should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

- (a) The initial investigation:
  - 1. Assessments and interviews
  - 2. Use of current resources, such as Mobile Audio Video (MAV)
  - 3. Confirming missing status and custody status of minors
  - 4. Evaluating the need for a heightened response
  - 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).
- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.
- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., Internet use, cell phone use).
- (n) Media relations.

## **316 PUBLIC ALERTS**

Effective Date: 08/01/2024  
Revised Date: 07/01/2024  
Issuing Authority: Chief Ron Winegar

### **316.1 Purpose and Scope**

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

### **316.2 Policy**

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

### **316.3 Responsibilities**

#### **316.3.1 Employee Responsibilities**

Employees of the Boise Police Department should notify their supervisor, Watch Commander, or a Criminal Investigation Division supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person, or gathering information.

#### **316.3.2 Watch Commander Responsibilities**

A Watch Commander apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The Watch Commander shall promptly send a command notification when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- Notify the Watch Commander or PIO if there is a need to Update an alert.
- Notify the Watch Commander or PIO to Cancel an alert.
- Ensuring all appropriate reports are completed.

### **316.4 Amber Alerts**

The Idaho AMBER Alert™ system disseminates accurate information statewide, as quickly as possible, about the disappearance or abduction of a child. The broadcast contains descriptive information that can readily identify the child and the abductor.

#### **316.4.1 Alert Criteria**

An AMBER Alert should only be implemented in the following cases:

- (a) The initial investigation indicates that the child is known or strongly suspected by law enforcement to have been abducted.

- (b) The abduction occurred within 12 hours of the initial activation of an AMBER Alert.
- (c) The child is under 18 years of age or have a proven mental or physical disability.
- (d) The initial investigation indicates that the child is in imminent danger of serious bodily harm or death.
- (e) There must be enough descriptive information to believe that an AMBER Alert will assist in the recovery of the child and must include as much of the following information as possible:
  - 1. Abduction location and time
  - 2. Where the child was last seen
  - 3. Physical and clothing description of the abducted child
  - 4. Suspect vehicle information
  - 5. Physical description of the suspect
  - 6. Place last seen; direction of travel if known

The missing child must be entered into the National Crime Information Center (NCIC) database.

#### **316.4.2 Procedure**

Upon initiation of an AMBER Alert, the Watch Commander or supervisor should:

- (a) Ensure prompt entry of information into the ILETS and NCIC databases.
- (b) Ensure the preparation of an initial press release that includes all pertinent information and any other available information that might aid in locating the child, such as:
  - 1. A photograph.
  - 2. Details regarding the location of the incident, direction of travel, or potential destinations, if known.
  - 3. Name and telephone number of the Public Information Officer or other authorized point of contact to handle media and law enforcement liaison regarding the alert.
  - 4. A telephone number and point of contact for the public to call with information.
- (c) Consider the following resources or contacts if direct action is dictated by the circumstances:
  - 1. National Center for Missing and Exploited Children (NCMEC)  
1-800-843-5678
  - 2. Local allied law enforcement agency resources
  - 3. FBI local office

- (d) The investigation unit supervisor or other individual responsible for making notifications shall prepare and distribute follow-up press releases with updates regarding the search and investigation.

### **316.5 Endangered Missing Person Alerts (EMPA)**

The statewide Endangered Missing Person Alert system is used to enhance the public's ability to assist in recovering missing and endangered persons whose whereabouts are unknown.

#### **316.5.1 Criteria**

An endangered missing person alert shall not be issued under the same criteria as an Amber alert and shall not be distributed automatically statewide. An endangered missing person alert may be distributed based on the geographic area in which the missing person was last seen or is believed to be. An endangered missing person alert shall be issued with the information available to law enforcement, and lack of detailed information shall not preclude the issuance of an alert.

- (a) Endangerment or imminent danger of serious bodily harm or death for missing persons such as; age, weather conditions, known abduction of a person over the age of 17 (for known abduction of children 17 and younger, see AMBER Alert), and any other factors the Law Enforcement believes the missing person could be endangered.
- (b) There should be enough descriptive information of the missing person, vehicle, or suspect to believe that an EMPA will assist in locating the missing person.
- (c) Missing person must be entered into NCIC.

#### **316.5.2 Procedure**

The Watch Commander should notify the Idaho State Police to request activation of an Endangered Missing Person Alert after verification of all criteria has been met. The request should include information about the appropriate boundaries of the alert, based on nature of the endangerment and the circumstances surrounding the last known location of the missing person or suspect. (Idaho Code section 67-2922).

### **316.6 Blue Alerts**

Blue Alerts are used to provide a statewide system for the rapid dissemination of information regarding a violent criminal who has seriously injured or killed a peace officer or when a peace officer becomes missing in the line of duty under circumstances warranting concern for the officer's safety (Idaho Code section 67-2920).

#### **316.6.1 Criteria**

A Blue Alert may be activated if all of the following criteria are met (Idaho Code section 67-2920):

- (a) A peace officer has been killed, seriously injured, or is missing in the line of duty under circumstances warranting concern for his/her safety.
- (b) The suspect has not been apprehended and may be a serious threat to the public.

- (c) Sufficient information is available to disseminate to the public that could assist in locating the suspect or the missing peace officer.

#### **316.6.2 Procedure**

The Watch Commander should notify the Idaho State Police to request activation of a Blue Alert after verification of all criteria has been met. The request should include information about the appropriate boundaries of the alert, based on information about the suspect and the nature of the crime or the last known location of the missing officer (Idaho Code section 67-2920).

## **317 VICTIM AND WITNESS ASSISTANCE**

Effective Date: 05/01/2025  
Revised Date: 03/19/2025  
Issuing Authority: Chief Chris Dennison

### **317.1 Purpose and Scope**

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

### **317.2 Policy**

The Boise Police Department shall maintain a Victim Witness Unit assigned within the Criminal Investigation Division. The Boise Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Boise Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

### **317.3 Purpose**

The Victim-Witness Unit was established to provide short-term crisis intervention, education and offer community support services to victims and witnesses of violent crimes, sex crimes and crimes against children. The Victim-Witness Coordinators will be the point of contact for individuals requiring further assistance or information from the Boise Police Department regarding benefits from crime victim resources unless the case is transferred to a prosecuting agency coordinator. The Victim-Witness Unit will assist crime victims in navigating the Criminal Justice Process; educating, advocating and working as a liaison between victims/law enforcement and victims/prosecutors helping to ensure that victims rights are adhered to throughout the criminal justice process (I.S.C 19-5306).

#### **317.3.1 Specific Victim-Witness Coordinator Duties**

The Victim-Witness Unit will, as possible, provide call-out and on-call services to Criminal Investigation Detectives and Patrol Officers upon their request.

Detectives and patrol officers shall offer Victim Witness services for all crimes of violence. Victim-Witness personnel should be notified when crimes of violence occur (to include, Homicide, Rape, Robbery, Felony Child Physical and Sexual Abuse, Domestic Violence, Felony Stalking and Attempted Strangulation)

Upon the request of a field supervisor or patrol officer.

Detectives and law enforcement officers shall provide the following information when contacting the Victim-Witness Supervisor or VW Call-Out number

- Type of Crime
- Location to respond
- Name and contact information for officer on scene

If a Victim-Witness Coordinator is activated to respond to a victim or witness, the Detective or Patrol Officer shall remain on scene for the duration and interaction. A sworn officer shall make

any transports of victims and witnesses unless an alternative is found (Victim-Witness- Coordinators are unarmed professional staff and shall not be left without a sworn officer on the scene) I.S.C39-6316(3).

### **317.4 Crime Victims**

Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

### **317.5 Victim Information**

Boise Police Officers are responsible for providing victims of crime the prepared resource envelope containing the required written statement including community resources to the victim per I.S.C 39-6316(2). The Boise Police Department Strategic Services Team (SST) shall ensure that victim information handouts are current and available at the patrol division for all police officers to take to the field. The envelopes shall be compliant with I.S.C 39-6316.

### **317.6 Witnesses**

Officers should never guarantee a witness's safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.



## 318 MALICIOUS HARASSMENT

Effective Date: 05/01/2025

Revised Date: 03/21/2025

Issuing Authority: Chief Chris Dennison

### 318.1 Purpose and Scope

This department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by fear, intimidation, harassment, and physical harm, this department will utilize all available resources to see that justice is served under the law. This policy provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

### 318.2 Definitions

**Malicious Harassment** - It is unlawful for any person, maliciously and with specific intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, or national origin to:

- (a) Cause physical injury to another person; or
- (b) Damage, destroy, or deface any real or personal property of another person; or
- (c) Threaten, by word or act, to do the acts prohibited if there is reasonable cause to believe that any of the acts described in subsections (a) and (b) of this section will occur.

For purposes of this section, "deface" shall include, but not be limited to, cross-burnings or the placing of any word or symbol commonly associated with racial, religious or ethnic terrorism on the property of another person without his or her permission (Idaho Code 18-7902).

### 318.3 Preventing and Preparing for Likely Malicious Harassment

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely Malicious Harassment by among other things:

- (a) Officers should make an affirmative effort to establish contact with persons and groups within the community who are likely targets of Malicious Harassment to form and cooperate with prevention and response networks.
- (b) Monitor evolving racial and ethnic tensions.
- (c) Support the development of policies, practices, and procedures to respond to Malicious Harassment led by local officials and community leaders.
- (d) Coordinate training workshops and community dialogs between law enforcement and residents on Malicious Harassment recognition, prevention, information sharing, and education; enlist support from the community, in identifying victims and developing information sources.
- (e) Provide public awareness and education programs for the media and community groups on responses to Malicious Harassment.

### **318.4 Procedure for Investigating Malicious Harassment**

Whenever any member of this department receives a report of a suspected Malicious Harassment or other activity that reasonably appears to involve a potential Malicious Harassment, the following should occur:

When an officer at the scene of an incident believes or has reason to suspect that the incident may be a hate/bias motivated crime, the officer shall:

- (a) Officers will be promptly assigned to investigate the incident and ensure the physical safety and emotional wellbeing of the victim(s).
- (b) Notify a supervisor while on scene of the circumstances as soon as practical. The supervisor will respond to the scene as circumstances dictate and will ensure the following are accomplished:
  - Express to the victim the Department's official position on the importance of such cases and assist the victim in identifying and contacting individuals or agencies may provide support and assistance.
  - Notify the Watch Commander/Lieutenant and the Violent Crimes supervisor if the facts show an incident motivated by hate or bias.
  - Notify a Victim-Witness coordinator.
- (c) The assigned officer(s) and supervisor should take reasonable steps to ensure that any such situation does not escalate further.
- (d) The investigating officer will complete and submit a General Report prior to the end of shift, noting the suspected crime and, in the crime block section, "Suspected Bias Incident" or "SBI."

#### **318.4.1 Follow-Up Responsibility**

If a case is assigned to the Criminal Investigation Division, the assigned detective will be responsible for following up on the reported Malicious Harassment as follows:

- (a) Coordinate further investigation with the Prosecuting Attorney and other appropriate law enforcement agencies, as appropriate.
- (b) Maintain contact with the victim(s) and other involved individuals as needed.
- (c) Complete a detailed report and forward a copy to the Records Unit.

The Records Unit will maintain statistical data on suspected Malicious Harassment and report such data to the director of the Idaho State Police (Idaho Code 67-2915).

### **318.5 Training**

All members of this department should receive training on recognition and investigation of crimes related to malicious harassment during the Field Training Officer program and during in-service training sessions.

## **319 STANDARDS OF CONDUCT**

Effective Date: 08/01/2024

Revised Date: 07/01/2024

Issuing Authority: Chief Ron Winegar

### **319.1 Purpose and Scope**

This policy establishes standards of conduct that are consistent with the values and mission of the Boise Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

### **319.2 Policy**

The continued employment or appointment of every member of the Boise Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

### **319.3 Directives and Orders**

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

#### **319.3.1 Unlawful or Conflicting Orders**

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

### **319.3.2 Supervisor Responsibilities**

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

### **319.4 General Standards**

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Idaho constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

This policy is not intended to cover every possible type of misconduct.

### **319.5 Causes for Corrective Action**

The following are illustrative of causes for corrective action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

#### **319.5.1 Laws, Rules, and Orders**

- (a) Violation of/ or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement, or failure to follow instructions contained in department or City manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules, or regulations.

#### **319.5.2 Ethics (Refer to Boise City Code 1-8)**

- (a) Using or disclosing one's status as a member of the Boise Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit, or any other improper purpose.

- (c) The receipt or acceptance of a reward, fee, or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts, or money contrary to the rules of the City and/or laws of the state.
- (e) Offer or acceptance of a bribe.
- (f) Misappropriation or misuse of public funds, property, personnel, or services.
- (g) Any other failure to abide by the standards of ethical conduct.

### **319.5.3 Discrimination, Oppression, Or Favoritism**

Discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful, shall be prohibited

### **319.5.4 Relationships**

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

### **319.5.5 Attendance**

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.

### **319.5.6 Unauthorized Access, Disclosure, Or Use**

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property or information for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

### **319.5.7 Efficiency**

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Unauthorized sleeping during on-duty time or assignments.
- (d) Failure to notify the Department within 24 hours of any change in residence address or contact numbers.
- (e) Failure to notify the Human Resources of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

### **319.5.8 Performance**

- (a) Failure to disclose or misrepresenting material facts or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper, or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department--related business.

- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
  - 1. While on department premises.
  - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
  - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
  - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
  - 2. Solicitations, speeches, or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.
- (i) Any act on- or off-duty that brings discredit to this department.

#### **319.5.9 Conduct**

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency that may result in criminal prosecution or discipline under this policy.
- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful, or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay while on duty that reasonably could result in injury or property damage.



- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.
- (g) Use of obscene, indecent, profane, or derogatory language while on-duty or in uniform towards the public or a co-worker, except to quote another person in reports or testimony. Or when the use is to provide emphasis during a rapidly evolving situation to gain compliance with an uncooperative subject.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract to include fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency, or morale, or tends to reflect unfavorably upon this department or its members.

#### **319.5.10 Safety**

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, POST training).
- (c) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (d) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (e) Any personal action contributing to a preventable traffic collision
- (f) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.



### **319.5.11 Intoxicants**

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication, or drugs, whether legal, prescribed, or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug, or non-prescribed medication to any work site.
- (d) Driving a city owned vehicle under the influence of alcohol, a controlled substance, or any drug that impairs driving ability.

## **320 INFORMATION TECHNOLOGY USE**

Effective Date: 05/01/2025  
Revised Date: 03/19/2025  
Issuing Authority: Chief Chris Dennison

### **320.1 Purpose and Scope**

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software, and systems.

### **320.2 Policy**

It is the policy of the Boise Police Department that members shall use information technology resources, including computers, software, and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy and City Regulation 4.30a Information Technology (IT) Acceptable Use.

### **320.3 Software**

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

### **320.4 Hardware**

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

### **320.5 Off-Duty Use**

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. Technology resources will not be taken on international travel unless approved by a division commander or above. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

### **320.6 Protection of Agency Systems And Files**

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon

information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

## **321 REPORT PREPERATION**

Effective Date: 02/01/2025  
Revised Date: 12/01/2024  
Issuing Authority: Chief Chris Dennison

### **321.1 Purpose and Scope**

Report preparation is a major part of each officer's job. The purpose of reports is to document sufficient information to refresh the officer's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

#### **321.1.1 Report Preparation**

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. . Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard, or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal, or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

### **321.2 Required Reporting**

Written reports are required in all of the following situations on the appropriate approved form unless otherwise approved by a supervisor.

#### **321.2.1 Criminal Activity**

When a member responds to a call for service, or as a result of self-initiated activity becomes aware that any activity described below has occurred, the member is required to document the incident regardless of whether a victim desires prosecution.

Activity to be documented in written reports includes:

- (a) All arrests
- (b) All felony crimes
- (c) Non-felony incidents involving threats or stalking behavior
- (d) All incidents involving domestic violence (refer to the Domestic Violence Policy)
- (e) Any situation where police force is used against another person (refer to the Use of Force Policy)
- (f) Situations covered by separate policy. These include:
  - 1. Child Abuse Policy

2. Adult Abuse Policy

3. Malicious Harassment Policy

- (g) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

**321.2.2 Non-criminal Activity**

Incidents that shall be documented using an appropriate approved report include:

- (a) Any use of force against any person by a member of this department (refer to the Use of Force Policy).
- (b) Any firearm discharge (refer to the Use of Force Policy).
- (c) Any time a person is reported missing, regardless of jurisdiction (refer to the Missing Persons Policy).
- (d) Any found property or found evidence.
- (e) Any traffic collisions meeting the reporting level (refer to the Traffic Collision Reporting Policy).
- (f) Suspicious incidents that may place the public or others at risk.
- (g) All protective custody detentions.
- (h) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.

**321.2.3 Death Cases**

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigations Policy. An officer handling a death investigation should notify and apprise a supervisor of the circumstances surrounding the incident and a determination will be made on how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

- (a) Sudden or accidental deaths.
- (b) Suicides.
- (c) Homicide or suspected homicide.
- (d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death).
- (e) Found dead bodies or body parts.

**321.2.4 Injury or Damage by City Employee**

If the Department becomes aware of an injury that is a result of an act of a City employee a report will be taken. Additionally, reports will be taken involving damage or loss to City property or City equipment that the Department is aware of.

### **321.2.5 Miscellaneous Injuries**

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose.
- (b) Attempted suicide.
- (c) The injury is major/serious, whereas death could result.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

### **321.2.6 Alternate Reporting for Victims**

Reports that may be submitted by the public via online or other self-completed reporting processes include:

- (a) Lost property.
- (b) Misdemeanor thefts of property, other than firearms or materials that threaten public safety, when there is no suspect information,
- (c) Misdemeanor vandalism with no suspect information and no hate crime implications.
- (d) Vehicle burglaries with no suspect information or evidence.
- (e) Annoying telephone calls with no suspect information.
- (f) Identity theft without an identifiable suspect.
- (g) Fraudulent use of credit / debit cards with no identifiable suspect.
- (h) Hit-and-run vehicle collisions involving objects or unattended vehicles.

Members at the scene of one of the above incidents should not refer the reporting party to an alternate means of reporting without authorization from a supervisor. Members may refer victims to online victim assistance programs (e.g., Federal Communications Commission (FCC) website for identity theft, Internet Crime Complaint Center (IC3) website for computer crimes).

### **321.3 General Policy of Expeditious Reporting**

In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

Officers shall complete all arrest reports prior to the end of their shift.

Officers should finish all non-arrest reports prior to the end of their duty shift. In the event the report is not complete at the end of their duty shift, officers shall finish all non-arrest reports within 24 hours or prior to leaving for their normal days off, vacations, training etc.

### **321.4 Report Corrections**

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should return the report stating the reasons for rejection. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.

### **321.5 Report Changes or Alternations**

Reports that have been approved by a supervisor and submitted to the Records Unit for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Unit may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.

### **321.6 Electronic Signatures**

The Boise Police Department has established an electronic signature procedure for use by all employees of the Boise Police Department.

- Employees may only use their electronic signature for official reports or other official communications.
- Each employee shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

## 322 NEWS MEDIA RELATIONS

Effective Date: 4/1/2024

Revised Date: 2/15/2024

Issuing Authority: Chief Ron Winegar

### 322.1 Purpose and Scope

This policy provides guidelines for media contact, releases, and access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

### 322.2 Responsibilities

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. However, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, the Deputy Chief of Police, Division Commanders, Lieutenants, and designated Public Information Officer(s) may prepare and release information to the media in accordance with this policy and the applicable law.

#### 322.2.1 Media Request

Any media request for information or access to a law enforcement situation shall be referred to the media representative as designated by this department, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

- At no time shall any employee of this department in their official capacity make any comment or release any official information to the media without prior approval from the Chief of Police, Deputy Chief of Police, Division Commander, Lieutenant, or Public Information Officer.
- In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.
- Restricted information not authorized for release (e.g., as outlined in the restricted Information subsection of this policy).

Information authorized for routine release includes:

- **Defendant information:** Defendant's name, age, city of residence, unless juvenile.
- **Violations:** The substance of the charge and statutes violated.
- **Agency:** The identity of the investigating and/or arresting agency and the Duration of the investigation.



- **Circumstances:** The circumstances immediately surrounding an arrest or incident including the time and place, resistance, if any, and description of items seized at the time of arrest.
- **Victim information:** The name, age and city of residence of the victim should be protected unless the investigating officer deems the disclosures necessary due to the state of the investigation.

### 322.3 Media Access

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities subject to the following conditions:

1. Media representatives shall be allowed in any area legally open to the public.
2. Media representatives may be prevented from interfering with emergency operations and criminal investigations.
  - Reasonable efforts should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency operations or a criminal investigation. All information released to the media should be coordinated through the Public Information Officer or other designated spokesperson.
  - Whenever the presence of media or other aircraft poses a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Watch Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).
3. No member of this department who is currently under investigation shall be subjected to media visits or interviews without his or her consent.
4. Media interviews with individuals who are in custody of BPD shall not be permitted without the approval of the Chief of Police and the express consent of the person in custody. A tactical operation should be handled in the same manner as a crime scene, except the news media should be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media.

#### 322.3.1 Providing Advance Information

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person, or is otherwise prohibited by law.

#### **322.4 Restricted Information**

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department. When in doubt, authorized and available legal counsel should be obtained.

## **323 SUBPOENAS AND COURT APPEARANCES**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **323.1 Purpose and Scope**

This procedure has been established to provide for the acceptance of subpoenas and to ensure that employees appear when subpoenaed or are available to appear in court when requested and present a professional appearance.

### **323.2 Policy**

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

A civil subpoena may be served upon the named member in the subpoena in accordance with I.R.C.P. Rule 45. Prior to accepting service for a civil subpoena, appropriate witness fees shall be demanded as allowed by law (I.R.C.P. Rule 45).

A criminal subpoena may be served on a member by one of the following:

- (a) Personally served by showing the original subpoena to the member and personally informing him/her of the contents (Idaho Code 19-3007).
- (b) Delivered by mail or messenger and the member acknowledges receipt to the sender by telephone, mail or in person with identifying information as prescribed in Idaho Code 19-3007A.

### **323.3 Special Notification Requirements**

Any member who is subpoenaed to testify, agrees to testify, or provides information on behalf of or at the request of any party other than the City Attorney or the county prosecutor shall notify his/her immediate supervisor without delay regarding:

- (a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Boise Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Boise Police Department.

The supervisor will then notify the Professional Standards Division (PSD) Captain and the appropriate prosecuting attorney as may be indicated by the case. The PSD Captain should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

### **323.4 Civil Subpoena**

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as agreed to in the collective bargaining agreement.

If the member receives a witness fee or compensation from the attorney of record, those monies will be signed over to the City. If the member retained the witness fee or any other compensation from the attorney of record, they would forfeit receiving compensation from the department.

### **323.5 Off-Duty Related Subpoenas**

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

### **323.6 Subpoenas Resulting from Previous Law Enforcement Employment**

Any employee receiving a criminal or civil subpoena as a result of previous law enforcement employment affecting their duty schedule with the Department shall immediately notify their chain of command of the circumstances surrounding the subpoena. An employee who has been subpoenaed because of previous employment with other agencies may be granted administrative leave for those hours corresponding to normal duty hours in the amount determined by the Division Commander.

### **323.7 Failure to Appear**

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to corrective action. This includes properly served orders to appear that were issued by a state administrative agency.

### **323.8 Courtroom Protocol**

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.
- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

#### **323.8.1 Testimony**

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

### **323.9 Overtime Appearances**

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current collective bargaining agreement.

## **324 GUARDING PERSONS IN CUSTODY AT A HOSPITAL**

Effective Date: 5/1/2025

Revised Date: 3/24/2025

Issuing Authority: Chief Chris Dennison

### **324.1 Purpose and Scope**

This policy provides general guidelines for guarding persons who are under arrest and receiving treatment at a hospital.

### **324.2 Policy**

The Boise Police Department will provide officers to guard and secure person under arrest and in our custody.

### **324.3 Requirements While Guarding**

Officers guarding a person under arrest and receiving treatment in a medical facility will be clearly identifiable by wearing a uniform or other identifiable clothing. They will, at minimum, be armed, have an additional firearm magazine, carry handcuffs, and have a radio for communications.

Officers will not divulge any information on the status of the person in custody except to authorized Boise Police personnel, supervisory or command officers.

#### **324.3.1 Access and Movement of Person in Custody**

Officers will restrain persons in custody, at a minimum, by the arm(s) to the medical bed with handcuffs unless directed by medical staff due to treatment being administered.

Officers will not leave the person in custody unattended except when medical staff require the officer remain outside or defense council is present.

When a person in custody is moved, the officer guarding them will ensure proper restraints are applied and accompany them unless directed by medical staff they are not allowed to remain.

Officers will prohibit contact by other persons with the exception of:

- Authorized Boise Police personnel
- On-Duty Hospital Personnel
- Prosecuting Attorney
- Legal Representative of the person in custody
- Clergy

Officers will not allow any phone calls or packages to be received by the person in custody without supervisor or Watch Commander approval.

Officers will search the person in custody any time they are out of sight and return. Any food utensils will be noted, removing potentially dangerous items, when providing food to the person in custody to ensure they are returned.

### **324.3.2 Documentation**

Officers guarding a person in custody will obtain a Hospitalized Prisoner Activity Log form from a supervisor. The log will be maintained to document the activities by the officer throughout their shift.

Officers will remain on post until relieved by another officer. Once the shift is complete the log will be turned in to a supervisor.

## **325 OUTSIDE AGENCY ASSIST**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **325.1 Purpose and Scope**

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

### **325.2 Policy**

It is the policy of the Boise Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

### **325.3 Assisting Outside Agencies**

Generally, requests for any type of assistance from another agency should be routed to the Watch Commander. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency within Ada County requests assistance from this department, the Watch Commander may authorize, if available, an appropriate number of personnel, to include a supervisor, to assist.

When another law enforcement agency outside of Ada County requests assistance from this department, the Watch Commander will contact the appropriate division commander to determine if the request will be authorized. Any personnel authorized to assist outside of Ada County will be accompanied by a supervisor. The division commander will notify the Deputy Chief if any department resources are sent outside of Ada County.

Officers may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable. A supervisor made aware of officers responding to an emergency assistance request will notify their chain of command and monitor to see if additional resources are required.

Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor

#### **325.3.1 Initiated Activity**

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Boise Police Department shall notify his/her supervisor or the Watch Commander and Ada County Dispatch as soon as

practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions

#### **325.4 Requesting Outside Assistance**

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

#### **325.5 Reporting Requirements**

Incidents of outside assistance or law enforcement activities that are not documented in a crime report will be noted in CAD notes.

#### **325.6 Grants and Federal Funding Requirements**

Some equipment and supplies have been purchased with federal funds or grants that require such equipment and supplies to be available to other agencies in certain circumstances. Memorandums of Agreement, when so required, shall be executed, and followed to ensure compliance with such funding.



## **327 DEATH INVESTIGATIONS**

Effective Date: 05/01/2025  
Revised Date: 03/19/2025  
Issuing Authority: Chief Chris Dennison

### **327.1 Purpose and Scope**

The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent, and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

### **327.2 Investigation Considerations**

Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (decapitated, decomposed, etc.). Officers are not authorized to pronounce death. A supervisor shall be notified in all death investigations.

Upon discovering any individual who is dead or near death the discovering officer shall make a reasonable search of the individual for the purpose of locating anatomical gift donor information. If such donor information is located the officer shall promptly notify the coroner or ensure such information accompanies the individual to the hospital as appropriate (Idaho Code 39-3413).

#### **327.2.1 Coroner Request**

Boise Police Department has a statutory responsibility to investigate all unattended deaths. Officers must ensure that the pertinent facts are properly documented. Officers must approach their investigation with a sense of dignity, compassion, and professionalism toward the deceased and the family. Officers shall:

- (a) Notify the shift supervisor, who will notify detectives.
- (b) Treat the scene as a crime scene,
- (c) Notify the Coroner's Office.
  - 1. In the case of an unattended death which appears to be natural or due to a medical issue and there is an urgent need to move the body from the location of death the coroner's office should be consulted before moving the body.
  - 2. If the body cannot be moved, officers should utilize screens or other barriers to block the view of the body from the public rather than placing blankets or other items over the body.

#### **327.2.2 Death Notification**

The primary responsibility for death notification is with the Coroner's Office. Calls from other jurisdictions with request to deliver a death message will be routed to the Watch Commander for determination of how the request will be handled.

#### **327.2.3 Death Investigation Reporting**

All incidents involving a death shall be documented in an appropriate report.

#### **327.2.4 Suspected Homicide**

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the Violent Crimes Unit shall be notified to determine the need for detectives to respond to the scene for further immediate investigation.

## 330 LIMITED ENGLISH PROFICIENCY SERVICES

Effective Date: 08/01/2024  
Revised Date: 07/01/2024  
Issuing Authority: Chief Ron Winegar

### 330.1 Purpose and Scope

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

### 330.2 Definitions

Definitions related to this policy include:

**Authorized interpreter** - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

**Interpret or interpretation** - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

**Limited English proficient (LEP)** - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

**Qualified bilingual member** - A member of the Boise Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

**Translate or translation** - The replacement of written text from one language (source language) into an equivalent written text (target language).

### 330.3 Policy

It is the policy of the Boise Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

### 330.4 LEP Coordinator

The Chief of Police shall delegate certain responsibilities to an LEP Coordinator.

The responsibilities of the LEP Coordinator include, but are not limited to:

- (a) Coordinating and implementing all aspects of the Boise Police Department's LEP services to LEP individuals.

- (b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.
- (c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Watch Supervisor and Dispatch Supervisor. The list should include information regarding the following:
  - 1. Languages spoken
  - 2. Contact information
  - 3. Availability
- (d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.
- (e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.
- (f) Annually assessing demographic data and other resources, including contracted language services utilization data and community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.
- (g) Identifying standards and assessments to be used by the Department to qualify individuals as qualified bilingual members or authorized interpreters.
- (h) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures, or recommending modifications to this policy.
- (i) Receiving and responding to complaints regarding department LEP services.
- (j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs, and activities.

### **330.5 Four-Factor Analysis**

Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:

- (a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.
- (b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.

- (c) The nature and importance of the contact, program, information or service provided.
- (d) The cost of providing LEP assistance and the resources available.

### **330.6 Types of LEP Assistance Available**

Boise Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

### **330.7 Written Forms and Guidelines**

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

### **330.8 Audio Recordings**

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

### **330.9 Qualified Bilingual Members**

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other City departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

### **330.10 Authorized Interpreters**

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation

services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP Coordinator which demonstrates that their skills and abilities include:

- (a) The competence and ability to communicate information accurately in both English and in the target language.
- (b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.
- (c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (d) Knowledge of the ethical issues involved when acting as a language conduit.

### **330.10.1 Sources of Authorized Interpreters**

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other City departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

### **330.10.2 Community Volunteers and Other Sources of Language Assistance**

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

### **330.11 Contact and Reporting**

While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation, and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

### **330.12 Receiving and Responding to Request for Assistance**

The Boise Police Department will take reasonable steps and will work with the Human Resources to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

#### **330.12.1 Emergency Calls to 9-1-1**

Department members will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines. When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a qualified bilingual member is available in Ada County Dispatch, the call shall immediately be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the call-taker is unable to identify the caller's language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter.

Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

### **330.13 Field Enforcement**

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

### **330.14 Investigative Field Interviews**

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses, and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- (a) An authorized department member or allied agency interpreter
- (b) An authorized telephone interpreter
- (c) Any other authorized interpreter
- (d) Digital interpretation device or cell phone interpretation application:
  - (1) The contact with the LEP individual is a low-level police interaction, such as a traffic stop and the device is used to perform a perfunctory introduction into the detention of the individual. The Officer should consider calling for an authorized interpreter,
  - (2) The contact necessitating the interpretation is conversational, or is in general a non-investigatory contact, i.e., a community caretaking function such as directions to the bus stop.
  - (3) A digital interpretation / translation device should not be used to generate communication for an official police email inquiry such as requesting information related to a police report unless there are exigent circumstances where locating an authorized department member, or authorized interpreter would jeopardize the safety of officers or the public.

Any Miranda warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated Miranda warning card.

The use of an LEP individual's bilingual friends, family members, children, neighbors, or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

### **330.15 Custodial Interrogations**

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. Miranda warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably



possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

### **330.16 Bookings**

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare, the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

### **330.17 Complaints**

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during an investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

### **330.18 Community Outreach**

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses, and neighborhoods to provide equal access to such programs and services.

### **330.19 Training**

To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

The Training Captain shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Training Captain shall maintain records of all LEP training provided and will retain a copy in each member's training file in accordance with established records retention schedules.

#### **330.19.1 Training for Authorized Interpreters**

All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology,

and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

Members on the authorized interpreter list must receive refresher training annually or they will be removed from the authorized interpreter list. This annual training should include language skills competency (including specialized terminology) and ethical considerations.

The Training Captain shall be responsible for coordinating the annual refresher training and will maintain a record of all training the interpreters have received.

## **333 CHAPLAINS**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **333.1 Purpose and Scope**

This policy establishes the guidelines for Boise Police Department Chaplains to provide comfort and spiritual support to members of the Department, their families and members of the public, as part of the Boise Police Department overall wellness initiative.

### **333.2 Policy**

The Boise Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their given responsibilities. Boise Police Department chaplains are volunteers and provide services without financial compensation.

### **333.3 Eligibility**

Requirements for participation as a chaplain for the Department may include, but are not limited to:

- (a) Being above reproach, temperate, prudent, respectable, hospitable, be free from addiction to alcohol or other drugs, and excessive debt.
- (b) Managing their households, families, and personal affairs well.
- (c) Having a good reputation in the community.
- (d) Successful completion of an appropriate-level background investigation.
- (e) Possession of a valid driver license or valid State ID card.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

### **333.4 Recruitment, Selection and Appointment**

Chaplains should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity and nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public. Chaplain candidates are encouraged to participate in ride-alongs with department members before and during the selection process.

#### **333.4.1 Selection and Appointment**

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

- (a) Submit a Boise City Volunteer application.
- (b) Interview with the Chief of Police or his designee and the chaplain coordinator.
- (c) Successfully complete an appropriate-level background investigation.
- (e) Complete a probationary period of one-year from the time of appointment.

Chaplains are volunteers and serve at the discretion of the Chief of Police.

### **333.5 Identification and Uniforms**

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform and not reflect any religious affiliation.

Chaplains will be issued Boise Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Boise Police Department identification cards, with the exception that "Chaplain" will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations and appearance standards of this department.

### **333.6 Chaplain Coordinator**

The Chief of Police shall delegate certain responsibilities to a chaplain coordinator. The Chaplain coordinator shall be appointed by and directly responsible to the Training Division Commander or the authorized designee.

The chaplain coordinator shall serve as the liaison between the chaplains and the Chief of Police. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Chief of Police or the authorized designee, chaplains shall report to the chaplain coordinator.

The chaplain coordinator may appoint a senior chaplain or other designee to assist in the coordination of chaplains and their activities.

The responsibilities of the Chaplain coordinator or the authorized designee include but are not limited to:

- (a) Recruiting, selecting, and training qualified chaplains.
- (b) Conducting chaplain meetings.
- (c) Establishing and maintaining a chaplain callout roster.
- (d) Maintaining training and response records for each chaplain.
- (e) Tracking and evaluating the contribution of chaplains.
- (f) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (g) Planning Attending and participating in periodic recognition events.
- (h) Maintaining liaison with other agency chaplain coordinators.

An evaluation of the overall use of chaplains will be conducted on an annual basis by the coordinator.

### **333.7 Duties and Responsibilities**

Chaplains assist the Department, its members, and the community, as needed. Assignments of chaplains will usually be to augment the Patrol Division. Chaplains may be utilized in other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities, and the needs of the Department.

All chaplains may be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains will follow the City of Boise ethics handbook regarding gifts and gratuities.

#### **333.7.1 Compliance**

Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies. However, the Department recognizes that the Chaplains are an integral part of overall employee wellness and therefore, discretion may be exercised by the Chief of Police, to not restrict Chaplains from entering the Police Department or accessing employees during times when other Volunteers may be restricted from accessing the building (i.e. COVID pandemic).

#### **333.7.2 Operational Guidelines**

- (a) Chaplains shall be permitted to ride with officers during any shift and observe Boise Police Department operations, provided a supervisor has been notified and has approved the activity.
- (b) Chaplains shall not be evaluators of members of the Department.
- (c) In responding to incidents, a chaplain shall never function as an officer.
- (d) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.
- (e) Chaplains shall serve only within the jurisdiction of the Boise Police Department unless otherwise authorized by the Chief of Police or the authorized designee.
- (f) Each chaplain shall have access to current department member rosters, addresses, telephone numbers, duty assignments and other information that may assist in his/ her duties. Such information will be considered confidential, and each chaplain will exercise appropriate security measures to prevent distribution of the data.

#### **333.7.3 Assisting Department Members**

The responsibilities of a chaplain related to department members may include, but are not limited to:

- (a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.

- (b) Visiting sick or injured members in the hospital or at home.
- (c) Attending and participating, when requested, in funerals of active or retired members.
- (d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.
- (e) Providing counseling and support for members and their families.
- (f) Being alert to the needs of members and their families.

#### **333.7.4 Assisting the Department**

The responsibilities of a chaplain related to this department may include, but are not limited to:

- (a) Assisting members in the diffusion of a conflict or incident, when requested.
- (b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Watch Commander or supervisor aids in accomplishing the mission of the Department.
- (c) Responding to major disasters, such as natural disasters, bombings, and similar critical incidents.
- (d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.
- (e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.
- (f) Participating in in-service training classes.
- (g) Willingness to train others to enhance the effectiveness of the Department.

#### **333.7.5 Assisting the Community**

The duties of a chaplain related to the community may include, but are not limited to:

- (a) Fostering familiarity with the role of law enforcement in the community.
- (b) Providing an additional link between the community, other chaplain coordinators and the Department.
- (c) Providing liaison with various civic, business and religious organizations.
- (d) Promptly facilitating requests for representatives or leaders of various denominations.
- (e) Assisting the community in any other function as needed or requested.

Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

#### **333.7.6 Chaplain Meetings**

All chaplains should make every attempt to attend scheduled meetings. Any absences will be satisfactorily explained to the chaplain coordinator or designee.

### **333.8 Privileged Communications**

No person who provides chaplain services to members of the Department may work or volunteer for the Boise Police Department in any capacity that may conflict with the duties of that of a chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Boise Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

### **333.9 Training**

The Department will establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Training Captain, may include, but is not limited to:

- Stress management
- Death notifications
- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains
- Legal liability and confidentiality
- Ethics
- Responding to crisis situations
- The law enforcement family
- Substance abuse
- Suicide Prevention/Intervention
- Officer injury or death
- Sensitivity and diversity
- Critical Incident Stress Management (CISM)

## 336 SERVICE ANIMALS

Effective Date: 2/10/2023

Revised Date: 1/11/2023

Issuing Authority: Chief Ron Winegar

### 336.1 Purpose and Scope

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities.

### 336.2 Policy

It is the policy of the Boise Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

### 336.3 Definitions

Definitions related to this policy include:

**Service Animal** - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability. Service animal also includes a dog-in-training for an individual with a disability ([28 CFR 35.104](#); [Idaho Code 56-701A](#)).

Under IC 56-701A and Title II and III of the ADA, service animals are limited to dogs. However, reasonable accommodation is required by ADA to also include a miniature horse if the horse is specifically trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size, and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility ([28 CFR 35.136\(i\)](#)).

### 336.4 Reference

Below are legal references applicable to this policy:

- [\(ADA\)](#)
- [28 CFR 35.104](#)
- [28 CFR 35.136](#)
- [28 CFR 36.302](#)
- [Idaho Code 56-701A](#)

### 336.5 Identification and Use of Service Animals

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist people with disabilities.

The following examples are some of the ways service animals may be used to provide assistance:

- Guiding people who are blind or have low vision.



- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

### **336.6 Member Responsibilities**

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Boise Police Department affords to all members of the public ([28 CFR 35.136](#)).

#### **336.6.1 Inquiry**

If it is apparent or if an officer is aware the animal is a service animal, the owner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the officer should ask the individual only the following questions ([28 CFR 35.136\(f\)](#)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The person should not be questioned about his/her disabilities, nor should the person be asked to provide any license, certification or identification card for the service animal.

#### **336.6.2 Contact**

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

#### **336.6.3 Removal**

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat, nor does a direct threat exist if the person takes prompt, effective action to control the service animal ([28 CFR 35.136\(b\)](#)).

Each incident must be considered individually, and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

#### **336.6.4 Complaints**

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their owner into all areas that other customers or members of the public are allowed ([28 CFR 36.302](#)).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

## **338 OFF-DUTY LAW ENFORCEMENT ACTIONS**

Effective Date: 1/1/2023

Revised Date: 12/2/2022

Issuing Authority: Chief Ron Winegar

### **338.1 Purpose and Scope**

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Boise Police Department with respect to taking law enforcement action while off-duty.

### **338.2 Policy**

Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

Officers should remember that their authority as a peace officer may not extend to actions taken outside their jurisdiction unless there is probable cause to believe the crime to be addressed is a felony or presents an immediate threat of serious bodily injury or death ([Idaho Code 67-2337](#)).

### **338.3 Firearms**

Officers of this department may carry firearms while off-duty in accordance with federal and state regulations and department policy, procedures, and directives.

### **338.4 Decision to Intervene**

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

1. The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
2. The inability to communicate with responding units.
3. The lack of equipment, such as handcuffs, OC or baton.
4. The lack of cover.
5. The potential for increased risk to bystanders if the off-duty officer were to intervene.

6. Unfamiliarity with the surroundings.
7. The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive and gather as much accurate intelligence as possible instead of immediately intervening.

#### **338.4.1 Intervention Procedure**

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as a Boise Police Department officer until acknowledged. Official identification should also be displayed.

#### **338.4.2 Incidents of Personal Interest**

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

#### **338.4.3 Professional Staff Responsibilities**

Professional Staff personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

#### **338.4.4 Other Considerations**

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

#### **338.5 Reporting**

Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the On-Duty Supervisor as soon as practicable. The On-Duty Supervisor shall generate a command notification and may require a report to be filed by the employee.

An officer shall notify, as soon as safety conditions allow, the law enforcement agency having jurisdiction where an off-duty enforcement action took place and shall relinquish authority and control over any event to that agency ([Idaho Code 67-2337](#)). Officers shall cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate. Nothing in this policy supersedes an employee's constitutional rights.

## **340 DEPARTMENT USE OF SOCIAL MEDIA**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **340.1 Purpose and Scope**

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).

Use of social media in personnel processes (see the Recruitment and Selection Policy).

- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

### **340.2 Definitions**

Definitions related to this policy include:

**Social media** - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

### **340.3 Policy**

The Boise Police Department may use social media as a method of effectively informing the public about department services, issues, investigations, and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

### **340.4 Authorized Users**

Only members authorized by the Chief of Police, or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

### **340.5 Authorized Content**

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include, but not limited to:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Press releases.
- (h) Recruitment of personnel.

#### **340.5.1 Incident-Specific Use**

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

### **340.6 Prohibited Content**

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory, or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Boise Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects, or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

#### **340.6.1 Public Posting Prohibited**

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

#### **340.7 Monitoring Content**

The Senior Communications Manager for Public Safety will review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

#### **340.8 Retention of Records**

The Custodian of Records will establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

#### **340.9 Training**

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination, and retention of information posted on department sites.

## 342 COMMUNITY ENGAGEMENT

Effective Date: 4/24/2024

Revised Date: 6/01/2024

Issuing Authority: Chief Ron Winegar

### 342.1 Purpose and Scope

The purpose of this policy is to establish a standard procedure for the participation of Boise Police Department personnel in community engagement events.

### 342.2 Policy

It is in the best interest of both the Boise Police Department and the people it serves to foster positive relationship development under non-crisis conditions. Community events provide valuable opportunities for police department members to build legitimacy with the public. Supervisors will encourage their subordinates to engage in these activities whenever possible, consistent with the expectations outlined in this policy.

### 342.3 Definitions

**Community engagement** - The process of working collaboratively with and through groups of people affiliated by geographic proximity, special interest, or similar situations to address issues affecting their well-being. Community engagement is a powerful vehicle for bringing about environmental and behavioral changes that will improve the health of the community and its members, often involving partnerships and coalitions that help mobilize resources and influence systems, change relationships among partners, and serve as catalysts for changing policies, programs, and practices.

**Liaison Officer** - An identified officer who is specifically assigned to community groups or organizations with the intent to improve police/community relations

**Public purpose doctrine** - Under the Idaho State Constitution, municipalities may only expend public resources if the dedication of such resources serves a public purpose. The Idaho Supreme Court has held that a public entity cannot expend public funds or dedicate public resources for activities that do not have primarily a public, rather than a private purpose. Furthermore, the activity must benefit the community as a whole and be directly related to the function of government. The expenditure of public funds includes direct monetary contributions as well as indirect contributions such as lending employees or sharing public facilities to a private organization or enterprise.

### 342.4 Reference

- Board of County Commissioners v. Idaho Health Facilities Authority, 96 Idaho 495, 531 P.2d 588 (1975)
- Centers for Disease Control and Prevention. Principles of community engagement (1st ed.). Atlanta (GA): [CDC/ATSDR Committee on Community Engagement](#); 1997.
- [Idaho Water Resources Board v. Kramer, 97 Idaho 535, 548 P.2d 35 \(1976\)](#)
- [I.C. §67-4721](#)



- The U.S. Federal Emergency Management Agency (FEMA). 2019. "[Building Cultures of Preparedness: A report for the emergency management higher education community](#)." Washington, DC: FEMA.

### **342.5 Officer Responsibilities**

Supervisors will encourage on-duty staff to attend appropriate community events as resources allow.

1. Supervisors may authorize the use of flex time.
2. Supervisors should support the use of liaison officers and community-based organizations, to create trust building opportunities between Department staff and traditionally marginalized individuals or groups.

### **342.6 Supervisor Responsibilities**

Supervisors will encourage on-duty staff to attend appropriate community events as resources allow.

1. Supervisors may authorize the use of flex time.
2. Supervisors should support the use of liaison officers and community-based organizations, to create trust building opportunities between Department staff and traditionally marginalized individuals or groups.

Supervisors will evaluate community events to determine if department participation is appropriate, considering the following criteria:

1. Staff participation must further a public purpose, consistent with the public purpose doctrine.
2. The following are prohibited
  - Participation in an event where the primary aim is promotion or endorsement of a candidate for public office, a ballot measure, or any other controversy of a political nature;
  - Participation in an event where the primary aim is religious conversion;
  - Participation in an event that provides a personal pecuniary benefit to any employee;
  - Participation in an event that promotes values contrary to those of either the City of Boise or the Boise Police Department.

Supervisors are responsible to ensure that accurate and complete reports are submitted for events in which their team attends/participates.

## **400 PATROL FUNCTION**

Effective Date: 08/01/2024

Revised Date: 07/01/2024

Issuing Authority: Chief Ron Winegar

### **400.1 Function**

Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Boise, respond to citizen calls for assistance, act as a deterrent to crime, enforce local ordinances as well as state laws and respond to emergencies 24 hours per day, seven days per week.

Patrol will generally provide the following services within the limits of available resources:

- (a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery and remediation of hazardous situations or conditions.
- (b) Crime prevention activities, including residential inspections, business inspections and community presentations.
- (c) Calls for service, both routine and emergency in nature.
- (d) Investigation of both criminal and non-criminal acts.
- (e) The apprehension of criminal offenders.
- (f) Community Oriented Policing and Problem-Solving activities such as citizen assists and individual citizen contacts of a positive nature.
- (g) The sharing of information between the Patrol and other divisions within this department, as well as other outside governmental agencies.
- (h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and Problem-Solving strategies.
- (i) Traffic direction, control and enforcement.

#### **400.1.1 Terrorism**

It is the goal of the Boise Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism-related and should document such incidents with a written report or Field Interview (FI). The supervisor should ensure that all terrorism-related reports and FIs are forwarded to the Criminal Intelligence Unit and their Supervisor in a timely fashion.

### **400.2 Patrol Information Sharing**

The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various divisions of the Boise Police Department.

#### **400.2.1 Crime Analysis Unit**

The Crime Analysis Unit (CAU) will be the central unit for information exchange. Criminal information and intelligence reports can be submitted to the Records Unit for distribution to all divisions within this department through daily and special bulletins.

#### **400.2.2 Crime Reports**

A crime report may be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the appropriate division for retention or follow-up investigation.

#### **400.2.3 Patrol Briefings**

Patrol supervisors, detective sergeants, and special unit sergeants are encouraged to share information as much as possible. All supervisors and/or officers will be provided an opportunity to share information at the daily patrol briefings as time permits.

#### **400.2.4 Information Screens**

Information screens will be maintained near the briefing room and will be available for review by officers from all divisions within this department.

### **400.3 Crowds, Events and Gatherings**

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

## **401 BIASED-BASED POLICING**

Effective Date: 6/01/2024

Revised Date: 4/24/2024

Issuing Authority: Chief Ron Winegar

### **401.1 Purpose and Scope**

This policy provides guidelines to ensure that members of the Boise Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

### **401.2 Definitions**

Definitions related to this policy include:

**Bias-based policing** - an inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

### **401.3 Policy**

The Boise Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural, or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

### **401.4 Biased-Based Policing Prohibited**

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns, or specific schemes.

### **401.5 Member Responsibilities**

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

#### **401.5.1 Reason for Contact**

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

#### **401.5.2 Supervisor Responsibilities**

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
  - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review OBV recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
  - 1. Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

## **403 CRIME AND DISASTER SCENE INTEGRITY**

Effective Date: 6/01/2024

Revised Date: 4/24/2024

Issuing Authority: Chief Ron Winegar

### **403.1 Purpose and Scope**

The purpose of this policy is to provide guidance in handling a major crime or disaster.

### **403.2 Policy**

It is the policy of the Boise Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

### **403.3 Scene Responsibility**

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain oversight of the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

### **403.4 First Responder Consideration**

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing, or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

#### **403.4.1 Contamination at Crime and Disaster Scenes**

The officer in charge of a scene where a biohazard contamination exists or will exist after employees leave shall ensure warning and/or decontamination steps are taken to protect all employees or private citizen presently at the scene or likely to arrive at a later time. The use of tape or signage will be used to until decontamination occurs.

#### **403.4.2 Red Crime Scene Tape**

Maintaining the inner crime scene area of a serious incident is essential to protecting and preserving evidence that requires documentation, processing, and collection. Members of the Boise Police Department will use red crime scene tape to identify the inner perimeter of a crime scene, where evidence processing, and collection will take place.

In addition to identifying and marking the inner crime scene evidence area, the ranking member in charge of the crime scene shall assign an officer to protect this inner crime scene evidence area. The assigned officer will be responsible for notifying individuals within the crime scene that the area marked with red crime scene tape contains evidence requiring processing and should not be entered until processed, unless specific articulable circumstances require entry by a member. Entry shall be documented in the crime scene log.

#### **403.5 Searches**

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

##### **403.5.1 Consent**

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

## **404 SPECIAL OPERATIONS GROUP (SOG)**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **404.1 Purpose and Scope**

The Special Operations Group is comprised of the Special Operations Unit (SOU), Crisis Negotiations Team (CNT), and the Bomb Squad (BS). Each unit possesses specific skill sets to provide expertise to the department. The units may operate together to accomplish a mission or independently depending on the situation. SOG is led by a Captain and each specialized unit is overseen by a Lieutenant.

### **404.2 Agency Policy**

It shall be the policy of this agency to maintain and utilize specialized units to address the needs of the community and department.

- Special Operations Unit and to provide the equipment, manpower, facilities, and training necessary for successful operations. BPD SOU shall follow national best practices with tactical application, equipment, manpower, facilities, and training.
- An FBI accredited Bomb Squad and provide the equipment, manpower, facilities, and training necessary for successful operations. The Bomb Squad shall follow national best practices ascribed by accredited bodies (FBI, CIEDU, ATF NBSCAB ) with tactical application, equipment, manpower, facilities, and training.
- A Crisis Negotiation Unit to provide the equipment, manpower, facilities, and training necessary for successful operations. The BPD CNT shall follow national best practices with call response, equipment, manpower, facilities, and training.

### **404.3 Special Operations Unit (SOU)**

The BPD Special Operations Unit is a specialized unit trained to resolve high-risk incidents, prioritize human life, and minimize harm to the public, officers, and suspects. The SOU achieves this by teamwork, specialized tactics, equipment, and training.

SOU will provide the Department and other regional law enforcement agencies (upon their request) assistance to resolve the following situations:

- Armed Barricaded Subjects
- Hostage Rescue
- High-Risk Arrests
- High-Risk Warrant Service
- Dignitary Protection
- Overwatch/Special Events

Any operation that is deemed necessary by the Chief or their designee



#### **404.4 SOU Activations**

In most instances, SOU will be activated with CNT and the Bomb Squad as the Special Operations Group to allow for the greatest number of de-escalation options and emergency response tactics. Some situations do not require SOU to have CNT and / or the Bomb Squad with them to accomplish the mission. The following do not require a full SOG activation:

High-risk arrests requiring surveillance and open-air takedowns.

Dignitary Protection.

Overwatch/Special Events.

Any operation that the SOG captain determines a full team is not needed.

SOU command will determine the appropriate number of operators to safely conduct these types of operations.

#### **404.5 SOU Tactical Consults**

##### **404.5.1 In-Progress Incidents**

To request assistance, an on-duty Watch Commander, Incident Commander, or ranking officer on-scene of an incident may call the SOU on-call number to conduct a Tactical Consult. SOU command will use the following criteria to determine whether the use of SOU is warranted:

- A serious felony crime has been committed
- Officers intend to arrest the subject
- The suspect is refusing to submit to arrest
- The suspect is armed or believed to be armed
- The suspect has barricaded or has a position of advantage not easily overcome

SOU command will also apply the Graham v. Connor three-prong test to help determine the justification for using the team.

Graham v. Connor:

- The seriousness of the crime at issue
- Whether the suspect poses an immediate threat
- Whether the suspect is actively resisting or trying to evade arrest by flight

##### **404.5.2 Pre-planned Events:**

To request assistance for pre-planned High-risk Warrant service, High-risk Arrests, or any other event, the division lieutenant should contact the SOU lieutenant for a tactical consultation.

#### **404.6 Special Operations Unit (SOU) Records**

SOU will complete an After-Action Report following each full team deployment. Records will be kept for partial team deployment and training.

SOU will maintain records and an inventory of all equipment, including Citizen Rescue Vehicles, weapons, night vision devices, distract devices, explosives, and other sensitive items.

#### **404.7 Boise Police Department Bomb Squad (BS)**

The Boise Police Department Bomb Squad, a crucial part of the Special Operations Group, is dedicated to supporting and assisting the Boise Police Department (BPD) in providing effective

and efficient law enforcement services to our community. The Bomb Squad will fulfill this mission by detecting, evaluating, and rendering safe suspected improvised explosive devices, incendiary materials and or devices, explosives, explosive chemicals, pyrotechnics, and weapons of mass destruction. In addition to these responsibilities, the Bomb Squad plays a crucial role in supporting the BPD Special Operations Group by providing explosive breaching capabilities and specialized tools as appropriate, thereby enhancing the overall capabilities of the SOG. The Bomb Squad also acts as a regional bomb squad, RBS4, for the State of Idaho Office of Emergency Management (OEM). Boise Bomb Squad covers six counties (Ada, Elmore, Boise, Valley, Camas, and Custer).

**General Bomb Squad Duties and Responsibilities:** The Bomb Squad will be responsible for the following duties:

- Render safe and/or remove suspected improvised explosive devices, incendiary devices, explosives, explosive chemicals, pyrotechnics, and weapons of mass destruction.
- Provide for legal, proper, and safe transportation, disposal, and/or storage of explosives and explosive materials.
- Assist the BPD Criminal Investigation Division (CID), Federal, State, and other local agencies in post blast and other explosive or hazardous device investigations.
- Collect and preserve evidence (when safe to do so).
- Prepare for and provide courtroom testimony.
- Store, maintain, and inventory Bomb Squad equipment.
- Provide technical and operational support to other units within BPD.
- Maintain and be familiar with the technical library of FBI Bomb Data Center publications and other explosive-related materials.
- Maintain professional liaison with state and local bomb squads, military Explosive Ordnance Disposal units, State and Federal Agencies, and professional associations such as the International Association of Bomb Technicians and Investigators.
- Compile and report technical data and reports on explosive devices and incidents.
- Review and develop agency emergency response plans for bomb threats, IEDs, and bomb crime scenes.
- Develop and promulgate bomb threat awareness and safety programs for public and private organizations.
- Perform fireworks disposal as needed.
- Assist the Special Operations Group (SOG) with explosive breaching capability, advanced technology and other specialized tools.
- Any operation deemed necessary for the safety and security of the community, as determined by the Chief or their designee.

#### **404.8 Bomb Squad Activation**

The Bomb Squad will activate for detecting, evaluating, and rendering safe suspected improvised explosive devices, incendiary devices, explosives, explosive chemicals, pyrotechnics, and weapons of mass destruction. Any operation deemed necessary for the safety and security of the community, as determined by the Chief or their designee, will be approved

for execution. In some instances, the Bomb Squad will be activated with CNT and SOU as the Special Operations Group, to provide for the most significant number of de-escalation options and emergency response assets immediately available for use in specific situations.

The Bomb Squad and SOG command will determine the appropriate number of techs to conduct these operations safely.

The Bomb Squad also acts as a Regional Bomb Squad for the State of Idaho Office of Emergency Management (OEM). The Bomb Squad covers five counties (Ada, Elmore, Boise, Valley, Camas).

#### **404.9 Bomb Squad Consults**

##### **404.9.1 In-Progress Incidents**

To request bomb squad assistance, an on-duty Watch Commander, Incident Commander, or ranking officer on-scene of an incident shall call the bomb squad on-call number to conduct a bomb squad consult with the Bomb Squad Commander or his designee. Bomb Squad command will use the following criteria to determine whether the use is warranted:

The presence of an explosive device, suspected explosive device, explosive or suspected explosive material including commercial or homemade, scene of an explosion, found or recovered military ordnance, clandestine lab, or any other hazardous situation involving materials that could be considered explosive, incendiary, or hazardous.

The presence of a suspicious package or item in conjunction with a viable threat or target by location or situation including large crowds, public buildings, sensitive or controversial locations, and / or unique circumstances.

CID Property Crimes Unit will be notified of the existence of any explosive device that appears to be legitimate and may assist with conducting the investigation in conjunction with Bomb Squad Technicians.

##### **404.9.2 Pre-Planned Events**

To request assistance for pre-planned High-risk Warrant service, High-risk Arrests, or any other applicable event, the assigned Lieutenant, supervisor, or case officer should contact the SOG Command for a tactical consultation.

#### **404.10 Bomb Squad Records**

The technician assigned to any incident shall ensure the completion of all necessary criminal reports, including general face sheets, supplements, property invoices, etc.

The BPD Bomb Squad shall maintain and possess the complete list of required safety equipment for Bomb Squads as established by the FBI. The current list can be found in the National Guidelines for Bomb Technicians.

#### **404.11 Crisis Negotiations Team (CNT)**

The BPD Crisis Negotiation Team is a specialized unit trained to resolve high-risk incidents, prioritize human life, and minimize harm to the public, officers, and suspects. The CNT achieves this by teamwork among skilled verbal communicators, specialized de-escalation skills, equipment, and training specific to diffusing high risk incidents.

CNT will provide the Department and other regional law enforcement agencies (upon their request) assistance to resolve the following situations:

- Incidents Involving Hostages
- Armed Barricaded Subjects
- High-Risk Warrant Service
- Suicidal Subjects at the Request of a Watch Commander
- Public Order Policing Events at the Request of an Incident Commander
- Any operation that is deemed necessary by the Chief or their designee.

#### **404.12 Crisis Negotiation Team Activations**

In most instances, CNT will be activated with SOU and EOD as the Special Operations Group to allow for the greatest number of de-escalation options and emergency response tactics. Some situations do not require CNT to have SOU and EOD with them to accomplish the mission. The following do not require a full SOG activation:

- Suicidal Subjects at the Request of a Watch Commander
- Public Order Policing Events at the Request of an Incident Commander
- For Public Order Policing Events CNT members will be referred to as Demonstration Liaison Officers (DLO) and shall follow DLO Standard Operating Procedures while acting in that role.
- Any operation that the SOG captain determines a full team is not needed.

The SOG captain shall be advised of the requested deployment of CNT resources in these cases. CNT command will determine the appropriate number of negotiators to safely conduct these types of operations upon approval from the SOG captain.

#### **404.13 Crisis Negotiation Team Tactical Consults**

##### **404.13.1 In-Progress Incidents**

To request assistance, an on-duty Watch Commander, Incident Commander, or ranking officer on-scene of an incident may call the CNT on-call number. CNT command will use the following criteria to determine whether the use of CNT is warranted:

- Officers are dealing with a suicidal subject in which the situation presents a risk of harm to the public or officers attempting to resolve the situation.
- A Public Order Policing Event, planned or unplanned, is occurring and CNT is deemed necessary by the Incident Commander to fill the role of DLO.

#### **404.14 Crisis Negotiation Team Records**

CNT will complete an After-Action Report following each full team deployment. Records will be kept for partial team deployment and training.

CNT will maintain records and an inventory of all equipment, including safety equipment, communications equipment and any other technical equipment issued to members or the team.

#### **404.15 Outside Agency Requests for Assistance**

Any law enforcement personnel outside of BPD requesting the assistance of an SOG Unit will be directed as follows:

For SOU requests - directed to contact the SOU lieutenant. The SOU lieutenant will coordinate with the SOG captain for approval to assist outside law enforcement agencies.

For Bomb Squad requests – directed to the Bomb Squad lieutenant. The Bomb Squad lieutenant will notify the SOG captain when the Bomb Squad is requested outside of the county. The response must be approved by the SOG captain (division commander) or specified designee prior to operation initiation. The SOG captain will notify the Deputy Chief when resources are sent outside of Ada County.

For Crisis Negotiation – directed to contact the CNT lieutenant. The CNT lieutenant will coordinate with the SOG captain for approval to assist outside law enforcement agencies.

#### 404.16 Multi-Jurisdiction Operations

BPD SOG personnel assigned to assist other law enforcement agencies shall operate under the policies and procedures of BPD. When available, an appropriate BPD SOG supervisor will participate in multi-jurisdictional operations to provide oversight.

## **405 RIDE-ALONG PROGRAM**

Effective Date: 10/01/2024  
Revised Date: 9/20/2024  
Issuing Authority: Chief Chris Dennison

### **405.1 Purpose and Scope**

The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

#### **405.1.1 Eligibility**

The Boise Police Department Ride-Along Program is offered to residents, students and those employed within the City. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause. A rider who is 16 or 17 years of age will need prior approval from a Division Commander to participate.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against this department
- Denial by any supervisor

#### **405.1.2 Availability**

The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 0700 hours to 2400 hours. Exceptions to this schedule may be made as approved by the Chief of Police, Division Commander, or Watch Commander.

### **405.2 Procedure to Request a Ride-Along**

The participant will complete a ride-along waiver form. Information requested will include a valid ID or Idaho driver's license, address, and telephone number. If the participant is under 18 years of age, a parent/ guardian must sign the Ride-Along Form.

If approved, a copy will be forwarded to the respective Watch Commander as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of this department will contact the applicant and advise him/her of the denial.

#### **405.2.1 Program Requirements**

Once approved, civilian ride-alongs will be allowed to ride no more than once a year. An exception would apply to the following: Chaplains, police applicants, and all others with approval of the Watch Commander.

An effort will be made to ensure that no more than two civilian ride alongs are authorized per shift. A Watch Commander will determine how the riders are distributed. Normally, no more than one ride-along will be allowed in an officer's vehicle at a given time.

#### **405.2.2 Suitable Attire**

Any person approved to ride along is required to be suitably dressed. Sandals, tank tops, shorts and ripped or torn blue jeans are not permitted. The Watch Commander or field supervisor may refuse a ride along to anyone not properly dressed. Firearms will not be carried by any member of the public while on a ride along.

#### **405.2.3 Peace Officer Ride-Along**

Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Watch Commander. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require. A sworn law enforcement ride along will not carry any firearms.

#### **405.2.4 Ride Along Criminal History Check**

All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and an automated check prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the Boise Police Department).

#### **405.3 Officer's Responsibilities**

The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

#### **405.4 Control of Ride-Along**

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

- (a) The ride-along will follow the directions of the officer.
- (b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment.
- (c) The ride-along may terminate the ride at any time and the officer may terminate and return the observer to their home or to the station if the ride-along interferes with the performance of the officer's duties.
- (d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.
- (e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.

- (f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.



## **406 HAZARDOUS MATERIAL RESPONSE**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **406.1 Purpose and Scope**

Hazardous materials present a potential harm to employees resulting from their exposure. The following is to be the policy of this department.

### **406.2 Hazardous Material Defined**

A hazardous material is a substance which by its nature, containment, and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

### **406.3 Hazardous Material Response**

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill, or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Attempt to identify type of hazardous substance. (Identification can be determined by placard, driver's manifest or statements from person transporting).
- (b) Notify the Fire Department.
- (c) Provide first-aid for injured parties if it can be done safely and without contamination.
- (d) Begin evacuation of immediate area and surrounding areas dependent on substance.

Voluntary evacuation should be considered.

The Boise Police Department generally defers incidents involving hazardous materials to fire departments or to the Idaho State Police (ISP). These agencies will be provided with reasonable support and assistance.

#### **406.3.1 Hazardous Material Role and Responsibilities**

The Idaho State Police is the responsible agency for hazardous materials if no other agency assumes responsibility. The fire department has assumed that role within Boise. The Boise Police Department has declined to assume any hazardous material responsibility and will support and aid the fire departments or Idaho State Police in their role.

#### **406.3.2 Clandestine Drug Labs**

Suspected clandestine drug labs present extreme dangers from explosions and exposure to hazardous chemicals. Officers encountering a suspected clandestine drug lab should immediately leave the property without disturbing any lights, power, heating or cooking

elements. Additionally, equipment and chemicals located at the site should remain undisturbed. The responding officer should request that a supervisor respond to the scene.

The on-scene Boise Police Department supervisor at any suspected clandestine drug lab should immediately contact and request a response from the following:

- The on-call Narcotics Unit supervisor.

The Boise Police Department will not assume any responsibility for clean-up of clandestine drug labs.

Once a property has been positively identified as a clandestine drug lab, the on-scene Boise Police Department supervisor will coordinate mandated Department of Health and Welfare notifications (IDAPA 16.02.24.110).

#### **406.4 Reporting Exposure (s)**

Police Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in SD1. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the SD1.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report.

##### **406.4.1 Supervisor Responsibility**

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained, and appropriate action is taken to lessen the exposure.

To ensure the safety of employees, safety equipment is available through supervisory personnel. Safety items not maintained by this department will be obtained through the Fire Department.

## 407 HOSTAGES AND BARRICADE INCIDENTS

Effective Date: 05/01/2025

Revised Date: 03/19/2025

Issuing Authority: Chief Chris Dennison

### 407.1 Purpose and Scope

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by creating a barricade and/or a hostage situation.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

### 407.2 Definitions

Definitions related to this policy include:

**Barricade situation** - A barricaded subject is someone who has fortified themselves within a structure, vehicle, or open area and refuses to surrender to authorities, often with the potential for violence or risk to public safety.

**Hostage situation** - An incident where it is reasonable to believe one or more persons is being prevented from leaving a barricade situation by an individual or individuals as a means of preventing lawful police action or in the furtherance of obtaining specified terms or conditions.

### 407.3 Policy

It is the policy of the Boise Police Department to address hostage and barricade situations with due regard for the preservation of all life, while obtaining the safe release of hostages, apprehending offenders, and securing available evidence.

### 407.4 Communication

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions, and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

### 407.5 First Responder Considerations

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

#### **407.5.1 Barricade Situation**

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication and containing the situation while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure innocent, uninvolved or injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, take offensive or unwanted action in an attempt to escape or surrender prior to additional resources arriving.
- (c) Request additional personnel, resources and equipment as needed (e.g., perimeter control, less lethal options, traffic control, canine team, drone support).
- (d) Advise responding emergency personnel with a safe arrival route to the location.
- (e) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.
- (f) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (g) Establish a command post.

#### **407.5.2 Hostage Situation**

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options while not all-inclusive or in any particular order, should be considered:

- (a) Ensure innocent, uninvolved or injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

- (c) Establish a emergency react team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
- (d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.
- (e) Request additional personnel, resources and equipment as needed (e.g., perimeter control, less lethal options, traffic control, canine team, drone support).
- (f) Provide responding emergency personnel with a safe arrival route to the location.
- (g) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (h) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (i) Attempt or obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- (j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.
- (k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.
- (m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

#### **407.6 Supervisor Responsibilities**

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting a Behavioral Health Response Team unit, if appropriate. In addition, the following options, listed here in no particular order, should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
- (b) Ensure the completion of necessary first responder responsibilities or assignments.
- (c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit.
- (e) Designate assistants who can help with intelligence information and documentation of the incident.

- (i) Identify a media staging area outside the outer perimeter and have the department Public Information Officer or a designated temporary media representative provide media access in accordance with the News Media Relations Policy.
- (j) Identify the need for mutual aid and the transition of relief of personnel for incidents of extended duration.
- (k) Debrief personnel and review documentation as appropriate.

#### **407.7 Special Operations Group Responsibilities**

It will be the Incident Commander's decision, with input from the Special Operations Group (SOG) Commander, whether to deploy the SOG during a hostage or barricade situation. Once the Deputy Chief authorizes deployment, the SOG Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the SOG. The Incident Commander and the SOG Commander or their authorized designee shall maintain communications at all times.

#### **407.8 Reporting**

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.

## **408 RESPONSE TO BOMB CALLS**

Effective Date: 08/01/2024

Revised Date: 07/01/2024

Issuing Authority: Chief Ron Winegar

### **408.1 Purpose and Scope**

The purpose of this policy is to provide guidelines to assist members of the Boise Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving potential explosives, safety should always be the primary consideration.

### **408.2 Policy**

It is the policy of the Boise Police Department to place a higher priority on the safety of persons over damage or destruction to public or private property.

### **408.3 Receipt of Bomb Threat**

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement, and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the Watch Commander is immediately advised and informed of the details. This will enable the Watch Commander to ensure that the appropriate personnel are dispatched and, as appropriate, the threatened location is given an advance warning.

### **408.4 Government Facility or Property**

A bomb threat targeting a government facility may require a different response based on the government agency

#### **408.4.1 Boise Police Department Facility**

If the bomb threat is against the Boise Police Department facility, the Watch Commander will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

#### **408.4.2 Other County or Municipal Facility or Property**

If the bomb threat is against a county or municipal facility within the jurisdiction of the Boise Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the Watch Commander deems appropriate.

#### **408.4.3 Federal Building Property**

If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detection Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

#### **408.5 Private Facility or Property**

When a member of this department receives notification of a bomb threat at a location in the City of Boise, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location of the facility.
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.
- (d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting police assistance at the facility.
- (f) Whether there are any internal facility procedures regarding bomb threats in place, such as:
  - 1. No evacuation of personnel and no search for a device.
  - 2. Search for a device without evacuation of personnel.
  - 3. Evacuation of personnel without a search for a device.
  - 4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the Watch Commander is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

##### **408.5.1 Assistance**

The Watch Commander should be notified when police assistance is requested. The Watch Commander will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the Watch Commander determine that the Department will assist or control such an incident, he/she will determine:

- (a) The appropriate level of assistance.
- (b) The plan for assistance.



- (c) Whether to evacuate and/or search the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building.
  - 1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
  - 2. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
  - 1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control. Officers will not use force or require anyone to evacuate.

#### **408.6 Found Device**

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) Contact Boise Police Bomb Squad to consult and determine the appropriate response.
- (c) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
- (d) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:
  - 1. Two-way radios
  - 2. Cell phones
  - 3. Other personal communication devices
- (e) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (f) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (g) A safe access route should be provided for support personnel and equipment.
- (h) The area should be searched for secondary devices as appropriate and based upon available resources.
- (i) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (j) Promptly relay available information to the Watch Commander including:
  - 1. The time of discovery.

2. The exact location of the device.
3. A full description of the device (e.g., size, shape, markings, construction).
4. The anticipated danger zone and perimeter.
5. The areas to be evacuated or cleared.

#### **408.7 Explosion/Bombing Incidents**

When an explosion has occurred, there are a multitude of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

##### **408.7.1 Considerations**

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries.
- (b) Request additional personnel and resources, as appropriate.
- (c) Assist with first aid.
- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.
- (g) Preserve evidence.
- (h) Establish an outer perimeter and evacuate if necessary.
- (i) Identify witnesses.

##### **408.7.2 Notifications**

When an explosion has occurred, the following entities should be notified as appropriate:

- Fire department
- Bomb squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
- Watch Commander
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

#### **408.7.3 Crowd Control**

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

#### **408.7.4 Preservation of Evidence**

As in any other crime scene, steps should immediately be taken to preserve the scene. The Watch Commander should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.

## **410 CIVIL COMMITMENTS**

Effective Date: 05/01/2025  
Revised Date: 03/19/2025  
Issuing Authority: Chief Chris Dennison

### **410.1 Purpose and Scope**

This policy provides guidelines for when officers may place an individual under protective custody for civil commitment (Idaho Code 66-326).

Refer to Policy 313 Protective Custody of Adults and Children for criteria to place a person into protective custody.

### **410.2 Policy**

It is the policy of the Boise Police Department to protect the public and individuals through legal and appropriate use of the civil commitment process.

### **410.3 Considerations and Responsibilities**

Any officer handling a call involving an individual who may qualify for a civil commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the cause and nature of the individual's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Civil commitments should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

#### **410.3.1 Securing Property of Children**

Upon taking a child into protective custody for a mental health evaluation, the officer shall ensure that any property of the child is safeguarded and preserved unless a parent or responsible relative is able to do so (Idaho Code 16-2411(4)).

### **410.4 Transportation**

Officers may transport individuals in a patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, notification of a supervisor should be made before transport commences.

#### **410.4.1 Transporting Children**

If the examining physician determines that a child does not meet the criteria for emergency evaluation and treatment, and the child is subject to detention for a juvenile or criminal offense,

the officer shall return to the treatment facility or mental health program to transport the child to a juvenile custody facility (Idaho Code 16-2413).

#### **410.4.2 Transporting Between Medical Facilities**

The Boise Police Department shall not be the designated transport of patients between medical facilities. However, if under extraordinary circumstances, whenever an officer deems it necessary to apply restraints to an individual while transporting an individual from one medical facility to another and that restraint is against the medical advice of a licensed physician, the officer shall document the use of restraints in a report (Idaho Code 66-345).

#### **410.5 Transfer to Appropriate Facility**

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written application for civil commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Absent an exigent need, officers will not apply facility-ordered restraints.

#### **410.6 Documentation**

The officer should complete an application for emergency admission, provide it to the facility staff member assigned to the individual and retain a copy of the application for emergency admission for inclusion in the case report.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

#### **410.7 Criminal Offenses**

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody for a civil commitment should resolve the criminal matter by issuing a uniform citation or writing a report and routing it through the City Attorney's Office for issuance of a warrant, as appropriate.

When an individual who may qualify for a civil commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the civil commitment.
- (c) Facilitate the individual's transfer to the jail facility.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a civil commitment.

In the supervisor's judgment, the individual may instead be arrested, or booked, or transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the

individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

#### **410.8 Training**

This department will endeavor to provide department-approved training on interaction with mentally disabled persons, civil commitments, and crisis intervention.

## **411 CITATION RELEASE**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **411.1 Purpose and Scope**

The purpose of this policy is to provide members of the Boise Police Department with guidance on when to release adults who are suspected offenders on a uniform citation obtaining a written promise to appear in court for a criminal offense, rather than having the person held in custody for a court appearance or released on bail (Idaho Code 19-3901; I.M.C.R. Rule 5).

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Domestic Violence Policy.

### **411.2 Policy**

The Boise Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a uniform citation with a promise to appear in court, when authorized to do so.

When investigating misdemeanor offenses, Officers should, when allowed by law or ordinance, obtain an arrest warrant or arrest for those offenses committed within their presence:

- When acts are committed which are particularly offensive to the victim or witnesses.
- When acts of a violent nature are committed.
- For domestic violence.
- When there is reason to believe retribution against the victim or witness will result with the suspect's continued presence at the scene.
- When the officer believes the release of the suspect in the immediate area would pose a further threat to the safety of any person or property.
- When the suspect is attempting to agitate a negative or disorderly response in a group or crowd situation that could cause additional problems.
- When physical custody of the suspect would benefit ongoing investigations.

### **411.3 Release Considerations**

In determining whether to cite and release a person when discretion is permitted, officers should consider:

- (a) The type of offense committed.
- (b) The known criminal history of the suspected offender.
- (c) The ability to identify the suspected offender with reasonable certainty.
- (d) Whether there is any record of the individual failing to appear in previous cases or other articulable indications that the individual may not appear in court for this offense.
- (e) The individual's ties to the area, such as residence, employment, or family.

- (f) Whether there is reasonable likelihood that criminal conduct by the individual will continue.
- (g) The subject requires medical attention to the extent a physical custody arrest is impractical.



## 412 FOREIGN DIPLOMATIC AND CONSULAR REPRESENTATIVES

Effective Date: 2/10/2023

Revised Date: 1/11/2023

Issuing Authority: Chief Ron Winegar

### 412.1 Purpose and Scope

This policy provides guidelines to ensure that members of the Boise Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

### 412.2 Policy

The Boise Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

### 412.3 Claims of Immunity

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

1. Notify a supervisor.
2. Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
3. Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
4. Contact the [DOS Diplomatic Security Command Center](#) at (571) 345-3146 or toll free at (866) 217-2089, or at another current telephone number and inform the center of the circumstances.
5. Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System ([NLETS](#)), designating "US" as the state.

#### **412.4 Enforcement Action**

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

1. Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
2. All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public and/or officer safety or the prevention of serious criminal acts.
3. An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.  
  
Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
4. The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
5. Diplomatic-level staff of missions to international organizations and recognized family members
6. Diplomatic agents and recognized family members
7. Members of administrative and technical staff of a diplomatic mission and recognized family members
8. Career consular officers, unless the person is the subject of a felony warrant
9. The following persons may generally be detained and arrested:
10. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
11. Support staff of missions to international organizations
12. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
13. Honorary consular officers

#### **412.5 Documentation**

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS by the Chief of Police or designee.

## 412.6 Diplomatic Immunity Table

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Police Entry	Issued Traffic Citations	Subpoenaed as Witness	Prosecuted	Recognized Family Members
<b>Diplomatic Agent</b>	No, see note (b)	No	Yes	No	No	Same as sponsor full immunity and
<b>Member of Admin and Tech Staff</b>	No, see note (b)	No	Yes	No	No	Same as sponsor full immunity and
<b>Service Staff</b>	Yes, see note (a)	Yes	Yes	Yes	No for official acts. Yes otherwise, see note (a)	No immunity or inviolability, see note (a)
<b>Career Consul Officer</b>	Yes if for a felony and pursuant to a warrant, see note (a)	Yes, see note (d)	Yes	No for official acts. Testimony may not be compelled.	No for official acts. Yes otherwise, see note (a)	No immunity or inviolability
<b>Honorable Consul Officer</b>	Yes	Yes	Yes	No for official acts. Yes otherwise	No for official acts. Yes otherwise	No immunity or inviolability
<b>Consulate Employees</b>	Yes, see note (a)	Yes	Yes	No for official acts. Yes otherwise	No for official acts. Yes otherwise, see note (a)	No immunity or inviolability
<b>Int'l Org Staff (note (b))</b>	Yes, see note (c)	Yes, see note (c)	Yes	Yes, see note (c)	No for official acts. Yes otherwise, see note (c)	No immunity or inviolability
<b>Diplomatic-Level Staff of Missions to Int'l Orgs</b>	No, see note (b)	No	Yes	No	No	Same as sponsor full immunity and
<b>Support Staff of Missions to Int'l Orgs</b>	Yes	Yes	Yes	Yes	No for official acts. Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public and/or officer safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

## **414 IMMIGRATION VIOLATIONS**

Effective Date: 08/01/2024

Revised Date: 07/01/2024

Issuing Authority: Chief Ron Winegar

### **414.1 Purpose and Scope**

The purpose of this policy is to provide guidelines to members of the Boise Police Department relating to immigration and interacting with federal immigration officials.

### **414.2 Policy**

It is the policy of the Boise Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

### **414.3 Victims and Witnesses**

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or Idaho constitutions.

### **414.4 Detentions**

An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant. An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may detain the person for a reasonable period of time in order to contact federal immigration officials to verify whether an immigration violation is a federal civil violation or a criminal violation. If the violation is a criminal violation, the officer may continue to detain the person for a reasonable period of time if requested by federal immigration officials (8 USC § 1357(g)(10)). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request a federal immigration official to respond to the location to take custody of the detained person (8 USC § 1357(g)(10)).

An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.

An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

#### **414.4.1 Supervisor Responsibilities**

When notified that an officer has detained an individual and established reasonable suspicion or probable cause to believe the person has violated a criminal immigration offense, the supervisor should determine whether it is appropriate to:

- (a) Transfer the person to federal authorities.
- (b) Lawfully arrest the person for a criminal offense or pursuant to a judicial warrant (see the Law Enforcement Authority Policy).

#### **414.5 Arrest Notification to Immigration and Customs Enforcement**

Generally, an officer should not notify federal immigration officials when booking arrestees at a jail facility. Any required notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

#### **414.6 Information Sharing**

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity

#### **14.7 Immigration Detainers**

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause, or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

#### **414.8 U Visa and T Visa Nonimmigrant Status**

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)). Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Criminal Investigation Division supervisor assigned to oversee the handling of any related case. The Criminal Investigation Division supervisor should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.

- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
  - 1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
- (e) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

#### **414.9 Training**

The Training Captain should ensure officers receive training on this policy. Training should include:

- (a) Identifying civil versus criminal immigration violations.
- (b) Factors that may be considered in determining whether a criminal immigration offense has been committed.

## **417 AIRCRAFT ACCIDENTS**

Effective Date: 6/1/2024  
Revised Date: 4/24/2024  
Issuing Authority: Chief Ron Winegar

### **417.1 Purpose and Scope**

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

### **417.2 Definitions**

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

### **417.3 Policy**

It is the policy of the Boise Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

### **417.4 Arrival at Scene**

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

- (a) Protect persons and property.
- (b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
- (c) Preserve ground scars and marks made by the aircraft.
- (d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
- (e) Maintain a record of persons who enter the accident site.
- (f) Enact the ICS system of command and establish a Unified Command with Fire until relieved by the appropriate agency.

### **417.5 Injuries and Casualties**

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene shall coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

#### **417.6 Notifications**

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), FBI and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

- (a) Fire department
- (b) Appropriate airport tower
- (c) Emergency medical services (EMS)

#### **417.7 Controlling Access and Scene Authority**

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) Coroner.
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

#### **417.8 Dangerous Material**

Members should be aware of potentially dangerous materials that might be present. Always approach the scene from the upwind side and avoid contact with any/all fluids present in the crash scene. Avoid contact with any firefighting foam. Aircraft crash scenes are inherently dangerous to first responders and present a significant inhalation and fire risk. These dangers may include, but are not limited to:

- (a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordinance.
- (b) Pressure vessels, compressed gas bottles, accumulators, and tires.



- (c) Fluids, batteries, flares, and igniters.
- (d) Evacuation chutes, ballistic parachute systems and composite materials.
- (e) Smoke and Fire

#### **417.9 Documentation**

All serious aircraft incidents shall be documented in a police report with the DR#, Pilot license information, photos, witness statements, medical card information, tail #, plane registration, flight worthiness certificate, passenger information, runway number, taxiway number wind and temperature at the time of the incident, scene sketch. BPD will not be the primary investigating agency for serious aircraft incidents. NTSB will most likely be in charge. FAA will also take part in the investigation.

##### **417.9.1 Wreckage**

When reasonably safe, members should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
- (d) Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (e) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
- (f) Acquire copies of any recordings from security cameras that may have captured the incident.

##### **417.9.2 Witness**

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of his/her observation relative to the accident site.
- (b) A detailed description of what was observed or heard.
- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

#### **417.10 Media Relations**

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the

surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

#### **417.11 Family Staging Area**

The Boise Airport will provide a safe and private area for family members of involved travelers to gather and receive information. The Boise Police Department should consider assigning a uniformed officer for security reasons to the family staging area. A separate space may be used as a reunification area.

## **420 CRIMINAL ORGANIZATION**

Effective Date: 10/01/2024  
Revised Date: 09/20/2024  
Issuing Authority: Chief Chris Dennison

### **420.1 Purpose and Scope**

The purpose of this policy is to ensure that the Boise Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

### **420.2 Definitions**

Definitions related to this policy include:

**Criminal intelligence system** - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members, or affiliates. This does not include temporary information files.

### **420.3 Policy**

The Boise Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination, and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

### **420.4 Criminal Intelligence Systems**

No department member may create, submit to, or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

#### **420.4.1 System Entries**

It is the designated supervisor's responsibility to approve the entry of any information from a report, FI, photo, or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Unit. Any supporting documentation for an entry shall be retained by the Records Unit in accordance with

the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Unit are appropriately marked as intelligence information. The Records Supervisor may not purge such documents without the approval of the designated supervisor.

#### **420.5 Temporary Information File**

Investigative units within the department, as determined by the Chief of Police, may maintain temporary information files for the purpose of identifying criminal organizations or enterprises, their members, or affiliates. Any officer assigned to a federal task force may maintain temporary information files as per the rules of the federal agency.

##### **420.5.1 File Content**

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system or a criminal case.

Information and documents contained in a temporary information file:

- (a) Must only be included upon documented authorization of the responsible department supervisor.
- (b) Should not be originals that would ordinarily be retained by the Records Unit or Evidence Room, but should be copies of, or references to, retained documents, such as copies of reports, field interview (FI) forms, Ada County Dispatch records or booking forms.
- (c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.
- (d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

##### **420.5.2 File Review and Purging**

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged in compliance with Idaho Public Records Law or entered in an authorized criminal intelligence system, as applicable.

An annual audit will be conducted to review the temporary information files and determine if the contents meet the criteria for retention. Validation and purging of files are the responsibility of the designated supervisor.

#### **420.6 Information Recognition**

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

- (a) Gang indicia associated with a person or residence.
- (b) Information related to a drug-trafficking operation.

- (c) Information related to human trafficking and/or racketeering.
- (d) Vandalism indicating an animus for a particular group.
- (e) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Captain to train members to identify information that may be particularly relevant for inclusion.

#### **420.7 Release of Information**

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

#### **420.8 Criminal Street Gangs**

The Department should ensure that there are an appropriate number of department members who can:

- (a) Testify as experts on matters related to criminal street gangs and maintain an above average familiarity with the identification of criminal gang members as described in Idaho Code section 18-8502(2) and patterns of criminal gang activity as described in Idaho Code section 18-8502(3).
- (b) Coordinate with other agencies in the region regarding criminal street gang crimes and information.
- (c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

#### **420.9 Training**

The Department should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises.

Training should include:

- (a) The protection of civil liberties.
- (b) Participation in a multiagency criminal intelligence system.
- (c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
- (d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
- (e) The review and purging of temporary information files.

## **421 WATCH COMMANDERS**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **421.1 Purpose and Scope**

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with the policies, procedures, practices, functions and objectives of this department. To accomplish this goal, a Lieutenant heads each watch.

### **421.2 Designation of Acting Watch Commander**

When a Lieutenant is unavailable for duty as Watch Commander, another lieutenant may be assigned, or in most instances the senior qualified sergeant shall be designated as acting Watch Commander. This policy does not preclude designating a less senior sergeant as an acting Watch Commander when operational needs require or training permits.

## **423 MOBILE DATA COMPUTER USE**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **423.1 Purpose and Scope**

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and Ada County Dispatch.

### **423.2 Policy**

Boise Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

### **423.3 PRIVACY EXPECTATION**

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

### **423.4 Restricted Access and Use**

MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisors or Watch Commanders.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration, or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in corrective action.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

#### **423.4.1 Use While Driving**

Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

#### **423.5 Documentation of Activity**

Except as otherwise directed by the Watch Commander or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.

MDC and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

#### **423.5.1 Status Change**

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDC system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC when the vehicle is not in motion.

#### **423.5.2 Emergency Activation**

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor, and the Watch Commander are notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

#### **423.6 Equipment Considerations**

##### **423.6.1 Malfunctioning MDC**

Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify Ada County Dispatch. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.



#### **423.6.2 Bomb Calls**

When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.

## **424 PORTABLE AUDIO/VIDEO RECORDERS**

Effective Date: 10/05/2023  
Revised Date: 08/30/2023  
Issuing Authority: Chief Ron Winegar

### **424.1 Purpose and Scope**

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn (OBV), handheld, or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews, or interrogations conducted at any Boise Police Department facility, authorized undercover operations, wiretaps, or eavesdropping (concealed listening devices).

### **424.2 Policy**

The Boise Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

### **424.3 Coordinator**

The Chief of Police or authorized designee should designate a coordinator responsible for:

1. Establishing procedures for the security, storage and maintenance of data and recordings.
2. Establishing procedures for accessing data and recordings.
3. Establishing procedures for logging or auditing access.
4. Establishing procedures for transferring, downloading, tagging, categorizing, or marking events.

### **424.4 Member Privacy Expectation**

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

### **424.5 Member Responsibilities**

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or the member becomes aware of malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the recorder in a conspicuous manner which does not cover their name or badge.

Members who utilize an OBV will have the camera in READY mode when not in a Boise Police facility.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful.

When using a portable recorder, the assigned member shall record his/her name, BPD identification number, and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned, or the member deactivated the recording. Members should include the reason for deactivation.

Members should dock their cameras in the approved dock daily unless physically unable and then will do so the next available day.

#### **424.6 Activation of the Portable Recorder**

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The portable recorder shall be activated in any of the following situations:

1. All enforcement and investigative contacts including stops and field interview (FI) situations;
2. Traffic stops including but not limited to traffic violations, stranded motorist assistance, and all crime interdiction stops;
3. Self-initiated activity in which a member would normally notify Ada County Dispatch;
4. Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

##### **424.6.1 Cessation of Recording**

Once activated, the portable recorder should remain on continuously unless:

- The member reasonably believes that his/her direct participation in the incident is complete, or the situation no longer fits the criteria for activation; and/or
- During significant periods of inactivity such as report writing or other breaks from direct participation in the incident (i.e., traffic control or extended perimeters).

Members should verbally record the reason for deactivation of the recorder if still on scene or attached to a call for service.

Members may mute their portable recorder when:

1. They are engaged in legally protected communications with legal counsel or others covered in Idaho Code 9-203.
2. Sensitive tactical information such as on-scene mission planning and / or when engaged in tactical discussions with or between Crisis Negotiators or members of the Special Operations Unit. This information should contain intelligence or information that creates current or future safety concerns if released.
3. Administrative concerns with another officer or supervisor which are not held during direct participation of the incident.

Members should verbally record the reason for muting on their recorder.

#### **424.6.2 Surreptitious Use of the Portable Recorder**

Members may inform individuals they are being recorded but are not required. Idaho law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission ([Idaho Code 18-6702](#)).

Members may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

#### **424.6.3 Usage Restrictions and Prohibitions**

Members should remain sensitive to the dignity of all individuals being recorded. The following circumstances should be considered when the interest of the public outweighs the interest to record. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

1. In locations where an individual has a reasonable expectation to privacy unless the recording is made pursuant to a valid investigation, arrest, or search from a place where the member is lawfully allowed to be present. Such locations include a private residence, medical facility, locker rooms, and restrooms.
2. Members shall not knowingly record undercover members or confidential informants.
3. Members shall not knowingly record Victim Witness Staff or Prosecutors Office Staff.
4. Members shall not record inside courthouses unless responding to a call for service that is in progress.
5. Members shall not knowingly record while in restricted law enforcement facilities that are not routinely accessible to the public, excluding holding cells or other locations where interactions with arrested subjects occur.

#### **424.6.4 Explosive Device**

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

#### **424.7 Prohibited Use**

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Watch Commander. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment, or ridicule.

#### **424.8 Identification and Preservation of Recordings**

To assist with identifying and preserving data and recordings, members should download, tag, categorize, or mark these in accordance with procedure and document the existence of the recording in any related case report.

A member should transfer, tag, categorize, or mark recordings when the member reasonably believes:

1. The recording contains evidence relevant to potential criminal, civil or administrative matters.
2. A complainant, victim or witness has requested non-disclosure.
3. A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
4. Disclosure may be an unreasonable violation of someone's privacy.
5. Medical or mental health information is contained.
6. Disclosure may compromise an undercover officer or confidential informant.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

## **424.9 Retention of Recordings**

All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule.

### **424.9.1 Release of Audio/Video Recordings**

Requests for the release of audio/video recordings shall be processed in accordance with Department policy.

### **424.9.2 Retention of Recordings of Evidentiary Value**

Recordings of evidentiary value shall be retained pursuant to the organization's records retention schedule and/or at a minimum of 200 days ([Idaho Code 31-871](#)).

## **424.10 Review of Recorded Media Files**

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are, reviewing submitted reports by members, investigating alleged misconduct or reports of meritorious conduct, or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

1. Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation, administrative review, or criminal investigation.
2. By a member of the Training Division participating in a review for training purposes.
3. Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
4. By media personnel with permission of the Chief of Police or authorized designee.

In compliance with a public records request, if permitted, and in accordance with Department policy.

All recordings should be reviewed by the designated Custodian of Records prior to public release in accordance with records maintenance and release policy. Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

## **425 PUBLIC RECORDING OF LAW ENFORCEMENT ACTIVITY**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **425.1 Purpose and Scope**

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

### **425.2 Policy**

The Boise Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as resisting and obstructing, failure to comply, or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

### **425.3 Recording Law Enforcement Activity**

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
  - 1. Tampering with a witness or suspect.
  - 2. Inciting others to violate the law.
  - 3. Being so close to the activity as to present a clear safety hazard to the officers.
  - 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officers, him/herself or others.

### **425.4 Officer Response**

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

#### **425.5 Supervisor Responsibilities**

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure, or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

#### **425.6 Seizing Recordings as Evidence**

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
  - 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
  - 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
  - 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible.



Another way to obtain the evidence is to transmit a copy of the recording from a device to a department- owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.

## **427 FOOT PURSUITS**

Effective Date: 10/14/2022  
Revised Date: 9/30/2022  
Issuing Authority: Chief Ron Winegar

### **427.1 Purpose and Scope**

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

### **427.2 Policy**

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

### **427.3 Decision to Pursue**

The safety of officers and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must balance the need to immediately apprehend a suspect with the importance of protecting the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual who the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity shall not serve as the sole justification for engaging in an extended foot pursuit without the development of reasonable suspicion of the individual's involvement in criminal activity or being wanted by police.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place officers and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

1. Containment of the area.
2. Saturation of the area with police personnel, including assistance from other agencies.
3. A canine search.
4. Thermal imaging or other sensing technology.
5. Air support, to include Unmanned Aerial Vehicles (UAV) and aircraft.

6. Later apprehension of the subject, if their identity can be determined, permitting the need to immediately apprehend the suspect does not reasonably outweigh the risk of continuing the foot pursuit.

#### **427.3.1 Factors to Consider**

Officers should consider the following factors when making a decision to initiate or continue a foot pursuit:

1. Whether the suspect is believed to be or known to be armed.
2. The suspect's behaviors, including (but not limited to):
  - a. Looking back, which may be an indication that the suspect is targeting or "sizing up" a pursuing sworn member.
  - b. Change in stride or pace, or efforts to draw a sworn member in or allow a sworn member to close (which may indicate that the suspect may be preparing for an attack)
  - c. Hand and shoulder movement, which may indicate that the suspect may be reaching into the waistband or other threat areas.
3. Officer's characteristics, including (but not limited to):
  - a. Physical conditioning and abilities
  - b. Availability and proximity of cover units
  - c. Familiarity with the area.

#### **427.4 General Guidelines**

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

1. Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
2. The officer is acting alone.
3. Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
4. The officer is unsure of his/her location and direction of travel.
5. The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.
6. The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
7. The officer loses radio contact with Dispatch or with backup officers.
8. The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and

containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.

9. The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
10. The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
11. The officer loses possession of his/her firearm or other essential equipment.
12. An officer or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
13. The suspect's location is no longer definitely known.
14. The identity of the suspect is established, or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to officers or the public if the suspect is not immediately apprehended.
15. The officer's ability to safely continue the pursuit is impaired by inclement weather, darkness or other environmental conditions.

## **427.5 Responsibilities in Foot Pursuits**

### **427.5.1 Initiating Officer Responsibilities**

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- Location and direction of travel
- Designator
- Reason for the foot pursuit, such as the crime classification
- Number of suspects and description, to include name if known
- Whether the suspect is known or believed to be armed with a dangerous weapon

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the pursuit. If the foot pursuit is terminated for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify Dispatch of his/her location and the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further

actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

Whenever any officer announces that they are engaged in a foot pursuit, all other officers shall minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

#### **427.5.2 Supervisor Responsibilities**

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor will respond to the area whenever reasonably feasible and, if necessary, assume incident command over the pursuit; the supervisor does not, however, need to be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity when reasonably feasible.

The supervisor will monitor reports and assess officer actions for alignment with policy and to determine if additional review or follow-up is warranted.

#### **427.6 Reporting Requirements**

The initiating officer shall complete the appropriate crime/arrest reports documenting the incident. in accordance with Boise Police Department Procedures Manual: 427.1 Reporting Requirements.

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

## **430 CIVIL DISPUTES**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **430.1 Purpose and Scope**

This policy provides members of the Boise Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Idaho law.

### **430.2 Policy**

The Boise Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace.

When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides, and refrain from giving legal or inappropriate advice.

### **430.3 General Consideration**

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational, and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

#### **430.4 Court Orders**

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

#### **430.5 Vehicles and Personal Property**

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

#### **430.6 Real Property**

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

## **433 MEDICAL AID AND RESPONSE**

Effective Date: 05/01/2025

Revised Date: 03/19/2025

Issuing Authority: Chief Chris Dennison

### **433.1 Purpose and Scope**

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

### **433.2 Policy**

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

### **433.3 First Responding Member Responsibilities**

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

Prior to initiating medical aid, the member should contact Ada County Dispatch and request response by Emergency Medical Services (EMS) as the member deems appropriate.

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

When requesting EMS, the member should provide Ada County Dispatch with information for relay to EMS personnel in order to enable an appropriate response, including:

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

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS. Members should not direct EMS personnel whether to transport the person for treatment.



#### **433.4 Transporting Ill and Injured Persons**

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

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

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

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

#### **433.5 Persons Refusing Ems Care**

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

In cases where mental illness may be a factor, the officer should consider proceeding with a civil commitment in accordance with the Protective Custody of Adults and Children Policy.

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

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

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

#### **433.6 Sick or Injured Arrestee**

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

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

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

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including

breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

#### **433.7 Automated External Defibrillator (AED) Use**

An AED should only be used by members who have completed a course provided by the American Heart Association, the American Red Cross or a similar entity in cardiopulmonary resuscitation and the care and use of an AED (Idaho Code 5-337).

#### **433.8 AED User Responsibility**

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

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

Any member who uses an AED shall contact Ada County Dispatch as soon as possible and request response by EMS (Idaho Code 5-337).

#### **433.9 AED Reporting**

Any member using an AED will send an email to the Patrol Division SST detailing its use. This will then be recorded in the City Risk and Safety database.

#### **433.10 AED Training and maintenance**

The Training Captain should ensure appropriate training is provided to members authorized to use an AED (Idaho Code 5-337).

The Training Division is responsible for ensuring AED devices are appropriately maintained and tested consistent with the manufacturer's operational guidelines and will retain records of all maintenance in accordance with the established records retention schedule (Idaho Code 5-337).

#### **433.11 Administration of Opioid Overdose Medication**

Trained members may provide an opioid antagonist to a person experiencing an opiate-related overdose.

#### **433.12 Opioid Overdose Medication User Responsibilities**

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

Any member that provides an opioid antagonist shall contact Ada County Dispatch as soon as possible and request response by EMS (Idaho Code 54-1733B).

#### **433.13 Opioid Overdose Medication Reporting**

Any member administering opioid overdose medication should detail its use in the Naloxone Usage Form on the Intranet.

#### **433.14 Opioid Overdose Medication Training**

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

Training should be coordinated with the Idaho Department of Health and Welfare (Idaho Code 54–1733B).

#### **433.15 First Aid Training**

Subject to available resources, the Training Captain should ensure officers receive periodic first aid training appropriate for their position.

## **500 TRAFFIC FUNCTION AND RESPONSIBILITY**

Effective Date: 10/01/2024

Revised Date: 09/20/2024

Issuing Authority: Chief Chris Dennison

### **500.1 Purpose and Scope**

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on collision data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in collision situations, but also in terms of traffic-related needs.

### **500.2 Traffic Officer Deployment**

Several factors are considered in the development of deployment schedules for officers of the Boise Police Department. Information provided by this department, the Idaho Department of Transportation, and the community is a valuable resource for traffic collision occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

Officers assigned to patrol or traffic enforcement functions may emphasize enforcement of collision causing violations during high collision hours and at locations of occurrence. Officers should, when feasible, take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. Uniformed officers should maintain high visibility while working general enforcement, especially at high collision locations when resources allow.

Other factors to be considered for deployment are citizen requests, construction zones, ACHD speed study results, or special events.

### **500.3 Enforcement**

Officers are empowered to exercise reasonable discretion. Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance. The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions.

#### **500.3.1 Warnings**

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

### **500.3.2 Citations**

Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

- (a) Explanation of the violation or charge.
- (b) Court appearance procedure including the optional or mandatory appearance by the motorist.
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

### **500.3.3 Physical Arrest**

Physical arrest may be made on a number of criminal traffic offenses when a citation is not issued pursuant to the Citation Releases Policy.

### **500.4 Suspended or Revoked Driver's Licenses**

If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation.

If a computer check of a traffic violator's license status reveals a suspended or revoked driver's license the officer shall verbally advise the traffic violator of the suspension or revocation.

### **500.5 High-Visibility Vests**

The Department has provided American National Standards Institute (ANSI) Class II (or higher) high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering, or operating vehicles, machinery, and equipment (23 CFR § 655.601).

Although intended primarily for use while performing traffic related assignments, high-visibility vests may be worn at any time increased visibility would improve the safety or efficiency of the member.

#### **500.5.1 Required Use**

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment.

Examples of when high-visibility vests should be worn include traffic control duties, collision investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

#### **500.5.2 Care and Storage of High-Visibility Vests**

High-visibility vests shall be maintained in the trunk of each patrol and investigation unit, in the side box of each police motorcycle and in the saddlebag or gear bag of each police bicycle. Each vest should be stored inside the resealable plastic bag provided to protect and maintain

the vest in a serviceable condition. Before going into service, each employee shall ensure a serviceable high-visibility vest is properly stored.

Employees are responsible to ensure vests are replaced when they are damaged or unserviceable. A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests.

## **501 TRAFFIC COLLISION REPORTING**

Effective Date: 10/01/2024  
Revised Date: 9/20/2024  
Issuing Authority: Chief Chris Dennison

### **501.1 Traffic Collision Reporting**

All traffic collision reports taken by members of this department shall be completed in the report writing software and eImpact software within 24 hours after completing their investigation (Idaho Code 49-1306). A report will be considered ready for completion when all investigation and follow up has been conducted. Supervisors will approve all reports.

### **501.2 Reporting Situations**

#### **501.2.1 Traffic Collisions Involving City Vehicles**

Traffic collision investigation reports shall be taken when a City-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results. A miscellaneous report shall be taken in lieu of a traffic collision report when the collision occurs on private property.

Photographs of the collision scene and vehicle damage shall be taken by the traffic investigator or any supervisor.

#### **501.2.2 Traffic Collisions with Police Department Employees**

When an employee of this department, either on-duty or off-duty, is operating a department vehicle and is involved in a traffic collision within the jurisdiction of the Boise Police Department resulting in a serious injury or fatality, a Sergeant, or the Watch Commander, shall follow the Critical and Traumatic Incidents policy.

The term serious injury is defined as any injury that may result in a fatality.

For collisions involving a department vehicle driven while on or off-duty and not having serious injury or fatality a BPD officer may investigate unless they are unable to determine who is clearly at fault. In that case, another agency will be requested to investigate the collision. Whenever there is damage to a City vehicle, a Vehicle Damage Report shall be completed and forwarded to Fleet Services.

For collisions involving a department vehicle driven while on duty outside of the Boise Police Department jurisdiction, the agency of jurisdiction will be notified to complete the investigation. The employee will notify the on duty Watch Commander as soon as possible.

For all on duty collisions the drivers will follow Employee Handbook 4.20b Post Accident Testing when applicable.

When an off-duty employee or immediate family member (spouse, child, or parents) of an employee is involved in a collision inside the City of Boise with a privately owned vehicle a BPD officer may investigate the collision unless they are unable to determine who is clearly at fault. In that case, another agency will be requested to investigate the collision.

### **501.2.3 Traffic Collisions with Other City Employees or Officials**

A Sergeant or on-duty Watch Commander may request assistance from another outside law enforcement agency for the investigation of any traffic collision involving any City official or employee where a serious injury or fatality has occurred.

### **501.2.4 Traffic Collisions on Private Property**

Traffic collision reports shall not be taken for traffic collisions occurring on private property, unless there is a death or serious injury to any person involved, a hit-and-run violation, or criminal vehicle code violation which is enforceable on private property.

A Miscellaneous Report may be taken at the discretion of any officer or supervisor to document the incident if it does not fit the previous criteria.

### **501.2.5 Traffic Collision on Roadways or Highways**

Traffic collision reports shall be taken when they occur on a roadway or highway within the jurisdiction of this department under any of the following circumstances:

- (a) When there is a death or injury to any persons involved in the collision.
- (b) When there is damage which exceeds the state code reportable amount.
- (c) When a citation for the cause of the collision is issued by the investigating officer. Officers should make reasonable efforts to investigate and issue a citation to any party when there is probable cause.

Photographs of the collision scene and vehicle damage should be taken by the traffic investigator if a report is taken.

### **501.3 Notification of Crash Reconstruction Team**

In the event of a serious injury or death related traffic collision, the Watch Commander shall notify the Crash Reconstruction Sergeant to relate the circumstances of the traffic collision and seek assistance from the Crash Reconstruction Team.



## **502 VEHICLE TOWING POLICY**

Effective Date: 02/01/2025  
Revised Date: 12/1/2024  
Issuing Authority: Chief Chris Dennison

### **502.1 Purpose and Scope**

This policy provides the procedures for towing a vehicle by or at the direction of the Boise Police Department.

### **502.2 Responsibilities**

The responsibilities of those employees storing or impounding a vehicle are as follows.

#### **502.2.1 Completion of Forms**

Police Department members requesting towing of a vehicle shall complete a Vehicle Disposition Report (VDR).

A copy of the VDR is to be given to the tow truck operator and the original is to be submitted to the Records Unit and Vehicle Impounds by end of the shift after the vehicle is towed. At the end of the shift, a supervisor will deliver the white copy of the VDR to Records and the yellow copy to the Impound Unit.

If a copy of the towed vehicle notice is not provided to the legal and registered owner at the time of storage, it shall be the responsibility of the Records Unit to determine the legal and registered owners of the vehicle and to mail a copy of the notice to all such individuals within 72 hours, excluding weekends and holidays. A copy of the notice shall also be mailed to any lienholder within 72 hours, excluding weekends and holidays for any vehicle which has been recovered as stolen or from a collision (Idaho Code 49-1803A(3)).

#### **502.2.2 Removal of Vehicle Disabled in a Traffic Collision or Disabled**

When a vehicle has been involved in a traffic collision and is blocking traffic and must be removed from the scene the officer may call a rotation tow, the officer may also have the driver contact a towing company. When the driver is incapacitated or unwilling to contact a tow company, a company will be selected from the rotational list of towing companies via Ada County Dispatch.

If a vehicle is disabled on I84 or I-184/US 20/26 (connector) it shall be towed.

#### **502.2.3 Driving a Non-City Vehicle**

Vehicles which have been towed by or at the direction of this department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant, or to comply with posted signs.

### **502.3 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.

#### **502.4 Storage at Arrest Scenes**

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by storing the arrestee's vehicle subject to the exceptions described below. However, the vehicle shall be stored whenever it is needed for the furtherance of an investigation or prosecution of the case (see Evidence Policy) or when the community caretaker doctrine would reasonably suggest that the vehicle should be stored, for example, the vehicle would present a traffic hazard if not removed or due to a high crime area the vehicle would be in jeopardy of theft or damage if left at the scene.

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of storing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

Situations where the vehicle was not used to further the offense for which the driver was arrested.

Whenever the licensed owner of the vehicle is present, willing, and able to take control of any vehicle not involved in criminal activity.

Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene

When a sober, licensed driver at the scene is able to take custody of the vehicle of an impaired driver.

In such cases, the handling employee shall capture the driver's consent on body camera and note in the report that the driver was informed that the Police Department will not be responsible for theft or damages. Additionally, the report will document the license plate number, owner, and location where the vehicle was left. No VDR is required if the vehicle was left at the scene and the steps above were completed.

#### **502.5 Vehicle Inventory Searches**

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while in police custody, to provide for the safety of officers, and to protect this department against fraudulent claims of lost, stolen, or damaged property.

##### **502.5.1 Security of Vehicles and Property**

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g. cash, jewelry, cell phone, prescriptions) which are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, search personnel shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

## **504 IMPAIRED DRIVING**

Effective Date: 08/01/2024  
Revised Date: 07/01/2024  
Issuing Authority: Chief Ron Winegar

### **504.1 Purpose and Scope**

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

### **504.2 Policy**

The Boise Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Idaho's impaired driving laws.

### **504.3 Investigations**

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Traffic Sergeant will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Idaho or another jurisdiction.

### **504.4 Field Tests**

The Traffic Sergeant should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

### **504.5 Chemical Tests**

A person implies consent under Idaho law to a chemical test or tests, and to providing the associated chemical sample, under any of the following (Idaho Code 18-8002):

- (a) The arresting officer has reasonable grounds to believe that the person was driving or in actual physical control of a motor vehicle, including a commercial motor vehicle, when any of the following exist:

1. While under the influence of alcohol, drugs and/or any other intoxicating substances.
  2. While under the influence of any combination of alcohol, drugs and/or any other intoxicating substances.
  3. With a prohibited alcohol concentration (Idaho Code 18-8004).
- (b) The arresting officer has reasonable grounds to believe the person was driving or in actual physical control of a vehicle which resulted in great bodily harm, permanent disability or disfigurement to any other person (Idaho Code 18-8006).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

#### **504.5.1 Statutory Notifications**

At the time testing is requested, the person shall be informed that if he/she refuses to submit to or fails to complete a test as required, he/she will be subject to civil penalties, and driver's license suspension, mandatory installation of a state-approved ignition interlock system at his/her expense for one year following the end of the suspension period, the right to request a hearing to show cause why he/she refused to submit or complete testing, and after submitting to evidentiary testing, he/she may, when practicable and at their own expense, have additional tests made by a person of his/her choosing as described in Idaho Code 18-8002(3) and Idaho Code 18-8002A(2).

#### **504.5.2 Breath Samples**

The Traffic Sergeant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

If the person submits to a breath test and the officer has reasonable cause to believe that the person was driving under the influence of drugs or the combined influence of alcohol and drugs, the officer should request a second test of the person's blood or urine. If a second test is requested, the officer shall include the facts supporting the belief in the arrest report (Idaho Code 18-8002(10)).

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Sergeant.

#### **504.5.3 Blood Samples**

Only persons authorized by law to draw blood shall collect blood samples (Idaho Code 18-8003). The blood draw should be witnessed by the assigned officer. The Boise Police Department utilizes trained and qualified officers in phlebotomy and may be used to draw blood.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored, and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

#### **504.5.4 Urine Samples**

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample.

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

#### **504.5.5 Additional Testing**

After submitting to testing as requested by the officer when practicable, a person may request, at his/her own expense, that additional tests for alcohol concentration or for the presence of drugs or other intoxicating substances be administered by a person of his/her own choosing (Idaho Code 18-8002A(6)).

#### **504.6 Refusals**

When an arrestee refuses to provide a chemical sample, officers shall:

- (a) Advise the arrestee of the requirement to provide a sample and consequences of failing to do so (Idaho Code 18-8002).
- (b) Audio and/or video-record the admonishment and the response when it is practicable.
- (c) Personally serve the notice of suspension upon the person (Idaho Code 18-8002A).
- (d) Document the refusal in the appropriate report.
- (e) Complete an affidavit of refusal.

##### **504.6.1 Blood Sample Without Consent**

A blood sample may be obtained from a person who refuses a chemical test when there are reasonable grounds to believe that person has been driving or in actual physical control of a motor vehicle in violation of Idaho Code 18-8004 and when any of the following conditions exist:

- (a) A search warrant has been obtained.
- (b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

- (c) If necessary, a person who is authorized by law to draw a blood sample for evidentiary testing may be ordered to do so by the officer when there are exigent circumstances and probable cause to believe the arrestee has committed any of the following offenses (Idaho Code 18-8002(6)(b)):
  - 1. Aggravated DUI.
  - 2. Vehicular manslaughter.
  - 3. Aggravated DUI or criminal homicide involving a watercraft while under the influence of alcohol, drugs or other intoxicating substances.

#### **504.6.2 Forced Blood Sample**

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes, a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance.
  - 1. This dialogue should be recorded on audio and/or video when practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.
- (e) Ensure that the forced blood draw is recorded on audio and/or video when practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances.
  - 1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
  - 2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
  - 3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

### **504.7 Service of Suspension**

If the driver submits to a breath, blood, or urine test and the results indicate an alcohol concentration or the presence of drugs or other intoxicating substances in violation of the provisions of Idaho Code 18-8004, Idaho Code 18-8004C, or Idaho Code 18-8006, the officer shall, acting on behalf of the Idaho Transportation Department (ITD), serve the person with a notice of suspension and notice of the requirement to install, at his/her expense, a state-approved ignition interlock system for a period of one year following the end of the suspension period (Idaho Code 18-8002A(5)).

Within five business days of serving a person with the notice of suspension, the arresting officer shall forward the following to the ITD (Idaho Code 18-8002A(5)):

- (a) A copy of the completed notice of suspension and notice of the requirement to install the ignition interlock system.
- (b) A certified copy or duplicate original of the results of all breath tests for alcohol concentration.
- (c) The arresting officer's sworn statement, which may incorporate any arrest or incident report relevant to the arrest and evidentiary testing, setting forth:
  - 1. The identity of the person.
  - 2. The legal cause to stop the person.
  - 3. The officer's legal cause to believe that the person was DUI.
  - 4. That the person was advised of the consequences of taking and failing the evidentiary test.
  - 5. That the person was lawfully arrested.
  - 6. That the person was tested for alcohol concentration, drugs, or other intoxicating substances and that the result of the test indicated an alcohol concentration or the presence of drugs or other intoxicating substances in violation of Idaho Code 18-8004, Idaho Code 18-8004C, or Idaho Code 18-8006.

### **504.8 Records Unit Responsibilities**

The Records Supervisor will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

### **504.9 Administrative Hearings**

The Records Supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the ITD.

Any officer who receives notice of required attendance to an administrative license suspension hearing should promptly notify the prosecuting attorney.

An officer called to testify at an administrative hearing should document the hearing date and the ITD file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified. The Records Unit should forward this to the prosecuting attorney as part of the case file.



#### **504.10 Training**

The Training Captain should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Training Captain should confer with the prosecuting attorney's office and update training topics as needed.

## **505 TRAFFIC CITATIONS**

Effective Date: 08/01/2024

Revised Date: 07/01/2024

Issuing Authority: Chief Ron Winegar

### **505.1 Purpose and Scope**

This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

### **505.2 Responsibilities**

The issuing of a traffic citation is at the discretion of an officer. Written or verbal warnings are appropriate actions when the situation does not warrant a citation.

### **505.3 Dismissal of Traffic Citations**

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the officer may request the prosecutor to dismiss the citation. Upon dismissal of the traffic citation by the court, the officer shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded through the officer's chain of command for review.

### **505.4 Voiding Traffic Citations**

Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed, but not issued.

### **505.5 Correction of Traffic Citations**

When a traffic citation is issued and in need of correction, the officer issuing the citation shall contact the prosecutor's office to have the charge(s) corrected and the reason for the request.

### **505.6 Disposition of Traffic Citations**

The court and file copies of all traffic citations issued by members of this department shall be forwarded to the employee's immediate supervisor for review. The citation copies shall then be filed with Records Unit. Officers using electronic citation software will transmit their citations to the court at the end of their shift by syncing their devices.

### **505.7 Juvenile Citations**

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency, and the type of offense should be considered before issuing the juvenile a citation.

## **600 INVESTIGATION AND PROSECUTION**

Effective Date: 10/01/2024  
Revised Date: 9/20/2024  
Issuing Authority: Chief Chris Dennison

### **600.1 Purpose and Scope**

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

### **600.2 Policy**

It is the policy of the Boise Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

### **600.3 Initial Investigation**

#### **600.3.1 Officer Responsibilities**

An officer responsible for an initial investigation shall complete no less than the following

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum
  1. An initial statement from any witnesses or complainants.
  2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the Officer shall:
  1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
  2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
  3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Watch Commander.
  4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses, and suspects.
  5. Collect any evidence.
  6. Take any appropriate law enforcement action.
  7. Complete and submit the appropriate reports and documentation when required.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary to include writing an informational report, what other resources may be available, and advise the informant or complainant of this information.

### **600.3.2 Community Service Officer Responsibilities**

A community service officer assigned to any preliminary is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

### **600.4 Custodial Interrogation Requirements**

Suspects who are in custody and subjected to an interrogation shall be given the Miranda warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

#### **600.4.1 Audio/Video Recordings**

Any custodial interrogation of an individual who is suspected of having committed any criminal offense should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings. Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Criminal Investigation Division supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

### **600.5 Discontinuation of Investigations**

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- (b) A Criminal Investigation Division investigator has reviewed the case to determine solvability.
- (c) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
  - 1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
  - 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.

- (d) The case has been submitted to the appropriate prosecutor, but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (e) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted, or requested, and there is no need to take the suspect into custody due to being beyond reach or is deceased.
- (f) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (g) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

### **600.6 Computers and Digital Evidence**

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

### **600.7 Investigative Use of Social Media and Internet Resources**

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the Internet should not be archived or stored in any manner other than Department-established record keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).

#### **600.7.1 Access Restrictions**

Information that can be accessed from any department computer, without the need of an account, password, email address, alias, or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or

legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy, and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

#### **600.7.2 Intercepting Electronic Communication**

Intercepting social media communications in real time may be subject to federal wiretap laws. Officers should seek legal counsel before any such interception.

#### **600.8 Modification of Charges Filed**

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a lieutenant. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

Officers are not authorized to make promises or deals to suspects without approval of the officer's chain of command and a prosecutor.

## **602 CONFIDENTIAL INFORMANTS**

Effective Date: 02/01/2025

Revised Date: 12/1/2024

Issuing Authority: Chief Chris Dennison

### **602.1 Purpose and Scope**

The purpose of this policy is to provide guidelines for the use of informants.

### **602.2 Definitions**

Definitions related to this policy include:

**Informant -** A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Boise Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Boise Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

### **602.3 Policy**

The Boise Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

### **602.4 Use of Informants**

Only members of the Narcotics Unit are authorized to use confidential informants. The Narcotics Unit is responsible for maintaining all files related to the use of confidential informants.

## 603 EYEWITNESS IDENTIFICATION

Effective Date: 05/01/2025  
Revised Date: 03/19/2025  
Issuing Authority: Chief Chris Dennison

### 603.1 Purpose and Scope

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

### 603.2 Definitions

Definitions related to the policy include:

**Eyewitness identification process** - Any field identification, live lineup or photographic identification.

**Field identification** - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

**Photographic lineup** - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

### 603.3 Policy

The Boise Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

### 603.4 Interpretive Services

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

### 603.5 Eyewitness Identification

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.



Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded, and the recording should be retained according to current evidence procedures.

### **603.6 Photographic Lineup Considerations**

When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. In no case should the member presenting a lineup to a witness know which photograph or person in the lineup is being viewed by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup to a witness will present and read the department approved Photograph Series Admonition form and obtain their signature. The photo lineup should be shown sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup. Witnesses should not view the photographs more than two times.

### **603.7 Field Identification Considerations**

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field elimination show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness prior to the field identification.
- (b) Assess whether a witness should be included in a field identification process by considering:
  - 1. The length of time the witness observed the suspect.
  - 2. The distance between the witness and the suspect.
  - 3. Whether the witness could view the suspect's face.
  - 4. The quality of the lighting when the suspect was observed by the witness.
  - 5. Whether there were distracting noises or activity during the observation.
  - 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
  - 7. The length of time that has elapsed since the witness observed the suspect.
- (c) Present and read the department approved Field Show-up Admonition Form to all witnesses and obtain their signature.

- (d) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (e) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
- (f) The person who is the subject of the show-up should not be shown to the same witness more than once.
- (g) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.
- (h) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
- (i) If a witness positively identifies the subject of the show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In such instances, members should document the contact information for any additional witnesses for follow up, if necessary.

### **603.8 Documentation**

A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report.

- Ensure all details of the eyewitness identification process are documented in the report to include:
  - The witness's opportunity to view the subject at the time of the crime.
  - The witness's degree of attention.
  - The accuracy of the prior description of the subject.
  - The level of certainty demonstrated at the time of the identification and in the witness's own words.
  - The length of time between the crime and the identification. o Any additional comments the witness makes.
- Any expressed emotions.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness and the number of times they viewed the photos should be documented in the case report.

## 604 BRADY MATERIAL DISCLOSURES

Effective Date: 8/01/2024

Revised Date: 7/01/2024

Issuing Authority: Chief Ron Winegar

### 604.1 Purpose and Scope

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “Brady information”) to a prosecuting attorney.

### 604.2 Definitions

Definitions related to this policy include:

**Brady information** - Information known or possessed by the Boise Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

### 604.3 Policy

The Boise Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Boise Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

### 604.4 Disclosure of Investigative Information

Officers must include in their investigative reports, adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., confidential informant or attorney-client information, attorney work product), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

### **604.5 Disclosure of Personnel Information**

The Chief of Police has designated the Captain of the Professional Standards Division to act as a Brady coordinator who will be responsible for working with the appropriate prosecutor's offices and the City Attorney's office to establish systems and processes to determine what constitutes Brady information and the method for notification and disclosure.

If a member of this department whose personnel and/or internal affairs files contain potential Brady information will be a material witness in a criminal case the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member shall be notified of the potential presence of Brady material in the member's personnel file.
- (b) The prosecuting attorney or department counsel should be requested to file a motion in order to initiate an in-camera review by the court.
  - 1. If no motion is filed, the supervisor should work with counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Custodian of Records shall accompany all relevant personnel files during any in-camera inspection to address any issues or questions raised by the court.
- (d) If the court determines that there is relevant Brady material contained in the files, only that material ordered released will be copied and released to the parties filing the motion.
  - 1. Prior to the release of any materials pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant Brady information is contained in the member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

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

### **604.6 Investigating Brady Issues**

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

### **604.7 Trainings**

Department personnel should receive periodic training on the requirements of this policy.

## **605 UNMANNED AERIAL SYSTEM (UAS) OPERATIONS**

Effective Date: 08/01/2024

Revised Date: 07/01/2024

Issuing Authority: Chief Ron Winegar

### **605.1 Purpose and Scope**

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

### **605.2 Definitions**

Definitions related to this policy include:

**Unmanned Aerial System (UAS)** - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means. For purposes of this policy, a UAS includes a drone and remotely piloted vehicle or aircraft as provided in Idaho Code 21-213.

### **605.3 Policy**

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

### **605.4 Privacy**

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

### **605.5 Program Coordinator**

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

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

- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Developing an operational protocol governing the deployment and operation of a UAS including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS by following current digital evidence handling processes.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.
- Coordinating training for all authorized operators and required observers on the limitations of UAS use contained in Idaho Code 21-213.

## **605.6 Use of UAS**

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

Use of vision enhancement technology (e.g., thermal, and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be flown in accordance with FAA regulations.

Operators shall not surveil, photograph, or record targeted people or specific privately owned land, commercial or industrial properties, residences, or any other privately-owned buildings without the written consent of the owner or a warrant. Operators may use a UAS for the

following purposes so long as a person's reasonable expectation of privacy is not violated (Idaho Code 21-213):

- (a) Traffic accident documentation or reconstruction
- (b) Crowd or traffic management of an event by monitoring public streets and intersections leading to and from a sports or entertainment arena, fairgrounds, stadium, convention hall, special event center, amusement facility, outdoor concert venue, plaza, or special event area
- (c) Assessing damage due from a natural disaster or fire
- (d) For training, so long as the operation does not otherwise violate this policy or privacy rights
- (e) To assist in search and rescue operations
- (f) Investigating crime scenes
- (g) Temporary use to emergencies involving an imminent threat to lives or property
- (h) Responding to an emergency affecting public safety

#### **605.6 Prohibited Use**

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.
- As the sole basis of a traffic infraction citation (Idaho Code 21-213). The UAS shall not be weaponized.

#### **605.7 Retention of UAS Data**

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

## 606 SEXUAL ASSAULT INVESTIGATIONS

Effective Date: 05/01/2025  
Revised Date: 03/19/2025  
Issuing Authority: Chief Chris Dennison

### 606.1 Purpose and Scope

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

### 606.2 Definitions

Definitions related to this policy include:

**Sexual assault** - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in Idaho Code 18-6101 et seq.; Idaho Code 18-6608 and sexual offenses in Title 18, Chapter 15 of the Idaho Code.

**Sexual Assault Response Team (SART)** - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

### 606.3 Policy

It is the policy of the Boise Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

Sexual assault calls shall be given a high priority. BPD will actively and thoroughly investigate all reported incidents with a victim-centered approach.

The victim's or the family's needs and desires will always have a high priority when considering the course of action to be taken in the initial response, investigation, and potential prosecution phases.

The Department recognizes there are special needs cases in which the victim-centered approach may include a third party's involvement.

### 606.4 Qualified Investigators

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.



- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.
- (f) Participate in or coordinate with the SART.

### **606.5 Reporting**

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

### **606.6 Victim Interviews**

The primary considerations in sexual assault investigations, which begin with the initial call to Ada County Dispatch, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

Victims should not be asked or required to take a polygraph examination (34 USC § 10449). Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

### **606.7 Collection and Testing of Biological Evidence**

Whenever possible, a SAFE or SANE member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected within 120 hours (5 days) of the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

#### **606.7.1 Collection and Testing Requirements**

Investigating members shall facilitate the collection of a sexual assault evidence kit or sexual assault evidence, including evidence from an entity that has performed a medical examination of a sexual assault victim (Idaho Code 67-2919).

If the Boise Police Department obtains evidence related to a sexual assault that occurred in another jurisdiction, that agency should be notified as soon as reasonably practical, but no later than seven days for purposes of retrieving the evidence. When this department is notified by another agency that they are holding evidence related to the Boise Police Department case, an

investigating member should obtain the evidence no later than seven days after notification (Idaho Code 67-2919).

When the crime of sexual assault is alleged and the allegation has not been determined to be unfounded, sexual assault evidence kits, along with required reference samples, shall be submitted to the Idaho State Police Forensic Services Laboratory for testing as soon as reasonably practical, but no later than 30 days after obtaining the evidence unless (Idaho Code 67-2919):

- (a) The victim requests the kit be collected as an anonymous kit.

A decision not to forward a sexual assault kit to a lab, with the exception of an anonymous kit, must be independently reviewed by the county prosecutor's office (Idaho Code 67-2919).

Additional guidance regarding evidence retention and destruction is found in the Evidence Room Policy.

#### **606.7.2 DNA Test Results**

Members investigating sexual assault cases should notify victims of any DNA test results as soon as reasonably practicable. Investigating members should work with the victim liaison as provided in the Victim and Witness Assistance Policy.

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

#### **606.8 Disposition of Cases**

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Criminal Investigation Division supervisor.

Classification of a sexual assault case as unfounded requires the Criminal Investigation Division supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

#### **606.9 Releasing Information to The Public**

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appears to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Criminal Investigation Division supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

#### **606.10 Training**

Subject to available resources, periodic training should be provided to:

- (a) Members who are first responders. Training should include:

1. Initial response to sexual assaults.
  2. Legal issues.
  3. Victim advocacy.
  4. Victim's response to trauma.
- (b) Qualified investigators, who should receive advanced training on additional topics related to:
1. Interviewing sexual assault victims.
  2. SART.
  3. Medical and legal aspects of sexual assault investigations.
  4. Serial crimes investigations.
  5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
  6. Techniques for communicating with victims to minimize trauma.

## **607 WARRANT SERVICE**

Effective Date: 05/01/2025  
Revised Date: 03/19/2025  
Issuing Authority: Chief Chris Dennison

### **607.1 Purpose and Scope**

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

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

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

### **607.2 Policy**

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

### **607.3 Risk Assessment**

A supervisor or the Special Operations Unit (SOU) lieutenant (see the Operations Planning and Deconfliction Policy) shall review all risk assessment worksheets to determine the risk level of the warrant service.

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

### **607.4 Search Warrants**

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor who will review the documents.

### **607.5 Arrest Warrants**

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

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

### **607.6 High-Risk Warrant Service**

The Special Operations Group Captain or their authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

#### **607.7 Actions After Warrant Service**

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

#### **607.8 Outside Agencies And Cross-Jurisdictional Warrants**

Outside agency requests for assistance on routine search or arrest warrants will be routed through the Watch Commander. Requests for assistance on any high risk search or arrest warrants will be routed through the SOU lieutenant (Refer to the Special Operations Group Policy).

#### **607.9 Media Access**

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

#### **607.10 Training**

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

## **608 OPERATIONS PLANNING AND DECONFLICTION**

Effective Date: 05/01/2025

Revised Date: 03/19/2025

Issuing Authority: Chief Chris Dennison

### **608.1 Purpose and Scope**

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

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

### **608.2 Definitions**

Definitions related to this policy include:

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

### **608.3 Policy**

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

### **608.4 Deconfliction**

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

The investigating officer shall deconflict locations and suspects through the Regional Information Sharing System (RISS) and Officer Safety Deconfliction System (RISSafe).

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

### **608.5 Operations Plan**

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

## **609 NATIONAL INTEGRATED BALLISTIC INFORMATION NETWORK (NIBIN)**

Effective Date: 3/2/2023

Revised Date: 2/2/2023

Issuing Authority: Chief Ron Winegar

### **609.1 Purpose and Scope**

NIBIN stands for [National Integrated Ballistic Information Network](#). It is the local component of IBIS which stands for Integrated Ballistic Identification System. Together they form a database which captures, stores, and correlates digital images of fired cartridge cases recovered from a crime scene or from a test fired firearm. Individual characteristics can be used to show a common origin and possibly link crime scenes to specific firearms or to other crime scenes. If a potential link is found a lead notification is generated and sent to the investigating officer for further investigation and follow up.

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. The purpose of this policy is to establish standards for the handling, documentation, and submission of firearms evidence to the national NIBIN network. All employees of the Boise Police Department (BPD) will follow this policy where applicable.

### **609.2 Definitions**

Reference Boise Police Department Procedures Manual: 609.2 DEFINITIONS.

### **609.3 Policy**

The Boise Police Department and its members will participate within the NIBIN program whenever possible. Qualifying firearms will be test fired, and qualifying cartridge cases submitted for NIBIN entry in a timely manner, and in accordance with NIBIN program standards, with exceptions including (but not limited to) those noted in Boise Police Department [Procedures Manual: 609.7 IBIS/NIBIN ENTRY](#).

Employees will complete required training appropriate for their role in the NIBIN program.

### **609.4 NIBIN Evidence**

Firearms related evidence, to include spent cartridge cases, will be collected in a manner which protects DNA evidence, latent prints, trace evidence and is conducive to future NIBIN testing (See Procedure) whenever possible. The Lead Investigator is responsible for informing the Boise Police Crime Lab of any additional processing or evidence collection needed prior to NIBIN test firing and shall make such notifications, if needed, within 14 days of evidence being collected. If not notified within 14 days, BPD Crime Lab will consider that approval to proceed with test fire processes and entering records into IBIS/NIBIN.

### **609.5 NIBIN Test Firing**

Firearms collected as evidence or as abandoned may be test fired by Department appointed test fire personnel. The test firing procedure, including all applicable safety rules and checklists will be followed at all times. No one other than Department appointed test fire personnel shall test fire firearms for NIBIN entry.

Any Department member who is appropriately trained and equipped may act as a scene safety monitor and shall follow all applicable safety rules and checklists.

No test firing will be conducted without at least two Department appointed test fire personnel or one Department appointed test fire personnel and one scene safety monitor.

Test firing firearms and collecting cartridge cases shall be done in accordance with Department approved NIBIN Procedures (See Procedure). Only Department approved ammunition shall be utilized to conduct NIBIN test fires unless prior authorization is obtained from the designated Crime Lab NIBIN Technician and the Criminal Investigation Division (CID) Lieutenant.

NIBIN test fires will be documented in accordance with approved Department NIBIN Procedures (see Procedures Manual). A supplemental report will also be created by the Department appointed test fire personnel who conducted the test fire for any applicable criminal reports.

### **609.6 NIBIN Investigations**

All NIBIN lead notifications will be sent to the NIBIN Leads Team. The Violent Crimes Unit (VCU) Sergeant or designee will determine assignment for further investigation and/or follow up based on the lead and Department needs. Any investigative actions taken shall be documented in the appropriate criminal reports.



## **701 PERSONAL COMMUNICATION DEVICES**

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### **701.1 Purpose and Scope**

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

### **701.2 Policy**

The Boise Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty or used off-duty in any manner which may be related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

### **701.3 Privacy Expectations**

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

### **701.4 Department -Issued PCD**

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD for the member's use to facilitate on-duty performance.

Department-issued or funded PCDs may not be used for personal business either on or off-duty unless authorized by the Chief of Police or the authorized designee. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

### **701.5 Personally Owned PCD**

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Members should be aware they will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.
- (e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or the authorized designee.
- (f) If a personally owned PCD was used for work related purposes employees may legally be obligated to provide access to the Department, for litigation, public records retention and release obligations, and internal investigations.
- (g) All work-related documents, emails, photographs, recordings or other public records created or received on a member's personally owned PCD should be transferred to the Boise Police Department and deleted from the member's PCD as soon as reasonably practicable for retention purposes.

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty.

### **701.6 Use of PCD**

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (b) Members may use a PCD to communicate with other personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid or in lieu of regular radio communications.

- (c) Members are prohibited from taking pictures, making audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in corrective action.
- (d) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

### **701.7 Supervisor Responsibilities**

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

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
  - 1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
  - 2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Chief of Police or the authorized designee and Legal.

### **701.8 Use While Driving**

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions, and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating vehicles that are not equipped with lights and siren shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (Idaho Code 49-1401A). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

### **701.9 Official Use**

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

## **703 VEHICLE USE**

Effective Date: 05/01/2025  
Revised Date: 03/19/2025  
Issuing Authority: Chief Chris Dennison

### **703.1 Purpose and Scope**

The purpose of this policy is to establish a system of accountability to ensure department owned vehicles are used appropriately. This policy provides guidelines for on and off duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Boise to provide assigned take-home vehicles.

### **703.2 Policy**

The Boise Police Department provides vehicles for department-related business use and may assign marked and unmarked vehicles based on its determination of operational efficiency, economic impact to the Department, requirements for tactical deployments, and other considerations.

Additionally, employees will adhere to relevant regulations in Boise Employee Handbook section 4.80a. Vehicle Usage.

### **703.3 Use of Vehicles**

#### **703.3.1 Anti-Idling**

No vehicle shall be left idling in non-emergency situations. The operator of the vehicle shall turn off the vehicle and remove the keys from the ignition when it is not in use. The following situations are exempt from this policy:

An emergency scene where the use of emergency lighting or equipment is required.

- Traffic control where the use of emergency lights is required.
- In extreme weather while at a police facility for no more than 30 minutes.
- It is considered extreme weather if the current temperature is over 100 degrees or under 32 degrees.
- K-9 vehicles when the outside temperature requires the use of heat or air conditioning for the animal's welfare.

Supervisors are expected to ensure the adherence and enforcement of the anti-idling policy.

#### **703.3.2 Use of Opticom Traffic Control System**

Use of the Opticom system on public highways is authorized by officers only for law enforcement needs.

#### **703.3.3 Vehicle Location System**

Patrol and other designated vehicles, will be equipped with a system designed to track the vehicle's location (AVL). While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the AVL system.

#### **703.3.4 Keys**

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

#### **703.3.5 Mobile Data Terminal**

Members assigned to vehicles equipped with a Mobile Data Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify Ada County Dispatch.

#### **703.3.6 Emergency Escort**

An officer should not provide an emergency escort service to citizens. An officer should not transport injured or ill citizens to the hospital in their police vehicle, except for mental hold subjects or prisoners.

#### **703.3.7 Inspections**

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after the person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

#### **703.3.8 Authorized Passengers**

Refer to City Regulation 4.80a Vehicle Usage regarding authorized passengers.

#### **703.3.9 Alcohol**

Refer to City Regulation 4.80a Vehicle Usage regarding prohibitions of drivers.

#### **703.3.10 Parking**

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls.

### **703.3.11 Accessories and/or Modifications**

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

### **703.3.12 Professional Staff Member Use**

Professional Staff members using marked emergency vehicles shall ensure that all weapons have been removed before going into service.

Professional Staff members shall prominently display the "out of service" placards at all times. Professional Staff members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

### **703.4 Individual Member Assignment to Vehicles**

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment. This includes when a member is on light duty or not able to work due to injury.

#### **703.4.1 On-Duty Use**

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

#### **703.4.2 Unscheduled Take-Home Use**

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the Department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a 21-mile driving distance from the Boise City limits.
- (d) Off-street parking will be available at the member's residence.
- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

#### **703.4.3 Assigned Take Home Vehicles**

Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's employment or appointment status. Residence in the City of Boise is a prime consideration for assignment of a take-home vehicle. Members who reside more than 21 miles driving distance

from the Boise City limits will be required to secure the vehicle at a designated location or the Department. The Chief of Police may make exceptions to the distance restrictions.

Department members shall sign a take-home vehicle agreement that outlines certain standards, including, but not limited to, how the vehicle shall be used, where it shall be parked when the member is not on-duty, vehicle maintenance responsibilities and member enforcement actions.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or a Division Commander gives authorization.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) Members will be considered "on duty" when they reach the Boise City limits and begin their shift. They will be considered "off duty" when they leave the Boise City limits at the end of their shift.
- (d) Vehicles will not be used when off-duty except:
  - 1. In circumstances when a member has been placed on call by the Chief of Police or Division Commanders and there is a high probability that the member will be called back to duty.
  - 2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
  - 3. When the member has received permission from the Chief of Police or Division Commander.
  - 4. When the vehicle is being used by the Chief of Police, Division Commanders, or members who are in on-call administrative positions.
  - 5. When the vehicle is being used by on-call investigators.
- (e) While operating a marked vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (f) Unattended vehicles are to be locked and secured at all times.
  - 1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
  - 2. All weapons shall be secured while the vehicle is unattended.
  - 3. All department identification, portable radios and equipment should be secured.



- (g) Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (h) Vehicles are to be secured at the department when a member will be away (e.g., on vacation) for periods exceeding one week.
- (i) The member is responsible to assist in the care and maintenance of the vehicle through fleet services.

#### **703.4.4 Enforcement Actions**

When driving a take-home vehicle to and from work outside of the jurisdiction of the Boise Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving marked take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

#### **703.4.5 Maintenance**

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair and leave it on the seat or dash.
- (f) All weapons shall be removed from any vehicle left for maintenance.

#### **703.5 Pool Vehicles**

Unmarked pool vehicles are available to members who are not assigned a car. Any member operating an unmarked pool vehicle shall record vehicle usage on the sign-out log maintained in fleet services for that purpose.



### **703.6 Damage, Abuse and Misuse**

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered and documented appropriately. An administrative investigation may be initiated to determine if there has been any vehicle abuse or misuse.

### **703.7 Attire and Appearance**

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire, and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

## **802 PROPERTY AND EVIDENCE**

Effective Date: 05/01/2025

Revised Date: 03/19/2025

Issuing Authority: Chief Chris Dennison

### **802.1 Purpose and Scope**

This policy provides for the proper collection, storage, and handling of evidence and other property.

### **802.2 Property Handling**

All property shall be booked prior to the end of shift. An employee unable to book property prior to end of shift shall obtain authorization from a supervisor to secure the property at the police station or Ada County Victim Services Center.

To prepare property for storage, the officer shall:

- Tag all items with appropriate evidence tags/evidence seals.
- Date and initial all items when possible (unless this would destroy the evidentiary value).
- Fill out chain of custody.
- Complete the Property Invoice Form (or the VDR for vehicles), carefully noting the reason for booking, including a waiver signature at the bottom of the form if appropriate and containing a list of all items booked.
  - VDR shall include all notable items of significant value within the vehicle.
  - Submit a copy of the Towed Vehicle Inventory Notice when a vehicle is seized and stored at a BPD or other law enforcement facility impound lot.

### **802.3 Authority to Return / Dispose of Evidence Or Property**

Evidence will be returned to its proper owner or disposed of pursuant to Idaho Code, Boise City Code, and the Boise City's Records Retention Schedule.

## **803 RECORDS UNIT**

Effective Date: 08/01/2024  
Revised Date: 07/01/2024  
Issuing Authority: Chief Ron Winegar

### **803.1 Policy**

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

### **803.2 Records Unit Responsibilities**

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

- (a) Maintaining a records management system for case reports.
  - 1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
- (b) Entering case report information into the records management system.
  - 1. Modification of case reports shall only be made when authorized by a supervisor.
- (c) Providing Department employees with access to case reports when needed for investigation or court proceedings.
- (d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics.
- (e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.
- (f) Identifying missing case reports and notifying the responsible employee's supervisor.

### **803.3 File Access and Security**

The security of files in the Records Unit is a high priority and shall be maintained as mandated by state or federal law. All case reports including but not limited to initial, supplemental, follow-up, evidence, and any other reports related to a Department case, including FI cards, criminal history records, and publicly accessible logs, shall be maintained in a secure area within the Records Unit, and accessible only by authorized employees of the Records Unit. Access to case reports or files when Records Unit staff is not available may be obtained through the Watch Commander.

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

#### **803.3.1 Requesting Original Reports**

Original reports shall not be removed from the Records Unit. Copies of original reports may be made by the Records Unit if needed.

## **804 RECORDS MAINTENANCE AND RELEASE**

Effective Date: 08/01/2024  
Revised Date: 07/01/2024  
Issuing Authority: Chief Ron Winegar

### **804.1 Purpose and Scope**

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

### **804.2 Policy**

The Boise Police Department is committed to providing public access to records in a manner that is consistent with the Idaho Public Records Act (Idaho Code sections 74-101 through 74-127).

### **804.3 Custodian of Records Responsibilities**

The Chief of Police shall designate a Custodian of Records (Idaho Code section 74-101(3); Idaho Code section 74-119). The responsibilities of the Custodian of Records include but are not limited to:

- (a) Remaining familiar with the Idaho Public Records Act (Idaho Code section 74-101, et seq.).
- (b) Managing the records management system for the Department including the retention, archiving, release, and destruction of Department public records.
- (c) Maintaining and updating the Department records retention schedule in keeping with guidelines outlined by the City and State, including:
  - 1. Identifying the minimum length of time the Department must keep records.
  - 2. Identifying the Department division responsible for the original record.
- (d) Establishing rules regarding the inspection and copying of Department public records as reasonably necessary for the protection of such records.
- (e) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (f) Establishing rules regarding the processing of subpoenas for the production of records.
- (g) Ensuring a current schedule of fees for public records as allowed by law is available (Idaho Code section 74-102).
- (h) Ensuring guidelines are in place that identify the general subject matter of all public records maintained by the Department and the physical location of those documents (Idaho Code section 74-119).

### **804.4 Processing Requests for Public Records**

Any Department employee who receives a request for any record shall route the request to the Custodian of Records or the authorized designee (Idaho Code section 74-119).

#### **804.4.1 Requests for Records**

The processing of requests for any record is subject to the following (Idaho Code sections 74-102, 74-103):

- (a) A request for inspection or copies of records should be submitted in writing that includes the requester's name, mailing address, email address, and telephone number. A request shall also be accepted by email.
  - 1. The request should specifically describe the subject matter and the records sought in sufficient detail and should include a specific date range for when the records sought were created.
- (b) The Custodian of Records shall not review, examine, or scrutinize any copy, photograph, or memoranda in possession of the requester and shall extend to the requester all reasonable comfort and facility.
- (c) Inspection of public records shall be conducted during regular business hours.
- (d) Information may be provided to the requester to help narrow the scope of the request or to help the requester make the request more specific when the response is likely to be voluminous or require payment.
- (e) The Department is not required to create records that do not exist.
- (f) A request for records shall be granted or denied within three business days of the date the request was received. If additional time is needed to locate or retrieve a record, the requester shall be notified in writing that the record will be provided no later than 10 business days from the date the request was received.
  - 1. If it is determined that an electronic record will have to be converted to another electronic format and the conversion cannot be completed within 10 business days, the requester shall be notified in writing. The record shall be provided at a time mutually agreed upon between the Department and requester.
- (g) The request shall be deemed denied if the request is not responded to within 10 business days following the request.
- (h) The Custodian of Records shall notify the requester in writing when a request is denied in full or in part. The notice of denial shall contain a statement that:
  - 1. The Boise City Attorney's Office has reviewed the request or the Department has had an opportunity to consult with the Boise City Attorney's Office regarding the request.
  - 2. The specific statutory authority supporting the denial.
  - 3. The requester's right to appeal the denial or partial denial and the time period for doing so.
- (i) The requester may be required to pay an established fee in advance for the records sought.

- (j) When a record responsive to the particular request contains both material that is not exempt from disclosure and material that is exempt from disclosure, the exempted material shall be appropriately redacted.
  - 1. A copy of the original and redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/ video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.
- (k) A certified copy of a record, if feasible to produce, shall be provided if specifically requested.
- (l) A requester may inspect and obtain copies of records pertaining to the requester, even if the record is otherwise exempt from public disclosure, except where the record is (Idaho Code section 74-113):
  - 1. An exempt investigatory record where the investigation is ongoing.
  - 2. Information compiled in reasonable anticipation of a civil action or proceeding and not otherwise discoverable.
  - 3. Exempt from disclosure by statute or court rule.

#### **804.4.2 Appeals**

If an appeal is received based on a denial of records, the appeal shall be routed to the Custodian of Records and the Chief of Police for proper handling.

All documents that are subject to an appeal shall be kept until the end of the appeal period (180 days), until a decision has been rendered on the petition or as otherwise statutorily provided, whichever is longer (Idaho Code section 74-115).

#### **804.5 Release Restrictions**

Examples of information that may be exempt include:

- (a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver's license record, motor vehicle record, or any department record, including traffic collision reports, is restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722; Idaho Code section 74-106).
- (b) Certain personnel information including but not limited to sex, race, marital status, birthdate, home address, and telephone number (including the officer's residing household members); applications, testing, and scoring materials; and grievances, correspondence, and performance evaluations, unless ordered by the court, requested for official purposes by another law enforcement agency, requested by a financial institution or title company for business purposes, or the employee or applicant gives consent (Idaho Code section 74-106).

1. Officers who wish to keep their home address and telephone number confidential may apply to other public agencies (i.e., a public utility district) and use the department address and telephone as an alternative (Idaho Code section 19-5803(1) and (2)). It is the officer's responsibility to pay to the public agency any associated fees for application or renewal of any such request.
- (c) Medical records (Idaho Code section 74-106).
- (d) Certain juvenile-related information protected by Idaho Code section 74-105.
- (e) Investigation records of a law enforcement agency pursuant to the conditions of Idaho Code section 74-124 (Idaho Code section 74-105).
- (f) Concealed weapon information received or maintained or records of any certification or notification required by federal law to be made in connection with the acquisition or transfer of a firearm (Idaho Code section 74-105).
- (g) Records relating to proposed or existing critical infrastructure (which may include evacuation and emergency response plans, blueprints, and security codes) when the disclosure of such information is reasonably likely to jeopardize the safety of persons, property, or the public safety (Idaho Code section 74-105).
- (h) Any other information exempt from disclosure by federal or state law or federal regulations to the extent specifically provided for by such law or regulation (Idaho Code section 74-104).

#### **804.6 Subpoenas and Discovery Requests**

Any employee who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information; however, the Custodian of Record is still required to obtain all responsive records for review by the Department's legal counsel.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the Prosecuting Attorney, the City, or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

#### **804.7 Security Breaches**

Employees who become aware that any Boise Police Department system containing personal information may have been breached should notify the Records Supervisor as soon as practicable.

The Records Supervisor shall ensure the required notice is given to any resident of this state whose unsecured personal information is reasonably believed to have been acquired by an unauthorized person. Notice shall also be given to the Idaho Attorney General within 24 hours of discovery of the breach (Idaho Code sections 28-51-104, 28-51-10,5 28-51-106).

Notice shall be given as soon as possible in the most expedient time possible, without unreasonable delay, and consistent with the needs of the Boise Police Department and any measures necessary to determine the scope of the breach, to identify the individuals affected and to restore the reasonable integrity of the computerized data system. Notice may be delayed if notification will impede a criminal investigation but shall be made once there is a determination that notification will no longer impede the investigation (Idaho Code sections 28-51-105, 28-51-106).

For the purposes of the notice requirement, personal information includes an individual's first name or first initial and last name in combination with any one or more of the following (Idaho Code section 28-51-104):

- (a) Social Security number.
- (b) Idaho driver's license number or identification card number; or
- (c) Full account number, credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Records Supervisor should promptly notify the appropriate employee designated to oversee the security of protected information (see the Protected Information Policy).

#### **804.8 Expungement**

Expungement orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall expunge such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction. Once the records are expunged, the Department shall respond to any inquiry as though the record did not exist.



## 805 PROTECTED INFORMATION

Effective Date: 08/01/2024  
Revised Date: 07/01/2024  
Issuing Authority: Chief Ron Winegar

### 805.1 Purpose and Scope

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Boise Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

### 805.2 Definitions

Definitions related to this policy include:

**Protected information** - Any information or data that is collected, stored, or accessed by members of the Boise Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state, or local law enforcement databases that is not accessible to the public.

### 805.3 Policy

Members of the Boise Police Department will adhere to all applicable laws, orders, regulations, use agreements, and training related to the access, use, dissemination, and release of protected information. To include Boise City Regulation 4.30p Information Security, and Criminal Justice Information Services (CJIS) Security Policy.

### 805.4 Responsibilities

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Division of Motor Vehicle (DMV) records, and Idaho Law Enforcement Telecommunications System (ILETS).
- (b) Developing, disseminating, and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating, and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release, and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.

- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.
- (g) Serving as the security contact for ILETS, unless another individual is specifically selected for the purpose and approved by the ILETS Security Officer (IDAPA 11.10.01.024.05).

#### **805.4.1 Division Procedures**

Each division within the Department will create and review directives to ensure compliance with this policy when handling protected information.

#### **805.5 Access to Protected Information**

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Boise Police Department policy or training. Only those employees who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the employee has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject an employee to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

##### **805.5.1 Penalties for Misuse of Records**

It is a misdemeanor for a person to request, obtain or attempt to obtain, for personal gain, criminal history records under false pretenses or to willfully communicate or attempt to communicate criminal history records to any agency or person not authorized to receive the information by law (Idaho Code section 67-3009(1)).

It is a felony for a person to willfully solicit, accept, or agree to accept from another any pecuniary benefit as consideration for either willfully falsifying criminal history records or for willfully requesting, obtaining, or seeking to obtain criminal history records for a purpose not authorized by law (Idaho Code section 67-3009(2)).

#### **805.6 Release or Dissemination of Protected Information**

Protected information may be released only to authorized recipients who have both a right to know and a need to know (Idaho Code section 67-3008(6)).

An employee who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Supervisor for information regarding a formal request.

Unless otherwise ordered, or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Public Records Unit to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to employees in the field or in vehicles

through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department employees or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

### **805.7 Security of Protected Information**

The Chief of Police will select an employee of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures, and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents including computer attacks.
- (d) Tracking, documenting, and reporting all breach of security incidents to the Chief of Police and appropriate authorities.
- (e) Monitoring and enforcing department compliance with ILETS minimum standards and procedures to ensure the security of the physical premises, computer equipment and network requirements as outlined in IDAPA 11.10.01.024.

#### **805.7.1 Employee Responsibilities**

Employees accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it.

This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

### **805.8 Training**

All employees authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

#### **805.8.1 ILETS Training**

All employees who operate a terminal to access ILETS shall complete ILETS training consistent with their duties. Each employee who operates a computer to access ILETS must be re-certified by the Department every two years (IDAPA 11.10.01.020.03).

## **900 TEMPORARY CUSTODY AND DEPARTMENT INTERVIEW ROOMS**

Effective Date: 05/01/2025  
Revised Date: 03/19/2025  
Issuing Authority: Chief Chris Dennison

### **900.1 Purpose and Scope**

This policy provides guidelines to address the health and safety of adults taken into custody by members of the Boise Police Department for interviewing at the department prior to being released or transferred to jail or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

### **900.2 Definitions**

Definitions related to this policy include:

**Hard Interview Room** – A locked enclosure for the custody and interview of an offender.

**Safety checks** - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

### **900.3 POLICY**

The Boise Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, interviewing, processing, or release.

All subjects shall be escorted by an officer at all times while in the facility. Prior to any person being placed in a hard interview room it shall be searched to ensure nothing is present which can be used by the person to harm themselves or others. When the interview is completed and the subject removed, the room shall be search again.

### **900.4 Entry Restrictions of Interview Rooms**

Entry into the hard interview room area should be restricted to:

- (a) Authorized members entering for official business purposes.
- (b) Emergency medical personnel when necessary.
- (c) Any other person authorized by the Watch Commander.

### **900.5 Temporary Custody Monitoring Requirements**

An authorized department member capable of monitoring shall be present at all times when an individual is held in temporary custody within a hard interview room. The member responsible for monitoring should not have other duties that could unreasonably conflict with his/her monitoring.

Any individual in custody must be able to summon the monitoring member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability.

Members monitoring anyone in temporary custody shall ensure:

- (a) Safety checks are conducted every 30 minutes and significant incidents/activities are noted on the log.
- (b) Individuals in custody are informed that they will be monitored at all times,.
  - 1. If a subject in custody needs to be monitored while using a restroom the door will remain open. Monitoring will be done by an officer of the same sex, unless no officer of the same sex is on duty and the suspect allows the monitoring.
- (c) There is reasonable access to toilets and wash basins. Restrooms shall be checked for contraband / weapons prior to and after the subject's use of it.
- (d) There is reasonable access to a drinking fountain or water.
- (e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained
- (f) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.

## **900.6 Security Measures**

All perimeter doors to secure areas shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present or in the event of an emergency, such as an evacuation.

## **900.7 Use of Restraint Devices**

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

## **900.8 Personal Property**

Prior to placing a subject in custody into a hard interview room all of their possessions shall be removed.

All property that was removed will be returned to the subject upon their release or booked into evidence.

## 901 TEMPORARY CUSTODY OF JUVENILES

Effective Date: 2/10/2023

Revised Date: 1/11/2023

Issuing Authority: Chief Ron Winegar

### 901.1 Purpose and Scope

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act (JJDPa) for juveniles taken into temporary custody by members of the Boise Police Department ([34 USC § 11133](#)).

### 901.2 Definitions

Definitions related to this policy include:

**Juvenile non-offender** - An abused, neglected, dependent, or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person.

**Juvenile offender** - A juvenile 17 years of age or younger who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) or who has violated [Idaho Code 18-3302F](#) by possessing a handgun ([28 CFR 31.303](#)).

**Non-secure custody** - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation. If the juvenile is free to leave a room, it is not considered secure custody, even if the room contains doors with delayed egress devices.

**Secure custody** - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

1. A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
2. A juvenile handcuffed to a rail.
3. A juvenile being processed in a secure booking area when an unsecure booking area is available.
4. A juvenile left alone in a secure booking area after being photographed and fingerprinted.
5. A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
6. A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

**Sight and sound separation** - Located or arranged to prevent physical, visual, or auditory contact.

**Status offender** - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, or truancy. Alcohol offenses are not classified as status offenses under the JJDP. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

### **901.3 Policy**

The Boise Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Boise Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

### **901.4 Juveniles Who Should Not be Held**

Juveniles who exhibit any of the following conditions should not be held at the Boise Police Department:

1. Unconscious
2. Seriously injured
3. A known suicide risk or obviously severely emotionally disturbed
4. Significantly intoxicated
5. Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

These juveniles should not be held at the Boise Police Department unless they have been evaluated by a qualified medical and/or mental health professional.

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed.

### **901.5 Custody of Juveniles**

Officers should take custody of a juvenile and temporarily hold the juvenile at the Boise Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Boise Police Department without authorization of the arresting officer's supervisor or the On-Duty Supervisor.

Any juvenile taken into custody shall be released to the care of the juvenile's parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Boise Police Department ([34 USC § 11133](#)).



### **901.5.1 Custody of Juvenile Non-Offenders**

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Boise Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody ([34 USC § 11133](#)).

### **901.5.2 Custody of Juvenile Status Offenders**

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody ([34 USC § 11133](#)).

### **901.5.3 Custody of Juvenile Offenders**

Juvenile offenders should be held in non-secure custody while at the Boise Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, juvenile offenders may be taken into custody ([Idaho Code 20-516](#)):

1. When there is probable cause to believe the juvenile has committed an act which would be a misdemeanor or felony if committed by an adult without a warrant.
2. When, in the presence of an officer or private citizen, the juvenile has violated any local, state or federal law or municipal ordinance, excluding status offenses.
3. Upon written order or warrant signed by a judge (such as a detention order).

As soon as practicable after the juvenile is taken into custody, the officer shall notify the parents, guardian or other person responsible for the juvenile.

The officer taking the juvenile into custody shall release the juvenile to the custody of his/her parents, guardian or other responsible person in this state, unless the court has issued a warrant of arrest/detention or there is probable cause to believe that the welfare of the juvenile or others may be endangered by his/her release ([Idaho Code 20-516](#)).

If a juvenile is taken into custody and not released to the parent, guardian or other responsible person and the juvenile court has not instructed that he/she be released to an authorized person, the officer shall take the juvenile to the Juvenile Detention facility, shelter care or public or private agency designated by the court and notify the court that the juvenile has been taken into custody.

Except where the juvenile is taken into custody under an order of the court, the officer taking the juvenile into custody shall promptly complete a report detailing the circumstances and actions taken. A copy of the completed report shall be sent to the juvenile prosecuting attorney's office and this department's juvenile detention unit.

### **901.6 Advisements**

If an officer takes a juvenile into custody, the officer shall ([Idaho Code 19-853](#)) promptly and clearly inform the juvenile of his/her right to an attorney and the right of a needy person to be represented by an attorney at public expense.



### **901.7 Juvenile Custody Logs**

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

1. Identifying information about the juvenile being held (to include name, date of birth, sex, race/ethnicity).
2. Date and time of arrival and release from the Boise Police Department.
3. On-Duty Supervisor notification and approval to temporarily hold the juvenile.
4. Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.
5. Any changes in status.
6. Time of all welfare checks.
7. Any medical and other screening requested and completed.
8. Circumstances that justify any secure custody.
9. Details of release (releasing officer and who the juvenile was released to (such as parent/family, detention facility, etc.)
10. Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The On-Duty Supervisor shall initial the log to approve the custody, including any secure custody, and shall also initial the log when the juvenile is released. Logs shall be retained and made available by compliance inspectors.

### **901.8 No-Contact Requirements**

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department ([34 USC § 11133](#)). There should also be sight and sound separation between non-offenders and juvenile status offenders and juvenile delinquent offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Boise Police Department shall maintain a constant, immediate presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

### **901.9 Temporary Custody Requirements**

Members and supervisors assigned to monitor or process any juvenile at the Boise Police Department shall ensure the following:

1. The On-Duty Supervisor should be notified if it is anticipated that a juvenile may need to remain at the Boise Police Department more than four hours. This will enable the On-Duty Supervisor to ensure no juvenile is held at the Boise Police Department more than six hours.
2. A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.

3. Personal visual checks and significant incidents/activities shall be noted on the log.
4. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware. Therefore, an employee should inform a juvenile under his/her care that the juvenile will be monitored at all times, unless he/she is using the toilet. This does not apply to surreptitious and legally obtained recorded interrogations.
5. Juveniles shall have reasonable access to toilets and wash basins.
6. Food should be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.
7. Juveniles shall have reasonable access to a drinking fountain or water.
8. Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.
9. Juveniles should have privacy during family, guardian and/or lawyer visits.
10. Juveniles should be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
11. Blankets should be provided as reasonably necessary.
12. Adequate shelter, heat, light and ventilation should be provided without compromising security or enabling escape.
13. Juveniles shall have adequate furnishings, including suitable chairs or benches.
14. Juveniles shall have the right to the same number of telephone calls as an adult in custody.
15. No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

#### **901.10 Use of Restraint Devices**

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Boise Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the On-Duty Supervisor. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

### **901.11 Personal Property**

The officer taking custody of a juvenile offender or status offender at the Boise Police Department shall ensure a thorough search of the juvenile's property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile's presence and sealed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Boise Police Department.

### **901.12 Secure Custody**

Only juvenile offenders 14 years of age or older may be placed in secure custody. On-Duty Supervisor approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others.

Members of this department should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody, rather than the use of a locked enclosure. An employee must be present at all times to ensure the juvenile's safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. Supervisor approval should be documented.

#### **901.12.1 Locked Enclosures**

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

1. The juvenile shall constantly be monitored by an audio/video system during the entire detention.
2. Juveniles shall have constant auditory access to department members.
3. Initial placement into and removal from a locked enclosure shall be logged.
4. Random personal visual checks of the juvenile by a staff member, no less than every 15 minutes, shall occur.
  - a. All checks shall be logged.
  - b. The check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
  - c. Requests or concerns of the juvenile should be logged.
5. Males and females shall not be placed in the same locked room.

6. Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
7. Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

#### **901.13 Suicide Attempt, Death, or Serious Injury of a Juvenile**

The On-Duty Supervisor will ensure procedures are in place to address the suicide attempt, death or serious injury of any juvenile held at the Boise Police Department. The procedures will address:

1. Immediate notification of the on-duty supervisor, Chief of Police and Criminal Investigation Division supervisor.
2. Notification of the parent, guardian or person standing in loco parentis, of the juvenile.
3. Notification of the appropriate prosecutor.
4. Notification of the City Attorney.
5. Evidence preservation.

#### **901.14 Interviewing or Interrogating Juvenile Suspects**

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent and does consent to an interview or interrogation.

#### **901.15 Restriction on Fingerprinting and Photographing**

A juvenile offender may be photographed or fingerprinted in connection with being taken into custody. The fingerprints and photographs of juveniles will be maintained separately from those of adults.

#### **901.16 Records of Juveniles**

Records of juveniles shall be kept separate from records of adults and shall be subject to disclosure according to [Chapter 1, Title 74](#) of the Idaho Code and ([Idaho Code 20-516](#)).

## 902 CUSTODIAL SEARCHES

Effective Date: 05/01/2025  
Revised Date: 03/19/2025  
Issuing Authority: Chief Chris Dennison

### 902.1 Purpose and Scope

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants, or weapons into the Boise Police Department facility or jail. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors, and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

### 902.2 Definitions

Definitions related to this policy include:

**Custody search** - An in-custody search of an individual and of his/her property, shoes, and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

**Physical body cavity search** - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

**Strip search** - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia, or female breasts are visible.

### 902.3 Policy

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment, or retaliation.

### 902.4 Field and Transportation Searches

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.

### 902.5 Searches at Police Facilities

Custody searches shall be conducted on all individuals in custody, upon entry to the Boise Police Department facilities. Except in exigent circumstances, the search should be conducted

by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

#### **902.5.1 Property**

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and Evidence Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's

Ada number, and information regarding how and when the property may be released.

#### **902.5.2 Verification of Money**

All money shall be counted in front of the individual from whom it was received.

#### **902.6 Strip Searches**

An arresting officer may provide information to personnel in the jail, which may lead to a strip search of the arrested individual conducted by jail personnel. Strip searches not done by the jail shall be limited to those instances in which a search warrant authorizes the search of a named individual or when exigent circumstances exist.

Exigent circumstances exist, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

The officer conducting the strip search shall articulate reasons justifying the necessity of the strip search in a written report.

No transgender or intersex detainee shall be searched or examined for the sole purpose of determining the detainee's genital status. If the detainee's genital status is unknown, it may be determined during conversations with the detainee, by reviewing medical records, or, if necessary, as part of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

### **902.6.1 Strip Search Procedures**

Strip searches shall be conducted as follows:

- (a) A supervisor shall be notified prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the person being searched, unless the search is conducted by a medical practitioner.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that the search cannot be observed by persons not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.
- (f) The primary employee conducting the search shall prepare a written report to include:
  - 1. The facts that led to the decision to perform a strip search.
  - 2. The reasons less intrusive methods of searching were not used or were insufficient.
  - 3. The authorization for the search, obtained from the supervisor.
  - 4. The name of the individual who was searched.
  - 5. The name and sex of the members who conducted the search.
  - 6. The name, sex and role of any person present during the search.
  - 7. The time and date of the search.
  - 8. The place at which the search was conducted.
  - 9. A list of the items, if any, that were recovered.
  - 10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia, or female breasts while the individual is showering, performing bodily functions, or changing clothes unless the detainee otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the detainee with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the detainee's consent and/or otherwise protect the detainee's privacy and dignity.

### **902.7 Physical Body Cavity Search**

Physical body cavity searches shall be subject to the following:

- (a) No individual shall be subjected to a physical body cavity search without approval of a supervisor and only upon a search warrant.

- (b) Only a medical professional may conduct a physical body cavity search.
- (c) Except for the medical professional conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
  - 1. The facts that led to the decision to perform a physical body cavity search of the individual.
  - 2. The reasons less intrusive methods of searching were not used or were insufficient.
  - 3. The Supervisor's approval.
  - 4. A copy of the search warrant.
  - 5. The time, date, and location of the search.
  - 6. The medical personnel present.
  - 7. The names, sex and roles of any department members present.
  - 8. Any contraband or weapons discovered by the search.

### **902.8 Training**

The Training Captain shall ensure members have training that includes (28 CFR 115.115):

- Conducting searches of cross-gender individuals.
- Conducting searches of transgender and intersex individuals.
- Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.



## **1000 RECRUITMENT AND SELECTION**

Effective Date: 6/01/2024

Revised Date: 4/24/2024

Issuing Authority: Chief Ron Winegar

### **1000.1 Purpose and Scope**

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Boise Police Department and that are promulgated and maintained by the Human Resources.

### **1000.2 Policy**

In accordance with applicable federal, state, and local law, the Boise Police Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

### **1000.3 Recruitment**

The Professional Standards Division Captain, in conjunction with Human Resources, should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.
- (e) Employee referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

The Professional Standards Division Captain shall avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process and should periodically inform each candidate of his/her status in the recruiting process.

## **1000.4 Selection Process**

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Reference checks
- (d) Citizenship verification, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Polygraph or voice stress analyzer (VSA) examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment

### **1000.4.1 Veterans Preference**

Eligible veterans or widows may receive a veterans' preference pursuant to Idaho Code 65-504.

## **1000.5 Background Investigation**

Background investigations will follow the Boise Police Department Background Investigation Manual.

### **1000.5.1 Review of Social Media Sites**

Due to the potential for accessing unsubstantiated, private, or protected information, the Professional Standards Division Captain should not require candidates to provide passwords, account information or access to password-protected social media accounts.

Open source, internet-based searches and/or review information from social media sites will take into account:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate and validated.
- (c) The Department fully complies with applicable privacy protections and local, state, and federal law.

The Professional Standards Division Captain should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

### **1000.5.2 Documenting and Reporting**

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

### **1000.5.3 Records Retention**

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

### **1000.6 Disqualification Guidelines**

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

### **1000.7 Employment Standards**

All candidates shall meet the minimum standards required by state law (IDAPA 11.11.01.050 et seq.). Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Human Resources should maintain validated standards for all positions.

### **1000.7.1 Standards for Officers**

Candidates shall meet the following minimum standards established by the Idaho Peace Officer Standards and Training (POST) Council (IDAPA 11.11.01.050 et seq.):

- (a) Be a citizen of the United States
- (b) Be a high school graduate or the recipient of a GED certificate
- (c) At least 21 years of age
- (d) Good moral character
- (e) Meet the drug standards as described in IDAPA 11.11.01.055
- (f) Free of any felony or misdemeanor convictions as described in IDAPA 11.11.01.055
- (g) Not have been dishonorably discharged or have received a similar dismissal from the military service.
- (h) Have a valid driver's license
- (i) Submit to a medical examination
- (j) Submit to a psychological examination
- (k) Submit to an aptitude test

## **1003 EARLY INTERVENTION SYSTEM (EIS)**

Effective Date: 05/01/2025

Revised Date: 03/24/2025

Issuing Authority: Chris Dennison

### **1003.1 PURPOSE AND SCOPE**

The Early Intervention System (EIS) is designed to assist the Department with identifying employees whose performance warrants review and, where appropriate, intervention.

### **1003.2 POLICY**

The Early Intervention System (EIS) is not a form of discipline. The goal of EIS is to identify performance or behaviors before they may become a basis for discipline or lead to negative consequences for employees, coworkers, the Department, and/or the public.

It is the duty of all supervisors to continually monitor the performance and behavior of the personnel assigned to them. The EIS is another tool to assist with this effort. It is not the intent of the EIS to replace proactive supervision.

### **1003.3 MANAGEMENT OF THE EARLY INTERVENTION SYSTEM**

The EIS is managed by the Office of Internal Affairs (OIA) and is designed to identify possible trend/highlight tendencies in performance, complaints, or other activities.

### **1003.4 ALERTS**

EIS has been established to provide a systematic review of select incidents. An alert will be generated by EIS when an employee meets or exceeds an established threshold in the following areas:

- Citizen Complaints
- Use of Force Incidents
- Vehicle Accidents
- Vehicle Pursuits
- Department Initiated Investigations
- Inquiries
- Critical Incidents

#### **1003.4.1 ALERT INTERVENTION OPTIONS**

The EIS has both mandatory and voluntary components which include but are not limited to:

- a referral to mandatory supplemental training.
- Referral for counseling, peer support, or other type of voluntary intervention.

## **1004 ANTI-RETALIATION**

Effective Date: 08/01/2024  
Revised Date: 07/01/2024  
Issuing Authority: Chief Ron Winegar

### **1004.1 Purpose**

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or collective bargaining agreement.

### **1004.2 Policy**

The Boise Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

### **1004.3 Retaliation Prohibited**

No member retaliates against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

#### **1004.4 Complaints of Retaliation**

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, the Office of Internal Affairs, or the Chief of Police.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

#### **1004.5 Supervisor Responsibilities**

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

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

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

#### **1004.6 Command Staff Responsibilities**

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

#### **1004.7 Whistleblowing**

Idaho law protects an employee who makes a good faith report about the existence of (Idaho Code § 6-2104):

- (a) Any waste of public funds, property, or manpower.
- (b) A violation or suspected violation of Idaho law, rule, or regulation.

Employees may also be protected under Idaho law for objecting or refusing to carry out a directive that the employee reasonably believes violates an Idaho law, rule, or regulation (Idaho Code § 6-2104).

Employees should report the waste or violation through the chain of command to allow the department a reasonable opportunity to correct the waste or violation (Idaho Code § 6-2104).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Professional Standards Division for investigation pursuant to the Personnel Complaints Policy.

#### **1004.8 Records Retention and Release**

The Records Supervisor shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

#### **1004.9 Training**

The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.



## **1005 REPORTING OF EMPLOYEE CHARGES AND CONVICTIONS**

Effective Date: 06/01/2024

Revised Date: 4/24/2024

Issuing Authority: Chief Ron Winegar

### **1005.1 Purpose and Scope**

Charges or convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties; therefore, all employees shall be required to promptly notify this department of any criminal charges or convictions.

### **1005.2 Domestic Violence Convictions and Restraining Orders**

Idaho and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm.

Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Idaho Code 18-3316).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

### **1005.3 Reporting Procedure**

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers in writing of any past or current criminal arrest or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

#### **1005.3.1 Notification Requirements**

Any officer of this department facing a current felony or misdemeanor charge shall notify his/her supervisor within five business days of learning of the charge. The Chief of Police shall notify the Peace Officer Standards and Training (POST) Division Administrator within 14 days of learning of the charge (IDAPA 11.11.01.110.03).

## **1006 DRUG AND ALCOHOL-FREE WORKPLACE**

Effective Date: 08/01/2024

Revised Date: 07/01/2024

Issuing Authority: Chief Ron Winegar

### **1006.1 Purpose and Scope**

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

### **1006.2 Policy**

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

### **1006.3 General Guidelines**

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Watch Commander or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

#### **1006.3.1 Use of Medications**

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on- duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

### **1006.4 Member Responsibilities**

Members shall follow Boise City regulation 4.20a Drug Free Workplace.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

### **1006.5 Compliance with Drug-Free Workplace Act**

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

### **1006.6 Confidentiality**

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

## **1008 COMMUNICABLE DISEASES**

Effective Date: 10/01/2024

Revised Date: 09/20/2024

Issuing Authority: Chief Chris Dennison

### **1008.1 Purpose and Scope**

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

### **1008.2 Policy Section**

Refer to the Boise City Employee Handbook section 6.01d Communicable Disease Exposure Control – Regulation.

#### **1008.2. 1 Source Testing**

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the exposure control officer (ECO). If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Contacting the Department of Health and Welfare (DHW) to provide information regarding the circumstances of the exposure and to request that DHW issue an order for the source individual to report for an examination. As a result of the examination, a licensed physician may order testing (IDAPA 16.02.10.060; IDAPA 16.02.10.065).
- (c) Complying with the requirements of Idaho Code 39-604 if the person has been arrested and confined at the Boise Police Department.

Under certain circumstances, if the member qualifies as a crime victim, a court may order the result of any source testing to be disclosed to the exposed member (Idaho Code 39-604).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

## **1009 SMOKING AND TOBACCO USE**

Effective Date: 05/01/2025  
Revised Date: 03/19/2025  
Issuing Authority: Chief Chris Dennison

### **1009.1 Purpose and Scope**

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Boise Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

### **1009.2 Policy**

The Boise Police Department recognizes that tobacco use is a health risk and can be offensive to others. Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore, smoking and tobacco use is prohibited by members and visitors in all department facilities, building and vehicles, and as is further outlined in this policy (Idaho Code 39-5503).

### **1009.3 Smoking and Tobacco Use**

Smoking and tobacco use by members is prohibited anytime members are in public view representing the Boise Police Department.

It shall be the responsibility of each employee to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

## 1010 COMPLAINTS

Effective Date: 10/05/2023  
Revised Date: 9/01/2023  
Issuing Authority: Chief Ron Winegar

### 1010.1 Purpose and Scope

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

### 1010.2 Definitions

**Garrity Decision** - Referring to the case of Garrity v. New Jersey (1967) in which the Supreme Court held that officers are not required to sacrifice their right against self-incrimination in order to retain their jobs.

An officer cannot be compelled, by the threat of serious discipline, to make statements that may be used in a subsequent criminal proceeding

An officer cannot be terminated for refusing to waive his Fifth Amendment Right

**Standard of Proof** - The standard of proof for internal investigations shall be the preponderance of evidence.

### 1010.3 Policy

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

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

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

### 1010.4 Reference

[City of Boise Employee Policy Handbook](#)

### 1010.5 Complaints

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

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

Complaints will be accepted if received within 90 days of the incident generating the complaint. An exception by the Chief of Police, Deputy Chief, or the Professional Standards Captain or designee will be allowed in cases where the complainant has a legitimate and involuntary incapacity to make the complaint within the 90-day period. Additionally, in cases where the initial evidence presented constitutes a serious allegation of misconduct.

Complaints for sworn employees and uniformed Community Service Specialists (CSS) will follow policies and procedure within this manual and may include any appropriate City of Boise Employee Handbook rules. Complaints on all other professional staff / non-sworn employees will be managed following the City of Boise Employee Handbook and HR processes.

#### **1010.5.1 Complaint Classifications**

Complaints shall be classified in one of the following categories:

- **Inquiry** - An inquiry is not a formal complaint but involves questions of the propriety of an employee's actions or questions as to whether proper policy, procedure, or law was followed.
- **Formal** - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused employee or referred to the Professional Standards Division, depending on the seriousness and complexity of the investigation.

#### **1010.5.2 Sources of Complaints**

The following applies to the source of complaints:

1. Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
2. Any department employee becoming aware of alleged misconduct shall immediately notify a supervisor.
3. Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
4. Anonymous and third-party complaints will be accepted if the complainant was present and observed the incident / interaction. The investigator will first contact the alleged aggrieved party and determine if they wish to proceed with an investigation. Otherwise, the complaint will be closed with the appropriate disposition. This will not preclude a supervisor or command staff employee from continuing the investigation if it would be in the Department's best interest.
5. Tort claims and lawsuits may generate a personnel complaint.
6. Complaints from a parent or guardian made on behalf of a juvenile shall be investigated as though the complaint were made directly by the juvenile.
7. If an intoxicated person requests to file a complaint, the department employee shall gather all of the individual's contact information along with the nature of the complaint. The supervisor or investigator will re-contact the complainant within a reasonable amount of time to confirm if they wish to pursue a complaint. This will

not preclude a supervisor or command staff employee from continuing the investigation if it would be in the Department's best interest.

8. Employees wishing to file an internal complaint may report it to their immediate supervisor or to the Office of Internal Affairs (OIA). Employees who go to another city department with an internal complaint will be re-directed back to OIA for complaint acceptance and intake. If the alleged conduct implicates the City's Equal Employment Opportunity (EEO) policies, OIA will contact Boise Human Resources and work in conjunction to determine how best to manage the investigation.
9. Employees wishing to file an internal complaint against the Chief of Police, Deputy Chief of Police, or the Professional Standards Division Captain shall be directed to Human Resources for complaint acceptance and intake. All BPD Policies and City of Boise Rules apply to this investigation.

## **1010.6 Availability and Acceptance of Complaints**

### **1010.6.1 Complaint Forms**

Public complaint forms will be maintained in a clearly visible location in the public area of the police facility and will be accessible through the department website.

Public complaint forms in languages other than English may also be provided, as determined necessary or practicable.

### **1010.6.2 Acceptance**

All public complaints will be courteously accepted by any department employee and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving employee shall obtain contact information sufficient for the supervisor to contact the complainant. Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs, or physical evidence may be obtained as necessary.

The supervisor, upon contact with the complainant, shall complete a BlueTeam submission as appropriate.

### **1010.7 Documentation**

All formal complaints shall be documented in BlueTeam which records and tracks complaints. The supervisor shall ensure the nature of the complaint is defined as clearly as possible.

Inquiries should have documentation in the Computer Aided Dispatch (CAD) system referencing the contact and resolution by the supervisor. Supervisors can document an inquiry in BlueTeam if they deem it appropriate.

### **1010.8 Administrative Investigations**

Allegations of misconduct will be administratively investigated as follows.

- Complaints alleging needless or excessive force, brutality, violations of criminal law (excluding minor traffic violations), corruption, breach of civil rights, abuse of



authority, false arrest, biased policing, patterns of similar lower-level complaints, and others as designated by the Chief of Police or designee shall be documented by the supervisor and routed to Professional Standards for investigation and/or assignment.

- Complaints alleging inadequate services, discourtesy, minor performance issues, improper procedure, or other less serious and non-criminal conduct will be investigated by personnel assigned to the employee's Division or may be assigned to other Divisions or Professional Standards for investigation.
- Incidents involving allegations of demeanor, failure to take a report, or non-criminal driving violations made by a citizen, or third party may be handled by video review (if the entire incident was captured on audio/video recording) and do not require an interview of the employee.
- If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

#### **1010.8.1 Supervisor/Investigator Responsibilities**

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

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

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

1. Ensuring that upon receiving or initiating any formal complaint, an entry in BlueTeam is completed.  
  
The BlueTeam will be directed to the Professional Standards Division Captain to determine who will have responsibility for the investigation.
2. Responding to all complainants in a courteous and professional manner.
3. Resolving those personnel complaints and inquiries that can be resolved immediately.
  - a. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint or inquiry.
  - b. If the matter is resolved and no further action is required, the supervisor will follow the documentation requirements in 1010.5.
4. Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Chief of Police is notified via the chain of command as soon as practicable.
5. Promptly contacting the Office of Internal Affairs for direction regarding the supervisor's role in addressing a complaint that relates to prohibited harassment or discrimination.

6. Investigating a complaint as follows:
  - a. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
  - b. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
7. Ensuring the procedural rights of the accused employee are followed.
8. Ensuring interviews of the complainant are generally conducted during reasonable hours.

#### **1010.8.2 Completion of Investigations**

Internal investigative timelines will begin on the date the complaint or inquiry is received by the Department. The investigating supervisor and their chain of command are responsible for ensuring the timely completion of received complaints. Internal investigations will be completed as quickly as possible.

#### **1010.8.3 Investigative Report Handling**

Investigative files are classified as personnel files and are considered confidential. When a complaint is forwarded from Professional Standards to a Division for investigation, the Division shall not make copies of the documents involved and only Professional Standards shall maintain files relating to internal investigations, unless approved by the Professional Standards Captain or designee.

Investigative reports, supporting documents, and electronic files shall be forwarded to and maintained by Professional Standards only. No electronic copies, other than working copies, shall be maintained at the division level. Working copies shall be deleted once uploaded to BlueTeam.

#### **1010.8.4 Dispositions**

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

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

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

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

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

**No Finding** – The investigation cannot proceed because the complainant failed to disclose promised information to further the investigation, the complainant wishes to withdrawal the complaint, or the complainant is no longer available for clarification. This finding may also be used when the information provided is insufficient to determine the identity of the employee involved.

**Administrative Closure** – The investigation is closed at the discretion of the Chief of Police, Deputy Chief of Police, or Professional Standards Captain. This disposition will require a justification memo.

**Administrative Case Suspension** – The investigation is temporarily suspended due to factors beyond the control of OIA, such as a criminal investigation. During suspension, the investigation will be reviewed every 60 days to determine if completion can be reached.

#### **1010.8.5 Notice of Investigation Status**

The employee conducting the investigation should provide the complainant and involved employee(s) with periodic updates on the status of the investigation, as appropriate, if there is abnormal delay in completing the investigation.

#### **1010.9 Administrative Searches**

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

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

Searches of assigned lockers owned and/or leased by the City of Boise will follow the procedures in the collective labor agreement.

#### **1010.10 Modified Duty Status**

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the employee to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily re-assign an employee to a modified duty status for the duration of the investigation or other limited time period.

##### **1010.10.1 Authority to Suspend with Pay or Without Pay**

A ranking employee (lieutenant, mid-level manager or higher) may place a subordinate on restricted or paid administrative leave status. The supervisor shall notify the Chief of Police or designee through the chain of command as soon as possible.

Only the chief or designee may place an employee in a suspended without pay status pending an administrative investigation. An employee placed on this status is relieved of all duties and all pay and benefits normally accrued (with the exception of those designated by the City of Boise to continue pending final appeal). Suspension without pay may be ordered if the following condition is met:

- There is a reasonable basis to believe the employee committed any felony criminal offense, or other illegal, or immoral act that would bring significant discredit upon the employee and/or the Department.

### **1010.10.2 Conditions of Suspension**

The employee shall immediately surrender any department badge, identification, assigned weapons, radio, and any other requested equipment to their commanding officer or designee. A suspended employee is not permitted to wear any part of the official uniform or act in the capacity of or represent himself/herself as a current Department employee in any manner, except that the employee may testify in court as to his/her status as an employee at the time of action leading to the court hearing.

Employees shall be required to continue to comply with all policies and lawful orders of a supervisor. Employees will be required to call the Internal Affairs Office phone line Monday-Friday at 1100 hours and verify they are able to respond to the station if required; unless on approved leave.

### **1010.10.3 Temporary Re-Assignment**

Employees may be temporarily reassigned to a different assignment during the investigation, at the direction of the Chief of Police or designee.

## **1010.11 Criminal Investigation**

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

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

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

No disciplinary action should be taken because of a criminal investigation until an independent administrative investigation is conducted.

### **1010.11.1 Duty to Disclose Brady Material and/or Exculpatory Evidence in Criminal Proceedings**

The Boise Police Department recognizes its duty and obligation to document and provide all evidence, including potentially exculpatory evidence, to the prosecuting agencies, with the exception of confidential personal information. (Refer to Brady Material Disclosure Policy)

## **1010.12 Notice of Final Disposition to the Complainant**

The Chief of Police or the authorized designee should ensure that the complainant is notified of the complaint resolution.

## **1010.13 Resignations/Retirements Prior to Discipline**

Any employee may submit their resignation from employment from Boise Police Department and the City of Boise in lieu of proposed termination with the understanding that they will not separate in good standing. However, acceptance of that resignation in lieu of termination is at the discretion of the Chief of Police.

### **1010.13.1 Determination of Good Standing**

In the event an employee tenders a written resignation or notice of retirement prior to the imposition of any discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline. The Department may continue the investigation to conclusion even if an employee resigns or retires during the investigation to determine if the employee left in good standing. (Refer to the Retiree Identification Card / Concealed Firearms Policy for a definition of good standing).

### **1010.14 Post-Discipline Appeal Rights**

The employee has the right to appeal using the procedures established by any collective bargaining agreement or city policy.

### **1010.15 Probationary Employees and Other Employees**

Any employee on an initial probationary period does not have the right to grieve or appeal any disciplinary or other adverse actions taken against them.

### **1010.16 Retention of Personnel Investigation Files**

All personnel complaints shall be maintained in accordance with the established records retention schedule.

#### **1010.16.1 Release of Personnel Investigation Files**

Employees may request access to their personnel records at any time, including records created and retained by the Office of Internal Affairs, by making a public records request in accordance with the Idaho Public Records Act. Information on how to make a public records request is available on the City's website.

Employees will not be provided with records relating to active internal or criminal investigations until the investigation is completed. An investigation is considered "completed" after the employee receives a Findings Memorandum stating allegations are "not sustained," "exonerated," or "unfounded" or, in the case of any sustained findings, after the issuing of the Corrective Action Order that has been signed by the Chief of Police or designee. Suspended investigations are not considered completed.

Certain records will be made available to an employee who has received a Notice of a Review Board:

1. Report(s) completed by the Office of Internal Affairs, a supervisor, or Human Resources investigators to include an Abbreviated Incident Review (AIR), an Internal Incident Review (IIR), the Investigator's Report, Findings Memorandum, or Controversion Memorandum(s);
2. Any evidence relied upon by the investigators in drafting their report(s);
3. Audio recordings of employee and witness interviews.

Reports and on-body video related to an internal investigation may be viewed unredacted in the Office of Internal Affairs. Unredacted copies will not be provided to the employee. If employees wish to receive additional documents, or redacted copies of DRs or OBV, they may file a public records request. Fees may apply in accordance with the Idaho Public Records Act.

### **1010.17 Notification to Idaho Peace Officer Standards and Training Council**

The Chief of Police or authorized designee shall notify the Idaho Peace Officer Standards and Training (POST) Council whenever any officer resigns or is terminated as a result of any disciplinary action. The notification shall be made within 15 days of the resignation or termination (Idaho Code 19-5109).

## 1011 SEAT BELTS

Effective Date: 4/01/2024  
Revised Date: 2/15/2024  
Issuing Authority: Chief Ron Winegar

### 1011.1 Purpose and Scope

This policy establishes guidelines for the use of seat belts and child restraint systems. This policy will apply to all members operating or riding in department vehicles.

### 1011.2 Definitions

Definitions related to this policy include:

**Child restraint system** - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

### 1011.3 Policy

It is the policy of the Boise Police Department that members use seat belts and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision, in accordance with federal and state laws and City of Boise policy.

#### REFERENCE

- 49 CFR § 571.213 Child Restraint Systems
- Idaho Code § 49-672 Passenger Safety for Children
- Idaho Code § 49-673 Safety Restraint Use
- City of Boise Regulation 4.80a Vehicle Usage (Section XIII., A.)

### 1011.4 Wearing Seat Belts

All members shall wear properly adjusted seat belts when operating or riding in a seat equipped with restraints, in any vehicle owned, leased, rented, or operated by this department, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are also properly restrained (Idaho Code 49-673).

Exceptions to the requirement to wear safety restraints seat belts may be made only in situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

### 1011.5 Transporting Children

Children 6 years of age and under should be transported in compliance with Idaho's child restraint system requirements (Idaho Code 49-672).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles, provided this positioning meets federal safety standards the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the

front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should consider arranging alternative transportation when feasible.

#### **1011.6 Transporting Suspects, Prisoners or Arrestees**

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner seat belt system or, when a prisoner seat belt system is not available, by seat belts provided by the vehicle manufacturer. The prisoner seat belt system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraint Policy.

#### **1011.7 Inoperable Seat Belts**

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable seat belt system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

#### **1011.8 Vehicles Manufactured Without Seat Belts**

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

#### **1011.9 Vehicle Airbags**

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.



## **1012 BODY ARMOR**

Effective Date: 05/01/2025

Revised Date: 03/24/2025

Issuing Authority: Chief Chris Dennison

### **1012.1 Purpose and Scope**

The purpose of this policy is to provide Boise Police Officers and Community Service Officers with guidelines for the proper use of body armor including soft body armor and rifle rated plates.

### **1012.2 Policy**

It is the policy of the Boise Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

### **1012.3 Issuance of Body Armor**

The Supply Unit shall ensure that body armor and rifled rated plates are issued to all officers when the officer begins service at the Boise Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Supply Unit shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

Officers are authorized to purchase an approved outer vest carrier, at their own expense, to utilize with their issued body armor.

### **1012.4 Use of Soft Body Armor**

Generally, the use of body armor is required subject to the following:

- (a) Officers shall only wear agency-approved body armor.
- (b) Body armor shall be worn when an officer is working in uniform, knowingly taking or likely to take enforcement action, or taking part in Department range training.
- (c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
- (d) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

### **1012.5 Inspections of Body Armor**

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Annual inspections of body armor should be conducted by an authorized designee for fit, cleanliness and signs of damage, abuse, and wear.

### **1012.6 Care and Maintenance of Soft Body Armor**

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

### **1012.7 Firearms Program Manager Responsibilities**

The Firearms Program Manager should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.
- (b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- (c) Provide training that educates officers about the safety benefits of wearing body armor.
- (d) Inspect and determine if body armor is no longer providing protection to the officer if extreme weight changes have occurred within the manufacturer's recommended replacement schedule.

## **1015 COMMENDATIONS AND AWARDS**

Effective Date: 10/01/2024

Revised Date: 9/20/2024

Issuing Authority: Chief Chris Dennison

### **1015.1 Purpose and Scope**

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Boise Police Department and individuals from the community.

### **1015.2 Policy**

It is the policy of the Boise Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

### **1015.3 Commendations**

Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

### **1015.4 Criteria**

A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond typical duties.

#### **1015.4.1 Department Member Documentation**

Members of the Department should document meritorious or commendable acts. The documentation should contain:

- (a) Identifying information:
  - 1. For members of the Department - name, division and assignment at the date and time of the meritorious or commendable act
  - 2. For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
- (c) The signature of the member submitting the documentation.

#### **1015.4.2 Community Member Documentation of Award**

Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

- (a) Identifying information:
  - 1. For members of the Department - name, division and assignment at the date and time of the meritorious or commendable act
  - 2. For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
- (c) The signature of the person submitting the documentation.

All awards from the community of significant monetary value other than memorabilia (e.g., scrolls, plaques, trophies, medal, etc.) shall be reported to the Chief immediately. The Chief shall determine a fair and equitable disposition of the valuable material following city and state ethics rules.

#### **1015.4.3 Processing Documentation**

Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the appropriate Division Commander for his/her review. The Division Commander should sign and forward the documentation to the Awards Committee.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the Division Commander. The documentation will be signed by the Division Commander and forwarded to the Awards Committee for review.

An appropriate venue or ceremony to acknowledge the individual's actions should be arranged. Documentation of the commendation shall be maintained in a file designated for such records.

#### **1015.5 Awards**

Awards may be bestowed upon members of the Department and individuals from the community. These include:

- Performance Awards
- Honors
- Achievement Awards
- Commendations

Criteria for each award is listed below. The presentation and display of any award is determined by the Chief of Police.

##### Performance Awards

**Medal of Honor:** Awarded to an employee who knowingly leaves a position of relative safety with full knowledge of the high likelihood of death to themselves in order to save (or attempt to save) another human life or who in the face of overwhelming adversity, perseveres,

demonstrating the core ideals of dedication, courage and honor. An employee whose life is given in the line-of-duty and certain circumstances indicate an act of valor was performed will automatically be eligible for the posthumous awarding of the Medal of Honor.

**Medal of Valor:** Awarded to an employee who acts with outstanding bravery or heroism with risk of death or serious personal injury to himself/herself. These acts are performed under less hazardous conditions than those required for the Medal of Honor.

**Police Silver Star:** Awarded to an employee who performs an exceptional act of bravery with knowledge of his/her personal danger. These acts are performed under less hazardous conditions than those required for the Medal of Valor.

**Police Bronze Star:** Awarded to an employee who performs an exceptional act, while unknowingly placing themselves in great personal danger while engaged in his/her duty but performs in a commendable manner upon becoming aware of the danger.

**Lifesaving Award:** Awarded to an employee who saves someone's life.

**Meritorious Action Ribbon:** Presented to any officer in the Boise Police Department. The recipient of this award must have clearly distinguished themselves by significant or outstanding act/acts of service involving exceptional character. The action need not involve any risk to oneself. Meritorious action may include the following: Attempted Life Saving Action where the attempt was unsuccessful; exceptional individual service to the community or exceptional individual service to any person/persons in need. These are just a few examples, but the award is not limited to only these. The Awards Committee may review each submission on its own merit.

#### Honors

**Police Cross:** Awarded to an employee who lost his/her life in the performance of duty under honorable circumstances. The Police Cross may be awarded in addition to other awards for the actions leading to their death.

**Purple Heart:** Awarded to an employee who in the honorable performance of his or her duties suffers serious physical injury, directly or indirectly attributable to the criminal or hostile acts of others.

#### Achievement Awards

**Distinguished Unit Citation:** Awarded to a unit whose performance distinguishes itself by exceptional quality service to the department or the community or performance of duty or duties clearly above which would be normally expected.

**Enduring Service Medal:** Awarded to an employee who has consistently given extraordinary service in both BPD and our community in their professional and personal lives over a law enforcement career. This is the highest service award and may only be awarded to one employee in a given year. The employee must have exemplified dedicated service to others in excess of fifteen years.

**Humanitarian Award:** Awarded to an employee who, in the performance of his/her duties or in a voluntary capacity, exhibits an exemplary concern for the welfare of others as evidenced by an act(s) which contribute substantially to the wellbeing of another subject and which is perceived to be above and beyond an employee's normal scope of responsibilities.

**Meritorious Service Award:** Awarded to an employee whose long-term performance distinguishes itself by exceptional quality service to the department or the community or performance of duties clearly above which would be normally expected.

**Leadership Commendation Medal:** Presented to an employee holding the rank of Sergeant, Lieutenant, or Senior Manager/Commander. The recipient of this award must exemplify leadership qualities above and beyond what would normally be expected of a person of their rank. The recipient's actions must clearly have had such an influential effect on the outcome of a special event or project as to be irrefutable. The Leadership Commendation Medal may also be awarded for demonstrating outstanding leadership in the field in any high risk, stressful situation in which the nominee reacted decisively and quickly to mobilize, organize, and execute a successful plan of action with a high level of skill, confidence, and competence.

#### Commendations

**Chief's Commendation:** Awarded to an employee who distinguishes himself or herself by performing exceptional service in a duty of great responsibility or importance to the Department or community, clearly above which would be normally expected.

**Exceptional Service Award:** Awarded by the Chief of Police to any citizen, non-Boise Police officer, firefighter or paramedic who distinguished themselves by performing exceptional service through an act or action of great importance to The Boise Police Department or its members.

**Supervisor's Commendation:** Awarded by supervisors to an employee for exceptional or exemplary conduct and behavior.

**Employee Performance Recognition:** Recognition of an employee's conduct or behavior.

**Letter of Appreciation:** The professional conduct on an employee is sometimes such which another agency or a citizen wishes to express appreciation for a job well done, aid, cooperation or other assistance rendered. This type of documentation shall be routed to the employee mentioned through his/her chain of command. A copy of the letter shall be entered in the employee's personnel file.

## **1016 FITNESS FOR DUTY**

Effective Date: 10/01/2024

Revised Date: 9/20/2024

Issuing Authority: Chief Chris Dennison

### **1016.1 Purpose and Scope**

All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

### **1016.2 Employee Responsibilities**

- (a) It is the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform the essential duties of the position.
- (b) Each member of this department will perform his/her respective duties without physical, emotional, and/or mental constraints.
- (c) During working hours, all employees are required to be alert, attentive, and capable of performing their assigned responsibilities.
- (d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief should be promptly reported to a supervisor.

### **1016.3 Supervisors Responsibilities**

- (a) A supervisor observing an employee or receiving a report of an employee who is perceived to be unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to address the situation.
- (b) Whenever feasible, the supervisor should make a preliminary determination of the level of inability of the employee to perform the essential duties required of the job.
- (c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to obtain sufficient information regarding the nature of the concern to enable the Department to assess options and react responsibly to assure the safety of the employee, other members of the Department and the public, while complying with the employee's legal rights.
- (d) In conjunction with the Watch Commander or employee's available Division Commander, a determination should be made regarding whether the employee should be temporarily relieved from his/her duties.
- (e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

#### **1016.4 Relief from Duty**

Any employee suffering from a work or non-work-related condition which warrants a temporary relief from duty may be entitled to be placed on family and medical leave under federal law. Consult with Human Resources to assure proper notification and compliance with family and medical leave rights. Employees who are relieved from duty for medical reasons may be eligible for workers' compensation payments or may be required to use sick leave or other paid time off, in accordance with applicable policies.

Any employee suffering from a work-related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

#### **1016.5 Physical and Psychological Examinations**

- (a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination to determine the level of the employee's fitness for duty. The order shall indicate the date, time, and place for the examination.
- (b) The examining health care provider will provide the Department with a report indicating that the employee is either fit for duty or, if not, will list any functional limitations that limit the employee's ability to perform job duties. The scope of the requested fitness-for-duty report shall be confined to the physical or psychological condition that prompted the need for the examination. If the employee places his/her condition at issue in any subsequent or related administrative action or grievance, the examining physician or therapist may be required to disclose any and all information that is relevant to such proceeding.
- (c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.
- (d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential personnel file.
- (e) Any employee ordered to receive a fitness-for-duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered, or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to corrective action, up to and including termination.
- (f) In the event an employee is required to submit to a fitness-for-duty examination as a condition of returning from medical leave required under the Family and Medical Leave Act (FMLA), the Chief of Police or the authorized designee should contact Human Resources for direction regarding how to proceed.
- (g) Once an employee has been deemed fit for duty and the examining health care provider has provided the Department with a written report to that effect, the employee will be notified to resume his/her duties.



### **1016.6 Appeals**

An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness-for-duty exam shall be entitled to an administrative appeal as outlined in the collective bargaining agreement.

## **1017 MEAL PERIODS AND BREAKS**

Effective Date: 10/01/2024

Revised Date: 9/20/2024

Issuing Authority: Chief Chris Dennison

### **1017.1 Purpose and Scope**

This policy regarding meals and breaks, insofar as possible shall conform to the policy governing all City employees and the collective labor agreement.

### **1017.2 Meal Periods**

Sworn employees shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by a supervisor.

Uniformed patrol officer shall inform Ada County Dispatch prior to taking a meal period. Under normal circumstances, an officer may take one 30-minute meal break during each shift they work. An officer is encouraged to take their meal break somewhere within their assigned area. However, if conditions permit, an officer is allowed 15 minutes of travel time from their assigned area to the location where they desire to take the meal break and a like amount of time to return. Travel time will not be included in the officer's meal break. Travel outside of Boise City should be done with discretion and is subject to supervisory limitations. Police vehicles shall not be taken outside of Ada County.

### **1017.3 Congregation of Officers**

While on duty and in uniform, officers shall not congregate in public places without supervisor approval. Under normal circumstances, no more than three uniformed officers shall take a break or meal at the same time and location. FTO's with trainees and TAC units are an exception, for up to four officers.

## **1018 LACTATION BREAKS**

Effective Date: 10/01/2024

Revised Date: 9/20/2024

Issuing Authority: Chief Chris Dennison

### **1018.1 Purpose and Scope**

The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee's nursing child.

### **1018.2 Policy**

It is the policy of the Police Department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing child for up to one year after the child's birth (29 USC § 207).

### **1018.3 Lactation Break Time**

A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Lactation breaks, if feasible, should be taken at the same time as the employee's regularly scheduled rest or meal periods. If a lactation break occurs outside the regularly scheduled rest or meal period it will be considered unpaid.

While reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Employees desiring to take a lactation break shall notify Ada County Dispatch or a supervisor prior to taking such a break and such breaks may be reasonably delayed if they would seriously disrupt Police Department operations.

Once a lactation break has been approved, the break should not be interrupted except in emergency or exigent circumstances.

### **1018.4 Private Location**

The Police Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private, such room or place should be near the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207). The current lactation room at City Hall West is located on the Fire Administration side of the building near IT. This room can be booked via Outlook by searching for CHW Lactation Room to ensure it will be available when the employee is ready to use it.

Employees occupying such private areas shall either secure the door or otherwise make it clear that the area is occupied with a need for privacy. All other employees should avoid interrupting a lactating employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

### **1018.5 Storage and Expressed Milk**

Any employee storing expressed milk in any authorized refrigerated area within the department shall clearly label it as such and shall remove it when the employee ends her shift.

## **1020 OVERTIME PAYMENT REQUESTS**

Effective Date: 02/01/2025  
Revised Date: 12/01/2024  
Issuing Authority: Chief Chris Dennison

### **1020.1 PURPOSE AND SCOPE**

This policy establishes guidelines and procedures regarding overtime for employees, in conformance with the Fair Labor Standards Act (FLSA) (29 USC § 201 et seq).

### **1020.2 POLICY**

The Boise Police Department will compensate nonexempt employees who work authorized overtime either by payment of wages as agreed and in effect through the City of Boise and Local No. 486 International Brotherhood of Police Officers (I.B.P.O.) Collective Labor Agreement (CLA) or by the accrual of compensatory time (29 CFR 553.22). Employees who are salary exempt from FLSA are not compensated for overtime worked.

### **1020.3 COMPENSATION**

Payment of wages to nonexempt employees for overtime, or accrual of compensatory time in lieu of compensation for overtime worked, shall be paid as agreed and in effect through the CLA for each hour of employment for which overtime compensation is required (29 USC § 207(k)(2); 29 USC § 207(o)(1)).

Salary exempt lieutenant employees may be eligible for compensatory time, which may be granted at the discretion of the exempt employee's immediate supervisor.

### **1020.4 REQUESTS FOR OVERTIME COMPENSATION**

Generally, no employee is authorized to work overtime without the prior approval of a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Nonexempt employees shall:

- (a) Obtain supervisory approval, verbal or written
- (b) Not work in excess of 16 hours, including regularly scheduled work time, overtime, and secondary duty time, in any consecutive 24-hour period without Watch Commander approval.
- (c) Not work without at least 8 hours off between the end of their full shift (10 hour shifts or more) until the start of their next shift, excluding court appearances, without Watch Commander approval.
- (d) Record the actual time worked in an overtime status in the time keeping system and document the reason for the overtime.
- (e) Submit the request for overtime compensation to their supervisors by the end of the calendar week.

#### **1020.4.1 SUPERVISOR RESPONSIBILITIES**

Supervisors shall:

- (a) Prior to authorizing an employee to work overtime, evaluate the need for the overtime.
  - (1) Supervisors should not authorize any request to work overtime if the overtime does not meet the requirements of this policy.
  - (2) A supervisor may be required to obtain approval prior to authorization of overtime work.
- (b) Supervisors identifying any unauthorized overtime or discrepancy shall initiate an investigation consistent with the Personnel Complaints Policy.

Supervisors may not authorize or approve their own overtime.

#### **1020.4.2 LIEUTENANT RESPONSIBILITIES**

Lieutenants shall:

- (a) Approve an employee to work over 16 hours consecutively, only if other alternatives are unavailable and/or impractical and will balance the needs of the department versus the wellness of the officer when making such decisions.
- (b) Not allow an employee to work more than 20 consecutive hours unless it is an emergency, in which case the supervisor shall document the reason and send it to their Division Captain.

#### **1020.5 VARIATION IN TIME REPORTED**

When two or more employees are assigned to the same or similar activity, fieldwork, case or court appearance, and the amount of time for which overtime compensation is requested varies among the officers, the approving supervisor may require each employee to explain the reason for the variation.

#### **1020.6 ACCRUING AND REQUESTING USE OF COMPENSATORY TIME**

The individual employee may request compensatory time in lieu of receiving overtime payment. The appointing authority may require that overtime be taken in cash rather than compensatory time (i.e., grant overtime). Maximum accruals of compensatory times are governed by the CLA.

Employees who have accrued compensatory time shall be allowed to use that time off if it does not interfere with the staffing and operational requirements of the department.

Requests to use compensatory time will be submitted to the employee's supervisor at least 72 hours in advance of its intended use. Supervisors may make exceptions in unusual or extraordinary circumstances.

Compensatory time may not be used for time off for a date and time when the employee is required to appear in court on department-related matters. Supervisors shall not unreasonably deny employee requests to use compensatory time. The standard to deny a request to use compensatory time is a reasonable and good faith belief the approval would impose an unreasonable burden on the agency's ability to provide services of acceptable quality and quantity for the public during the time requested. (29 CFR 553.25).

## 1021 OUTSIDE EMPLOYMENT

Effective Date: 02/01/2025

Revised Date: 12/01/2024

Issuing Authority: Chief Chris Dennison

### 1021.1 Purpose and Scope

In order to avoid actual or perceived conflicts of interest for employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police using the required form prior to engaging in any outside employment. Approval of outside employment shall be at the sole discretion of the Chief of Police in accordance with the provisions of this policy, and with the City of Boise Policy 4.35, Regulation 4.35a, and Ethics Handbook.

### 1021.2 Definitions

**Outside Employment** - Employment where a member receives wages, compensation, or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. Any outside function or employment that does not receive compensation will not be considered outside employment and is exempt from the pre-approval process. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

**Special Event Overtime** - Overtime where a member of this department performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such special event overtime shall be requested and scheduled directly through this department with a police labor agreement so that this department may be reimbursed for the cost of wages and benefits.

### 1021.3 Obtaining Approval

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police or designee. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete an Outside Employment Application annually which shall be submitted to the employee's immediate supervisor. The application will then be forwarded through channels to the Chief of Police or designee for consideration.

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with an explanation of the reason for the denial of the application.

#### 1021.3.1 Appeal of Denial Outside Employment

If an employee's Outside Employment Application is denied or withdrawn by this department, the employee may file a written notice of appeal to the Chief of Police within ten days of the date of denial. The appeal should be submitted via email to the immediate supervisor, to be routed through the chain of command.

### **1021.3.2 Revocation/Suspension Outside Employment**

Any outside employment permit may be revoked or suspended under the following circumstances:

- (a) Should an employee's performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police or designee may, at his or her discretion, revoke any previously approved outside employment authorization. That revocation will be evaluated once his/her supervisor recommends they have reestablished a level of satisfactory performance.
- (b) Suspension or revocation of a previously approved outside employment authorization may be included as a term or condition of sustained discipline.
- (c) If, at any time during the term of a valid outside employment, an employee's conduct or outside employment conflicts with the provisions of the policy of this department, the outside employment may be suspended or revoked.
- (d) When an employee is unable to perform at a regular duty capacity due to an injury or other condition, any previously approved outside employment may be subjected to similar restrictions as those applicable to the employee's regularly assigned duties until the employee has returned to a regular duty status.

### **1021.4 Prohibited Outside Employment**

This department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

- (a) Involves the employee's use of this department's time, facilities, equipment or supplies, and/or the use of this department's badge, uniform, prestige or influence for private gain or advantage.
- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee is required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.
- (c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other employee of this department.
- (d) Involves providing outside employment services to other city employees who fall within their reporting structure, including all employees they supervise or who supervise them.
- (e) Involves time demands that would render performance of the employee's duties for this department less efficient. Outside employment shall not be an excuse for poor job performance, tardiness, unscheduled absences, or refusal to work overtime.
- (f) Is performed during assigned duty hours.



- (g) Requires police powers or any real or implied law enforcement services as a condition of employment.
- (h) Constitutes a threat to the status or dignity of law enforcement.
- (i) Presents a potential conflict of interest between duties as an officer and outside employment, including, but not limited to:
  - (1) Process server.
  - (2) Repossessor.
  - (3) Bill collector.
  - (4) Vehicle towing.
  - (5) Personnel investigations or other employment which might require access to officer restricted files.
  - (6) Assisting in the case preparation for the defense in any criminal or civil action or proceeding.
  - (7) Employment for a business or labor group that is on strike.
  - (8) Occupations regulated or licensed through any law enforcement agency.

#### **1021.4.1 SPECIAL EVENT SECURITY AND PEACE OFFICER EMPLOYMENT**

Due to the potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard, private investigator, or other similar private security position.

Any private organization, entity, or individual seeking outside security services from members of this department must submit a police staffing request in advance of the desired service. All requests will be reviewed and considered on a case-by-case basis. The Chief of Police will have final authority for granting any request. Such special event overtime will be assigned, monitored, and paid through the Department.

- (a) The applicant will be required to enter into a police labor agreement.
- (b) All police staffing requests will be submitted in accordance with BPD staffing request and City Clerk special event application processes.
- (c) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.
- (d) Employees wishing to work approved special event overtime will follow current procedures which include:
  - (1) For multiple day events an officer or supervisor will initially be allowed to sign up for one day. After a 24-hour period that same officer or supervisor may then sign up for any additional day(s) with no restriction on the number of days.
- (e) Should such a request be approved, any employee working special event overtime shall be subject to the following conditions:
  - (1) The officer(s) shall wear this department's uniform/identification.

- (2) The officer(s) shall be subject to the rules and regulations of this department.
- (3) No officer may engage in such special event employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
- (4) Compensation for such approved special event security services shall be pursuant to normal overtime procedures.
- (5) Special event security services shall not be subject to the collective bargaining process.
- (f) No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

#### **1021.4.2 SPECIAL EVENT OVERTIME ARREST AND REPORTING PROCEDURE**

Any employee making an arrest or taking other official police action while working in an approved special event overtime assignment shall be required to complete all related reports in a timely manner pursuant to the policy of this department. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

#### **1021.4.3 SPECIAL RESTRICTIONS**

Except for emergency situations or with prior authorization from the Division Commander, undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity which might reasonably disclose the officer's law enforcement status.

#### **1021.5 DEPARTMENT RESOURCES**

Employees are prohibited from using any equipment or resources of this department in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee's position with this department.

#### **1021.6 CHANGES TO OUTSIDE EMPLOYMENT**

If an employee terminates his or her outside employment during the period of a valid application approval, the employee shall promptly submit written notification of such termination to the Chief of Police through the chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties, or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

#### **1021.7 OUTSIDE EMPLOYMENT WHILE ON DISABILITY**

Members of this department engaged in outside employment who are placed on disability leave or modified/light-duty shall inform their immediate supervisor in writing within five (5) days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside

employment along with any related doctor's orders and make a recommendation to the Chief of Police whether such outside employment should continue.

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding their outside work, a notice of revocation of the member's approval to work outside employment will be forwarded to the involved employee, and a copy attached to the original work application.

Criteria for revoking the outside employment include, but are not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the City's risk advisors.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.
- (c) The employee's failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Boise Police Department, a request (in writing) may be made to the Chief of Police to restore the outside employment.

## 1022 OCCUPATIONAL DISEASE AND WORK-RELATED REPORTING

Effective Date: 10/01/2024

Revised Date: 9/20/2024

Issuing Authority: Chief Chris Dennison

### 1022.1 Purpose and Scope

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues and work-related injuries.

### 1022.2 Definitions

Definitions related to this policy include (Idaho Code 72-102):

**Accident** - An unexpected, undesigned, and unlooked for mishap that causes injury, is connected with the industry in which it occurs, and can be reasonably located as to the time when and place where it occurred.

**Occupational disease** - A disease due to the nature of employment in which the hazards of such disease actually exist and are characteristic of, and peculiar to, the occupation or employment. Psychological injuries, including post-traumatic stress injuries, are included if the conditions set forth in Idaho Code § 72-451 are met.

**Work-related injury** - A personal injury caused by an accident arising out of and in the course of employment.

### 1022.3 Policy

Members shall follow Boise City Regulation 6.02a Injury/Illness on the Job and Workers Compensation.

### 1022.3 Settlement Offers

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

#### 1022.3.1 No Settlement Without Prior Approval

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

## **1023 PERSONAL APPEARANCE STANDARDS**

Effective Date: 4/01/2024

Revised Date: 2/15/2024

Issuing Authority: Chief Ron Winegar

### **1023.1 Purpose and Scope**

In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

### **1023.2 Grooming Standards**

Unless otherwise stated, and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

#### **1023.2.1 Hair**

Hairstyles of all members shall be neatly trimmed, clean, and well groomed. Hairstyles will be professional looking and limited to natural colors. Head hair will not be styled, sculpted, or carved in extreme fashions. The hairstyle shall not interfere with the proper wearing of the uniform hat, helmet, or air purifying respirator. The Chief of Police has the final discretion on approving a hair style.

For male sworn members, hair must not extend below the top edge of the uniform collar or cover any portion of the ear while assuming a normal stance. An officer assigned to investigative duties shall be allowed to maintain a hairstyle to the midpoint of the ears or cover no more than half of their ear.

For female sworn members, hair must be a short style or no longer than the horizontal level of the bottom of the uniform patch when the employee is standing erect, worn up or in a tightly wrapped braid or ponytail.

#### **1023.2.2 Mustaches**

A short and neatly trimmed mustache of a naturally occurring color may be worn. Mustaches shall not extend below the corners of the mouth, over the upper lip, or beyond ½ inch of the corner of the mouth.

#### **1023.2.3 Sideburns**

Sideburns shall be trimmed and neat not extend below the bottom of the inner ear opening (the top of the earlobes). They shall end in a horizontal line. The flare (lower portion of the sideburn) shall not exceed the width of the main portion of the sideburn by more than ¼ of the unflared width.

#### **1023.2.4 Facial Hair**

Facial hair is authorized, within the following guidelines. Authorization to grow facial hair is considered a privilege and shall remain at the discretion of the Chief of Police.

- Beards and goatees must be kept tidy, clean, and professional in appearance, and shall not exceed ½ inch in length.
- Facial hair must be natural in color, complete, neatly trimmed, and shall not display exotic patterns, designs, or extreme styles.
- The neckline shall be kept clean shaven at all times.
- Employees in assignments which may require the use of an air purifying respirator mask may only be permitted to maintain a style of approved facial hair that does not interfere with a complete seal.

#### **1023.2.5 Fingernails**

Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

#### **1023.2.6 Jewelry**

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

- Necklaces shall not be visible above the shirt collar.
- Earrings shall be no greater than 3/16 inch in diameter and worn only in or on the earlobe.
- One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.
- One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.
- Wristwatches shall be conservative and present a professional image.
- Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

#### **1023.3 Tattoos**

Employees are allowed to have visible tattoos with the following exceptions:

- No tattoos or body art shall be visible on the head, face, neck, scalp, hands, or visible teeth (excluding orthodontic appliances).
- A tattoo on a finger depicting a ring as long as it does not extend beyond the normal area a piece of jewelry would be worn and complies with the number of rings authorized in 1023.2.6.
- At no time while the member is on-duty or representing the Department in any official capacity shall any offensive tattoo or body art be visible. Examples of offensive tattoos include but are not limited to those that exhibit or advocate

discrimination; those that exhibit gang, supremacist, or extremist group affiliation; and those that depict or promote drug use, sexually explicit acts, or other obscene material.

The Chief of Police has sole discretion in determining if a tattoo is offensive. If there are any questions about whether a tattoo would be in violation of this policy, the member shall request review by the Chief of Police prior to obtaining the tattoo.

#### **1023.4 Body Piercing or Alteration**

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features, and which is not medically required is prohibited except with prior authorization of the Chief of Police. Such body alteration includes, but is not limited to:

- Tongue splitting or piercing.
- The complete or transdermal implantation of any material other than hair replacement or other reasonable cosmetic alterations.
- Abnormal shaping of the ears, eyes, nose or teeth.
- Visible branding or scarification.

If there is any question about a body piercing or alteration being in violation of this policy, the member shall request review by the Chief of Police prior to obtaining the procedure.

## 1024 UNIFORM REGULATIONS

Effective Date: 05/01/2025

Revised Date: 03/19/2025

Issuing Authority: Chief Chris Dennison

### 1024.1 Purpose and Scope

The uniform policy of the Boise Police Department is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of the uniform of this department. Employees should also refer to the following associated Policy Manual sections:

- Body Armor
- Personal Appearance Standards

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Chief of Police or his/her designee. That manual should be consulted regarding authorized equipment and uniform specifications.

The Boise Police Department will provide uniforms for all employees required to wear them in the manner, quantity and frequency agreed upon in the respective employee group's collective bargaining agreement.

### 1024.2 Wearing and Condition of Uniform and Equipment

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis, or other time of need.

- (a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.
- (b) All sworn officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.
- (c) Personnel shall wear only the uniform specified for their rank and assignment.
- (d) The uniform is to be worn in compliance with the specifications set forth in this department's uniform specifications that are maintained separately from this policy.
- (e) All supervisors of uniformed officers will perform inspections of their personnel within two weeks of shift change to ensure conformance to these regulations. Supervisors shall require officers to replace worn and unserviceable items.
- (f) Supervisors are required to conduct a Class A uniform inspection during the first shift change of the calendar year.
- (g) Civilian attire shall not be worn in combination with any distinguishable part of the uniform with the exception of a vest or outer garment identifying themselves as police if working in a plainclothes assignment.



- (h) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official functions or events as authorized by the Chief of Police or their designee.
- (i) If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off duty.
- (j) Employees are not to purchase or drink alcoholic beverages while wearing any part of this department's uniform, including the uniform pants.

#### **1024.2.1 Police Department Issued Identification**

This department issues each employee an official identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their issued identification card at all times while on duty or when carrying a concealed weapon.

Whenever on duty or acting in an official capacity representing this department, employees shall display the identification issued by the department in a courteous manner to any person upon request and as soon as practical.

Officers working specialized assignments may be excused from the possession and display requirements when directed by their division commander.

#### **1024.3 Uniform Classes**

##### **1024.3.1 Class A Uniform**

The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, as directed, or for daily wear. The Class A uniform is required for all sworn personnel. The Class A uniform includes the standard issue uniform with:

- (a) Long sleeve shirt with tie.
- (b) Polished shoes.
  - Boots with pointed toes are not permitted.

##### **1024.3.2 Class B Uniform**

All officers will possess and maintain a serviceable Class B uniform at all times.

The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

- (a) The long or short sleeve shirt may be worn with the collar open. No tie is required.
- (b) A white, navy blue, or black crew neck t-shirt must be worn with the uniform.
- (c) All shirt buttons must remain buttoned except for the last button at the neck.
- (d) Shoes for the Class B uniform may be as described in the Class A uniform.
- (e) An all-black unpolished shoe may be worn.
- (f) Boots with pointed toes are not permitted.

### **1024.3.3 Court Attire**

An employee attending court shall be neatly and conservatively dressed to present a professional appearance. An officer may wear the authorized uniform of the day. At a minimum, an employee shall wear business attire appropriate for court.

### **1024.3.4 Specialized Unit Uniforms**

The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as Canine Team, SWAT, Bicycle Patrol, Motor Officers, and other specialized assignments.

### **1024.3.5 Foul Weather Gear**

The Uniform and Equipment Specifications lists the authorized uniform jacket and rain gear.

### **1024.3.6 Duty Belt and Equipment**

The regulation duty belt and all duty belt accessories shall be black and a basket weave design, or cordura. All metal snaps or other metal accessories shall be chrome or nickel finish. Black or hidden snaps are also approved for use. The officer shall maintain their duty belt and accessories in a clean, polished, and serviceable condition. When the buckle-belt is worn, the right edge of the buckle shall be aligned with the trouser fly and the edge of the shirt closure.

Uniformed officers shall carry two or more intermediate weapons on their person while on duty. Uniformed officers who are issued a conducted energy weapon shall carry it as one of those weapons. If the baton or PR24 is not carried on the officer's person, it shall be carried in their assigned vehicle.

## **1024.4 Insignia and Patches**

- (a) Shoulder Patches - The authorized shoulder patch supplied by this department shall be machine stitched to the sleeves of all uniform shirts and jackets.
- (b) Service stripes- Service stripes for length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the uniform. One service strip for each five years of service after their probationary year shall be approved. The stripes are to be worn on the left sleeve only.
- (c) The regulation nameplate, an authorized sewn on cloth nameplate, or stitched name shall be worn at all times while in uniform. The nameplate shall at a minimum display the employee's last name. If an employee's first and last names are too long to fit on the nameplate, then the initial of the first name will accompany the last name. If the employee desires other than the legal first name, the employee must receive approval from the Chief of Police. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.
- (d) When a jacket is worn, the nameplate or an authorized sewn on cloth name plate shall be affixed to the jacket in the same manner as the uniform. Only one pin may be worn on the uniform at any given time.
- (e) Specialty Plates / Pins - Assignment insignias, (SWAT, FTO, etc.) may be worn as designated by the Chief of Police. Only one pin may be worn on the uniform at any given time.

- (f) Flag Pin - A flag pin may be worn.
- (g) Badge - The badge issued by this department, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform on the outer most garment.
- (h) Rank Insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.
- (i) Department Authorized Awards – All shirt ribbons / awards approved by the Department may be worn on a Class A or B uniform.

#### **1024.5 Administrative, Office, or Plainclothes Employees**

There are assignments within this department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary. Executive Staff, Command Staff, and officers assigned to plainclothes or administrative duties are exempt from wearing the uniform of the day.

- (a) All employees not wearing the uniform of the day shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.
- (b) Clothing will be at a minimum business casual / professional and appropriate for the office. Exceptions to this must be approved by the Division Commander
- (c) Friday is designated as causal day and clothing may be of a relaxed professional attire including clean denim jeans and causal shoes. If an employee has a professional meeting, court, or other appointment that would require professional or business attire they will be required to wear that clothing on Friday.
- (d) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee's assignment or current task is not conducive to the wearing of such clothing.
- (e) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Boise Police Department or the morale of the employees.

##### **1024.5.1 Mourning Badge**

Uniformed employees should wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The Chief of Police will determine the length of time.

#### **1024.6 Political Activities, Endorsements, And Advertisements**

Unless specifically authorized by the Chief of Police, Boise Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Boise Police Department to do any of the following:

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.

- (c) Endorse, support, or oppose, any product, service, company or other commercial entity.
- (d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

#### **1024.7 Optional Equipment - Maintenance, And Replacement**

- (a) Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by this department for the cost of providing this department's issued item.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.
- (c) Replacement of items listed in this order as optional shall be done as follows:
  - 1. When a uniform item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
- (d) As a general rule, personally owned property used by an employee during their duty day is not covered for reimbursement by the Department.

However, if damaged during Department duties, personal items that are required to perform work duties, including watches, safety eyeglasses, and sunglasses, may be reimbursed by the Department.

The Watch Commander, or their designee, shall review every incident and determine personal item replacement.

After receiving approval from the Watch Commander, monetary loss for uniform and required personal items that are damaged during Department duties will be recovered as follows:

- File a restitution request with the arrest report as appropriate to petition the court for damages from the defendant. All court-ordered restitution will be sent directly to Finance.
- Following submission of the restitution report, the Supply Specialist shall replace those items which are normally stocked
- Watches, safety eyeglasses, and sunglasses will be covered for no more than \$100 each

#### **1024.8 Unauthorized Uniforms, Equipment and Accessories**

Boise Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

Boise Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

### **1024.9 Items Given to Retiring Officers**

The Department will gift officers immediately eligible to enter the PERSI system, their issued duty weapon and issued duty magazines upon retirement. This practice will be reviewed by the Department annually to determine whether it continues to serve the best interest of the City. Upon receiving notice of an officer's intent to retire, the Department will prepare a gift letter awarding the officer their issued duty weapon and issued duty magazines as a token of appreciation for their service.

Additionally, retired officers immediately eligible to enter the PERSI system, receive the following (Chief may approve exceptions):

- Name tag
- Duty Belt
- One pair of handcuffs (either chain or hinged)
- Chest, hat, and retirement badges
- All clothing (except body armor)

## 1026 POLICE DEPARTMENT BADGES

Effective Date: 10/6/2022  
Revised Date: 9/29/2022  
Issuing Authority: Chief Ron Winegar

### 1026.1 Purpose and Scope

The Boise Police Department badge and uniform patch as well as the likeness of these items and the name of the Boise Police Department are property of the Police Department, and their use shall be restricted as set forth in this policy.

### 1026.2 Definitions

**Retired/Separated Good Standing:** Individuals are deemed to have retired or separated from service in "good standing" unless, at the time of separation:

1. There was a determination made or action initiated to remove, or proposal to remove, the employee from employment;
2. The employee was the subject of a pending psychological fitness for duty evaluation or had been found not fit for duty based on a psychological determination;
3. There was an unadjudicated allegation of misconduct against the employee, the investigation of which produced evidence sufficient to support an adverse personnel action;
4. The employee left the agency following formal allegations of misconduct and/or unsatisfactory performance, or after being advised they would be removed from the agency; and/or
5. The employee was indefinitely suspended from duty with or without pay.

### 1026.3 Policy

The uniform badge shall be issued to Police Department members as a symbol of authority and the use and display of issued or purchased badges shall be in strict compliance with this policy. Only authorized badges issued by the Police Department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

### 1026.4 Flat Badges

Sworn officers, with the written approval of the Chief of Police may purchase, at his/her own expense, a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of policy as the uniform badge.

1. An officer may sell, exchange or transfer the flat badge he/she purchased to another officer within the Boise Police Department with the written approval of the Chief of Police.
2. Should the flat badge become lost, damaged or otherwise removed from the officer's control, he/she shall make the proper notifications in accordance with BPD policy.
3. Officers who retire in good standing may keep their flat badge upon retirement.

4. The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

#### **1026.5 Professional Staff Personnel**

Badges and Police Department identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Community Service Specialist).

1. Non-sworn personnel shall not display any law enforcement badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.
2. Non-sworn personnel shall not display any law enforcement badge or represent him/ herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

#### **1026.6 Retiree Uniform Badge**

Officers who retire in good standing may be gifted their assigned duty badge by the Department upon retirement, for display purposes. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.

#### **1026.7 Unauthorized Use**

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current sworn officer or sworn officer who has retired in good standing.

Department badges are issued to all sworn employees and professional staff uniformed employees for official use only. The badge, shoulder patch or the likeness thereof, or the name shall not be used for personal or private reasons including, but not limited to, letters, memoranda and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and name for all material (printed matter, products or other items) developed for use shall be subject to approval by the Chief of Police.

Employees shall not loan their badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

## **1028 MEDICAL OR INJURY TEMPORARY MODIFICATIONS**

Effective Date: 10/01/2024

Revised Date: 9/20/2024

Issuing Authority: Chief Chris Dennison

### **1028.1 Purpose and Scope**

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules, current memorandum of understanding or collective bargaining agreement. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

### **1028.2 Policy**

Subject to operational considerations, the Boise Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

### **1028.3 General Considerations**

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the Idaho Human Rights Act shall be treated equally, without regard to any preference for a work-related injury.

No position in the Boise Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

### **1028.4 Procedure**

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to the Professional Standards Division (PSD) Lieutenant. The request should, as applicable, include a certification from the treating medical professional containing:



- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The PSD Lieutenant will make a recommendation through the employee's chain of command regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The PSD Lieutenant shall confer with the Human Resources or the City Attorney as appropriate.

### **1028.5 Accountability**

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Division Commander.

#### **1028.5.1 Employee Responsibilities**

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors and the PSD Lieutenant of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors and PSD Lieutenant no less than once every 30 days while assigned to temporary modified duty.

#### **1028.5.2 Supervisor Responsibilities**

The employee's assigned supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

- (a) Periodically apprising the Division Commander of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Division Commander and PSD Lieutenant ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

## **1028.6 Medical Examinations**

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

## **1028.7 Pregnancy**

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

### **1028.7.1 Notifications**

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

## **1028.8 Probationary Employees**

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

## **1028.9 Maintenance or Certification and Training**

Employees assigned to temporary modified duty shall maintain all certification, training, and qualifications appropriate to both their regular and temporary duties, provided that the certification, training, or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training, or qualification.

## **1030 EMPLOYEE SPEECH, EXPRESSION AND SOCIAL NETWORKING**

Effective Date: 4/1/2024

Revised Date: 2/15/2024

Issuing Authority: Chief Ron Winegar

### **1030.1 Purpose and Scope**

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

#### **1030.1.1 Applicability**

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

### **1030.2 Policy**

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Boise Police Department will carefully balance the individual employee's rights against the department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression. Additionally, BPD employees are expected to adhere to City policy and any changes or updates that are implemented (reference Regulation 4.30n).

### **1030.3 Safety**

Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Boise Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

#### **1030.4 Prohibited Speech, Expression and Conduct**

To meet the department's safety, performance and public trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

1. Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Boise Police Department or its employees.
2. Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Boise Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Boise Police Department or its employees. Examples may include:
  - a. Statements that indicate disregard for the law or the state or U.S. Constitution.
  - b. Expression that demonstrates support for criminal activity.
  - c. Participating in sexually explicit photographs or videos for compensation or distribution.
3. Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness (e.g., posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior).
4. Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.
5. Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Boise Police Department.
6. Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee (Idaho Code 74-402).
7. Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically

identifies the Boise Police Department that could intentionally discredit the Department or propagate misinformation about BPD on any personal or social networking or other website or web page. An employee shall not distribute or utilize their department-issued photo for personal use.

8. Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
  - a. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
  - b. During authorized breaks, such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

#### **1030.4.1 Unauthorized Endorsements and Advertisements**

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Boise Police Department or identify themselves in any way that could be reasonably perceived as representing the Boise Police Department in order to do any of the following, unless specifically authorized by the Chief of Police (Idaho Code 74-402):

1. Endorse, support, oppose, or contradict any political campaign or initiative.
2. Endorse, support, oppose or contradict any social issue, cause, or religion.
3. Endorse, support, or oppose any product, service, company or other commercial entity.
4. Appear in any commercial, social, or nonprofit publication or any motion picture, file, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Boise Police Department. Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off- duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

### **1030.5 Privacy Expectation**

Employees forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department technology system.

The Department reserves the right to access, audit and disclose for whatever reason any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department e- mail system, computer network or any information placed into storage on any department system or device.

This includes records of all keystrokes or web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers or networks.

### **1030.6 Considerations**

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

1. Whether the speech or conduct would negatively affect the efficiency of delivering public services.
2. Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
3. Whether the speech or conduct would reflect unfavorably upon the Department.
4. Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
5. Whether similar speech or conduct has been previously authorized.
6. Whether the speech or conduct may be protected and outweighs any interest of the Department.

### **1030.7 Training**

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department. As technology, media, and sources of information sharing and social networking evolve, BPD employees will be updated of any changes as it relates to this policy.

## 1032 WELLNESS PROGRAM

Effective Date: 02/01/2025

Revised Date: 12/1/2024

Issuing Authority: Chief Chris Dennison

### 1032.1 Purpose and Scope

The purpose of this policy is to provide guidance on establishing and maintaining a proactive wellness program for department members.

Additional information on member wellness is provided in the:

- Chaplains Policy
- Line-of-Duty Deaths Policy
- Drug- and Alcohol-Free Workplace Policy

### 1032.2 Definitions

Definitions related to this policy include:

**Critical incident** – An event or situation that may cause a strong emotional, cognitive, or physical reaction that has the potential to interfere with daily life.

**Critical Incident Stress Debriefing (CISD)** – A standardized approach using a discussion format to provide education, support, and emotional release opportunities for members involved in work- related critical incidents.

**Peer support** – Mental and emotional wellness support provided by peers trained to help members cope with critical incidents and certain personal or professional problems.

### 1032.3 Policy

The Chief of Police should appoint a wellness coordinator. The coordinator should report directly to the Training Captain and should collaborate with advisers (e.g., Human Resources, legal counsel, licensed psychotherapist, qualified health professionals), as appropriate, to fulfill the responsibilities of the position, including but not limited to:

- (a) Identifying wellness support providers (e.g., licensed psychotherapists, external peer support providers).
  1. Selected providers should be trained and experienced in providing mental wellness support and counseling to public safety personnel.
  2. Whenever possible, Department should not use the same licensed psychotherapist for both member wellness support and fitness for duty evaluations.
- (b) Assist the Peer Support Lieutenant to develop management and operational procedures for department peer support members, such as:
  1. Peer support member selection and retention.
  2. Training and applicable certification requirements.
  3. Deployment.

4. Managing potential conflicts between peer support members and those seeking service.
  5. Monitoring and mitigating peer support member emotional fatigue (i.e., compassion fatigue) associated with providing peer support.
  6. Using qualified peer support personnel from other public safety agencies or outside organizations for [department/office] peer support, as appropriate.
- (c) Verifying members have reasonable access to peer support or licensed psychotherapist support.
- (d) Establishing procedures for CISDs, including:
1. Defining the types of incidents that may initiate debriefings.
  2. Steps for organizing debriefings.
- (e) Facilitating the delivery of wellness information, training, and support through various methods appropriate for the situation (e.g., phone hotlines, electronic applications).

## **1032.5 Department Peer Support**

### **1032.5.1 Peer Support Member Selection Criteria**

Selection should be based on the member's:

- Desire to be a peer support member
- Experience or tenure
- Demonstrated ability as a positive role model
- Ability to communicate and interact effectively
- Evaluation by supervisors and any current peer support members

### **1032.5.2 Peer Support Member Responsibilities**

The responsibilities of department peer support members include:

- (a) Providing pre- and post-critical incident support.
- (b) Presenting department members with periodic training on wellness topics, including but not limited to:
1. Stress management.
  2. Suicide awareness.
- (c) Providing referrals to licensed psychotherapists and other resources, where appropriate.
1. Referrals should be made to department-designated resources in situations that are beyond the scope of the peer support member's training.



### **1032.5.3 Peer Support Training**

A department peer support member should complete department-approved training prior to being assigned.

### **1032.6 Critical Incident Stress Debriefings**

A Critical Incident Stress Debriefing should occur as soon as possible following a critical incident. The coordinator is responsible for organizing the debriefing. Notes and recorded statements shall not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a critical incident.

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

Attendance at the debriefing should only include peer support members and those directly involved in the incident.

### **1032.7 Peer Support Communications**

All PEER support communications will be considered privileged and fall under Idaho Code 9-203.

### **1032.8 Wellness Program Audit**

At least annually, the coordinator or the authorized designee should audit the effectiveness of the department's wellness program and prepare a report summarizing the findings. The report shall not contain the names of members participating in the wellness program, and should include the following information:

- Data on the types of support services provided
- Wait times for support services
- Participant feedback, if available
- Program improvement recommendations
- Policy revision recommendations

The coordinator should present the completed audit to the Training Division Captain for review and consideration of updates to improve program effectiveness.

### **1032.9 Training**

The coordinator or the authorized designee should collaborate with the Training Division Captain to provide all members with regular training on topics related to member wellness, including but not limited to:

The availability and range of department wellness support systems

- Suicide awareness
- Recognizing and managing mental distress, emotional fatigue, post-traumatic stress, and other possible reactions to trauma
- Alcohol and substance abuse awareness

- Countering sleep deprivation and physical fatigue
- Anger management
- Marriage and family wellness
- Benefits of exercise and proper nutrition
- Effective time and personal financial management skills

Training materials, curriculum, and attendance records should be forwarded to the Training Division Captain as appropriate for inclusion in training records.

## 1033 LINE-OF-DUTY DEATHS

Effective Date: 05/01/2025

Revised Date: 03/20/2025

Issuing Authority: Chief Chris Dennison

### 1033.1 Purpose and Scope

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

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

### 1033.2 Definitions

Definitions related to this policy include:

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

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

### 1033.3 Policy

It is the policy of the Boise Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty. It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

### 1033.4 Initial Actions by Command Staff

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Watch Commander.
  - 1. Communication of information concerning the member, and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).
- (b) The Watch Commander should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.
- (c) If the member has been transported to the hospital, the Watch Commander or supervisor should assign an officer to respond to the hospital to assume temporary responsibilities as the Hospital Liaison.
- (d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to

relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors Section and the Department Liaison and Hospital Liaison subsections in this policy).

### **1033.5 Notifying Survivors**

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

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

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

Notifying members should:

- (a) Inform the survivors of the name and phone number of the Family Liaison if known, and the Department Liaison.
- (b) Provide their contact information to the survivors before departing.
- (c) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (d) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Boise Police Department members may be apprised that survivor notifications are complete.

#### **1033.5.1 Out-Of-Area Notifications**

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

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

### **1033.6 Notifying Department Members**

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

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time

should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

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

Supervisors shall direct members not to disclose any information outside the Department regarding the deceased member or the incident.

### **1033.7 Public Information Officer**

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that department members are instructed to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
  - 1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
  - 2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.
  - 1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies, and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

### **1033.8 Department Chaplain**

The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

### **1033.9 Investigation of The Incident**

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends, or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

### **1033.10 Line-Of-Duty Death of A Law Enforcement Animal**

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

### **1033.11 Non-Line-Of-Duty Death**

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

## **EO 2020-02 / ENTRIES IN PERFORMANCE MANAGEMENT SYSTEM**

Effective Date: 8/25/2020  
Revised Date: 8/25/2020  
Issuing Authority: Chief Ryan Lee

### **Section 1**

Supervisors will not enter comments or criticisms into a performance management or appraisal system (GACR, ConnectBoise, or other such system) prior to discussing the comment or criticism with the involved employee in person. Once a comment is entered in the system, supervisors will not delete or amend the comment. Employees have the right to enter comments in response to supervisors' entries.

### **Section 2**

It is intended that this order, or similar language, will be incorporated into the Policy and Procedures Manual during the next update.

See signed order on next page.



## EXECUTIVE ORDER



Series	Number	Originating Date	Expiration Date
2020	02	8/25/2020	N/A
<b>Subject:            <i>Entries in Performance Management System</i></b>			

**Section 1.** Supervisors will not enter comments or criticisms into a performance management or appraisal system (GACR, ConnectBoise or other such system) prior to discussing the comment or criticism with the involved employee in person. Once a comment is entered in the system, supervisors will not delete or amend the comment. Employees have the right to enter comments in response to supervisors' entries.

**Section 2.** It is intended that this order, or similar language, will be incorporated into the Policy and Procedures Manual during the next update.

A handwritten signature in black ink, appearing to be "R - R", written over a horizontal line.



## **EO 2021-01/ OC AEROSOL USAGE**

Effective Date: 5/21/2021

Revised Date: 4/26/2021

Issuing Authority: Chief Ryan Lee

### **Section 1**

Boise Police Department Policy 17.005 states the Department's policy for carrying and using OC (Oleoresin Capsicum, commonly known as pepper spray). The policy states situations where OC usage may be approved for use on a passive resistor during a peaceful demonstration. The policy does not require advance warning prior to OC usage.

### **Section 2**

These practices do not align with current best practice and crowd management standards and have the potential to create legal risk to the Department.

### **Section 3**

The following sentence will be removed from Policy 17.005 and this practice will be discontinued:

- "An officer's use of OC Aerosol on a passive resistor during peaceful demonstrations shall be determined by the Incident Commander."

### **Section 4**

Two phrases will be added to the policy and implemented in practice:

- a. "An officer shall not use OC Aerosol indiscriminately against a crowd or group of persons, or against an individual or group of persons who is passively resisting arrest."
- b. "A verbal warning is required if feasible and unless giving the warning would compromise the safety of the officer or others."

### **Section 5**

It is intended that this order, or similar language, will be incorporated into Section 17.005 OC Aerosol in its next regular revision.

See signed order on next page.



# EXECUTIVE ORDER



<i>Series</i>	<i>Number</i>	<i>Originating Date</i>	<i>Effective Date</i>	<i>Expiration Date</i>
2021	01	4/26/2021	5/21/2021	N/A

*Subject:* ***OC Aerosol Usage***

**Section 1.** Boise Police Department Policy 17.005 states the Department's policy for carrying and using OC (Oleoresin Capsicum, commonly known as pepper spray). The policy states situations where OC usage may be approved for use on a passive resistor during a peaceful demonstration. The policy does not require advance warning prior to OC usage.

**Section 2.** These practices do not align with current best practice and crowd management standards and have the potential to create legal risk to the Department.

**Section 3.** The following sentence will be removed from Policy 17.005 and this practice will be discontinued:

- "An officer's use of OC Aerosol on a passive resistor during peaceful demonstrations shall be determined by the Incident Commander."

**Section 4.** Two phrases will be added to the policy and implemented in practice:

- a. "An officer shall not use OC Aerosol indiscriminately against a crowd or group of persons, or against an individual or group of persons that are passively resisting arrest."
- b. "A verbal warning is required if feasible and unless giving the warning would compromise the safety of the officer or others."

**Section 5.** It is intended that this order, or similar language, will be incorporated into Section 17.005 OC Aerosol in its next regular revision.

Ryan Lee, Chief of Police

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## EO 2024-01 EXECUTIVE ORDER ENFORCEMENT OF BCC 5-7-3

<i>Series</i>	<i>Number</i>	<i>Originating Date</i>	<i>Effective Date</i>	<i>Expiration Date</i>
2024	01	04/19/2024	04/19/2024	N/A


***Subject: Enforcement of BCC 5-7-3 Suspended***

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**Section 1.** The City of Boise has been notified of an injunction in a court case brought forward by the Sierra Club regarding the enforcement of Boise City Code § 5-7-3 Noise Prohibitions.

**Section 2.** To ensure compliance with the injunction, Officers of the Boise Police Department shall not enforce Boise City Code § 5-7-3 Noise Prohibitions until further ordered.

**Section 3.** Officers are still able to enforce Boise City Code § 6-16-2, Vehicular Amplified Sound Prohibitions, and Idaho Code § 18-6409, Disturbing the Peace, if appropriate.

 Digitally signed by Ron Winegar  
Date: 2024.04.19 12:15:04

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Ron Winegar, Chief of Police

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**BOISE POLICE DEPARTMENT**

**POLICY MANUAL**

**LAST UPDATE JANUARY 2019**



## BOISE POLICE DEPARTMENT

### POLICY

#### POLICY MANUAL INTRODUCTION

It shall be the ultimate responsibility of the Chief of Police to deliver law enforcement services based on the needs of the City of Boise. The Boise Police Department enforces The Constitution of the United States, the laws of the State of Idaho and the City of Boise, in a fair and impartial manner.

#### **Policing Intent**

The Boise Police Department recognizes we derive our authority from the community we serve and we are an integral element of the community we serve; hence, we dedicate ourselves to working with our citizenry at all levels. We are committed to building and strengthening partnerships within our community, with the goal of preventing, lessening and solving crime and working with others on problems precluding us from achieving Boise City's vision of becoming the livable city in the country.

**The Boise Police Department Policy Manual** is organized by operational and administrative section. Policies reflect the Department's mission statement, core values, ethics, guiding principles, and the general parameters of Department operations.

**The Boise Police Department Procedures 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.

#### **Controlling Terms**

**Shall:** Mandatory

**Will:** Indicates compliance as conditions permit.

**Should:** Advisory.

**May:** Permissive, depending upon sound judgment.

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 Policy Committee Chairperson will work with Boise City Human Resources to resolve any policy conflicts.

## BOISE POLICE DEPARTMENT

### POLICY

**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 Policy Committee Chairperson.

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

**BOISE POLICE DEPARTMENT**  
**POLICY**

## **2.000 Arrests, Searches, Detentions, and Citations**

### **2.004 Miranda Warnings**

Miranda warnings apply to interrogations initiated by officers after a person has been taken into custody or otherwise deprived of their freedom of movement.

Miranda warnings are not required when:

- The statements are voluntary and unsolicited.
- The suspect is not in custody nor could reasonably believe they were under arrest based on the totality of the circumstances.
- The suspect makes statements in response to interrogation by a private citizen without police influence.
- The suspect responds to questions necessary of a “general, on-the-scene” type of investigation.

### **2.020 Requirement for Immediate Release**

#### **Removal of Handcuffs When Continued Detention is not Necessary**

Prisoners/detainees shall immediately be released from custody when:

- The investigating officer determines there is lack of probable cause after the arrest of a subject.
- An officer detains a subject by the use of handcuffs and determines continued detention is not necessary.

A supervisor will be notified and a General/Miscellaneous Report shall be generated, which will contain sufficient information to support the arrest/detention and the subsequent release.

### **2.024 Jail Telephone Monitoring**

The BPD, for intelligence gathering purposes or the furtherance of criminal investigations, can intercept jail communications. A CID Lieutenant will determine who can monitor jail communications.

Under no circumstances will protected (attorney-client) conversations be monitored or recorded. Subjects working on behalf of attorneys, such as paralegals and private investigators, are entitled to the same attorney-client privileges.

The investigating/monitoring officer shall:

- Only use jail monitoring in relation to a criminal investigation, or to gather intelligence under 28 CFR Part 23 Guidelines;
- Attach a DR or another case number to each jail monitoring session;
- Document any exculpatory and impeaching statements on behalf of the suspect/defendant, which shall be disclosed to the Prosecutor; and
- Book a copy of audios into property as evidence or download the audio into the report writing/records management system.



**BOISE POLICE DEPARTMENT**  
**POLICY**

A jail detainee's or inmate's conversations with their attorney may never be monitored. If a monitored communication is believed to be protected the officer(s) shall;

- Cease listening and recording immediately;
- Document what occurred in a supplement to the criminal report under the DR or under the case number attached to the jail monitoring session;
- Report the incident to a CID Lieutenant.

When notified of an incident involving protected conversation the CID Lieutenant shall:

- Notify the Prosecutor with jurisdiction and confer with the Prosecutor with jurisdiction for appropriate handling.

**2.025 Protected Conversations of Attorney/Client Privilege**

Under no circumstances can the attorney/client information be used for furtherance of any investigation and no record will be kept on the substance of the privileged conversation.

**2.031 Enforcement of Camping/Disorderly Conduct Ordinances**

The BPD is committed to safeguarding the rights of all people. In furtherance of this goal, the department will work in partnership with other agencies and community groups, who have an interest in the well-being of homeless persons.

[Click Here for Procedure](#)

**2.032 Enforcement Discretion**

Officers have discretion to enforce camping/sleeping in public ordinances; however, no law enforcement action shall be taken when, the person is on public property and there is no available overnight shelter.

(Note: Officers should be aware that sleeping in a public park during park hours is not prohibited.)

**BOISE POLICE DEPARTMENT  
POLICY**

**4.000 Special Field Responses**

**4.017 Persons with Disabilities Policy**

Title II of the American Disabilities Act (ADA) prohibits discrimination against persons with disabilities. It is the policy of the Department to protect the rights of the disabled. In furtherance of this policy, the Department will provide sign language interpreters or other trained persons, when necessary, to assist those with physical or mental disabilities when necessary to include, but not limited to, speaking, hearing, seeing, and learning.

**BOISE POLICE DEPARTMENT**  
**POLICY**

**6.000 Juveniles**

**6.005 Transporting a Juvenile**

Officers will not transport a juvenile prisoner with an adult prisoner.

**6.008 Missing Juveniles**

A missing juvenile is defined as a subject less than 18 years of age who cannot be located and has not exhibited a recent intent to leave without consent of a parent or guardian or who would not be capable of willingly running away. Reasonable efforts shall be made to locate and return a missing juvenile to safety.

If foul play is suspected or the juvenile is under 13 years of age, a supervisor will be notified. The reporting officer will, within two hours of arriving on scene, contact Records so an NCIC entry can be made.

[Click Here for Procedure](#)

**BOISE POLICE DEPARTMENT**  
**POLICY**

## **11.000 Conduct**

### **11.009 Use of Tobacco Products**

An employee shall not smoke tobacco products or use electronic smoking devices in any law enforcement facility or vehicle in use by Boise City Police. An employee shall also refrain from smoking or using tobacco products while on-duty when addressing the public in a structured group, forum setting, or participating in crowd or traffic control. The exception to this policy is interrogators and/or suspects who, upon mutual consent, may use tobacco products in interrogation rooms when necessary to facilitate the interview process.

### **11.013 Judicial Orders or Process**

An employee shall not testify in any civil case in which the Department may have an interest unless:

- They are requested by City Legal.
- They are issued a subpoena and have notified their Division Commander.

The only persons authorized by the Department to accept service of court process and documents naming the Department as a defendant or requesting records or information from BPD files are the Chief, the Chief's designee, or City Legal. This applies only to those situations other than the normal subpoena process used by the Ada County Prosecutor's Office or City Legal. Examples include:

- Civil suit filed against BPD or its employees.
- Subpoenas for records or dispatch information.
- Subpoenas in civil matters in which the Department is a party.

### **11.043 Responsibility for Providing Identification**

An employee shall provide their name or Ada number to any person requesting that information, with the exception of undercover operations. If a badge number is requested, the employee shall provide their Ada number.

### **11.052 Representation before the Idaho Legislature or the Boise City Council**

An employee shall obtain approval from the Chief or their designee through their chain of command prior to speaking as a Department representative to the Idaho State Legislature, Legislative Committee, or the Boise City Council. If time permits, the notification should be made in writing. However, in cases where requests are of short notice, verbal notification to the Chief or their designee may be accomplished in person or by telephone. Approval to speak will be granted if the topic matter is viewed as being of public concern and not disruptive to operations. The Chief or their designee shall also review and approve items prior to submission for inclusion on the City Council or the Idaho State Legislative agenda.

This order is not to be construed or impact the employee's right to testify before the Idaho Legislature or the Boise City Council as a private citizen or representative of another group on matters not related to the Department. Any employee testifying as a private citizen before

**BOISE POLICE DEPARTMENT**

**POLICY**

the Legislature or the City Council who is recognized or identified as a BPD employee shall advise the Legislative/Council representatives that they are not testifying in an official capacity or as a BPD representative.

**BOISE POLICE DEPARTMENT**  
**POLICY**

## **13.000 Department Facilities**

### **13.001 Workout Facilities**

#### **City Hall West Workout Room / Mat Room Use**

- City Hall West employees only, unless prior approval granted by Command Staff.
- All personnel desiring to use the workout room shall sign an Acknowledgment and Release of Liability Form. An employee shall not utilize the workout room while on duty, unless otherwise authorized.
- Personnel not familiar with a piece of equipment should contact a knowledgeable employee for familiarization instructions. A spotter is recommended while training with free weights.
- Employees are required to follow posted guidelines for the workout room use.

#### **Maintenance**

- All equipment will be used at all times in compliance with the manufacturer's guidelines. Contact the Fire Training Section as soon as practicable when there is a problem with a piece of equipment.

### **13.002 City Hall West Security Policy**

#### **All employees are responsible for enforcing security**

- All persons without access rights to restricted areas of City Hall West facility shall be escorted and monitored by a BPD employee.
- All exterior doors to City Hall West and any interior doors on the electronic access control system will remain closed unless attended.

### **13.003 Authorized Access to the City Hall West Facility**

#### **To gain access to City Hall West, the following shall occur:**

- All employees shall be CJIS (Criminal Justice Information System) compliant.
- Police department employees, visitors, volunteers, and vendors shall wear either an official ID access card or badge, visibly displayed, or be in official police or fire uniforms while they are in the facility, whether they are on duty or off-duty.
- Boise City employees displaying an official identification card need not be issued a Visitor ID card once the purpose of their visit is known.
- Personnel from other agencies in official uniform need not be issued a Visitor ID card once the purpose of their visit is known and provided they are in uniform or have visible credentials.

**BOISE POLICE DEPARTMENT**  
**POLICY**

## **14.000 Command and Supervision**

### **14.008 Personal Career Development (PCD)**

Supervisors are responsible to assist with the professional development of employees. Supervisors shall audit employee work activities to ensure such activities meet Department and Division expectations. Supervisors shall document behavior and/or activities on a regular basis for the purpose of growing and developing the employee and working towards identified goals. Supervisors shall put significant importance to fairness, accuracy, objectivity, and consistency when an employee meets or excels, as well as when they do not meet expectations. Employee performance documentation shall be used as a positive tool to grow the employee towards improved performance and career development, and for review for promotions and specialty assignments.

### **14.009 Conflicting Orders**

A supervisor will avoid giving an order to an employee who is not assigned to them which conflicts with the orders of the employee's direct supervisor. In the event of a conflict, the employee will inform the supervisor issuing the order of the conflict. If the supervisor stands by their order, the employee will carry it out to the best of their ability. The supervisor issuing the order shall be responsible for informing the employee's direct supervisor of the change.

### **14.010 Illegal Orders**

An employee shall not obey any order which they know (or should know) would require them to commit any illegal act. If in doubt as to the legality of an order, an employee shall request the employee issuing the order to clarify it through the chain of command.

**BOISE POLICE DEPARTMENT**  
**POLICY**

## **17.000 Equipment**

### **17.001 Equipment**

#### **Expectation of Privacy**

An employee has no legal expectation of a right to privacy with regard to any property owned or leased by the Department or which is otherwise under the control of the Department. This includes, but is not limited to, desks, files, lockers, office areas, email, computers, vehicles, cell phones, PDA/tablets, and Department property assigned for individual or take-home use by an employee.

### **17.003 Intermediate Weapons**

An officer is authorized to carry and use an intermediate weapon.

Only Department-authorized intermediate weapons will be carried and used by an employee. Authorized intermediate weapons include:

- Baton (side-handle or collapsible)
- Conducted energy weapon
- Oleoresin Capsicum (OC) Aerosol

Uniformed officers shall carry two or more intermediate weapons on their person while on duty. Uniformed officers who are issued a conducted energy weapon shall carry it as one of those weapons. If the baton or PR24 is not carried on the officer's person, it shall be carried in their assigned vehicle.

The flashlight will be used only for self-defense or when other intermediate weapons are not readily available or practical. The flashlight is not a primary impact weapon.

[Click Here for Procedure](#)

### **17.004 Specialty Impact Munitions (SIMs)**

Specialty Impact Munitions (SIMs) rounds are less lethal munitions. SIMs rounds may be used to control a subject when officers have a need to use an intermediate weapon, and where maintaining a safe distance is paramount to officer safety. Only an officer who is trained and certified (annually) in the use of the specific SIMs round used may deploy this round (fire the weapon).

[Click Here for Procedure](#)



**BOISE POLICE DEPARTMENT**  
**POLICY**

17.005 OC Aerosol

An employee shall only carry Department provided OC. An officer assigned to plainclothes duty should carry OC Aerosol on their person when encountering suspected or known combative situations.

An officer's use of OC Aerosol on a passive resistor during peaceful demonstrations shall be determined by the Incident Commander. An officer may use OC Aerosol when faced by a crowd that will not disperse and would threaten the loss of a subject in the officer's custody. An officer will not use OC Aerosol on the driver of a motor vehicle to gain compliance while the subject is still in the vehicle and has the capability of driving away from the scene and the officer's control.

[Click Here for Procedure](#)

17.007 Duty Belt

[Click Here for Procedure](#)

17.008 Knives and Utility Tools

Knives and utility tools are authorized to be carried by officers. They should be kept concealed on the officer's person or holstered on their duty belt.

17.018 Electronic Calendar System

The Electronic Calendar System will be used to handle requests for absences including annual leave, bereavement leave, compensation time, jury duty, light duty, military leave, sick leave, training, and unavailable for court time.

17.019 Electronic Tracking System

[Click Here for Procedure](#)

**BOISE POLICE DEPARTMENT**  
**POLICY**

**30.000 Personnel Administration**

**30.014 Personal Addresses and Phone Numbers**

An employee shall keep the Department advised of their current address and phone number by sending an email to Personnel within 24 hours of a change of address or phone number. Each employee shall maintain some type of telephone service (either cell phone or landline phone).

**30.021 Entries in Performance Management System**

(New section created 8/25/2020 by Executive Order 2020-02)

Supervisors will not enter comments or criticisms into a performance management or appraisal system prior to discussing the comment or criticism with the involved employee in person. Once a comment is entered in the system, supervisors will not delete or amend the comment. Employees have the right to enter comments in response to supervisors' entries.

## 31.000 Compensation and Benefits

### 31.005 Time Changes

An employee whose regularly scheduled shift extends through 0200 may be impacted, when Daylight Savings Time ends and the clocks are turned back one hour. The employee will work one additional hour, which will be compensated at 1½ times their regular hourly rate. When Daylight Savings Time begins the employee will work one less hour. The hour not worked will not be deducted from their pay.

### 31.006 Working Out of Classification (Acting Assignment)

An officer shall refer to the *Collective Labor Agreement*.  
A civilian shall refer to the *City of Boise's Employee Policy Handbook*.

### 31.007 Promotion Exams Participation

An employee who is eligible to take a promotional exam for career advancement will not be compensated for those hours required to participate in the testing procedures. If an employee is scheduled to work on the day of the exam, they will be required to take leave during the testing process.

### 31.009 Compensation for Training

The *Collective Labor Agreement* contains specific information regarding compensation for voluntary and mandatory training.

### 31.010 Students

Only time spent in actual training constitutes compensable hours of work. Time spent studying is non-compensable, even if the employee is required to pass a written and/or verbal examination to obtain certification or re-certification. The *Collective Labor Agreement* defines mandatory and voluntary training and provides specific information regarding flexing of work schedules and paid compensation for training. Generally, an employee is required to flex their work schedule as necessary to attend voluntary training although an employee may also be required to attend mandatory block training.

### 31.016 Voluntary Activity is Uncompensated

An employee who volunteers to take part in a special program or activities off-duty is volunteering his or her time and will not be compensated unless approved by Chief of Police. Compensation for voluntary activities in the form of flexing, compensation time or premium pay for activities which occur outside an employee's regular duty times (sworn and non-sworn) is not authorized. These activities would include activities an individual employee volunteers for as well as employee group activities such as Special Olympics, Association activities, Bigs'n Blue, Shop with a Cop, etc.

**BOISE POLICE DEPARTMENT**  
**POLICY**

**31.017 Use of Department-Issued Equipment and/or Vehicles for Volunteer Activity**

Chief and Deputy Chief may authorize uncompensated employees to use Department equipment issued to the employee for use at volunteer activities.

**31.018 Conditions of On-Duty Activity That Would Be For a Volunteer Activity During Off-Duty Hours**

Division Commanders and Civilian Managers may authorize an employee to attend a volunteer activity while on duty.

**31.019 Conditions on Compensation for On-Duty Activity For Volunteer Activity During Off-Duty Hours**

Compensation for attending an activity while on duty that would be an uncompensated volunteer activity if the employee were off-duty shall be compensated at the employee's hourly wage.

- No premium-time compensation (pay or compensation time) is authorized.
- No straight compensation time is authorized.
- No flex time is authorized.
- An employee may be authorized to work the event while on duty if the employee's scheduled on-duty time coincides with the time of the event.
- If off-duty (days or time off) during the event, there is no compensation and the employee is volunteering their time for the event.

**BOISE POLICE DEPARTMENT  
POLICY**

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**BOISE POLICE DEPARTMENT  
PROCEDURE MANUAL  
LAST UPDATE JANUARY, 2019**



**BOISE POLICE DEPARTMENT**

**GLOSSARY**

**PROCEDURE MANUAL INTRODUCTION**

The Boise Police Department Maintains a Policy and Procedure Manual. The Procedure manual is not intended to stand alone but rather support BPD policy by providing additional detail on how to achieve the department mission.

Both the Policy and Procedure Manuals 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 any employee to conform to any mandatory provision of policy or procedure (shall or will) may form the basis for an administrative investigation and any resulting discipline.

BOISE POLICE DEPARTMENT

GLOSSARY

**P-2.00 Arrests, Searches, Detentions, and Citations**

P-2.031 Camping and Disorderly Conduct Ordinances

[Click Here for Policy](#)

PURPOSE

The Boise Police Department is committed to safeguarding the rights of all people while enforcing the State and City Ordinances. The enforcement of the City Camping and Disorderly Conduct Ordinances will be carried out while protecting the rights of those violating the ordinance. In furtherance of this goal, the Department has established the following procedure for dealing with this situation as it occurs within the city limits.

PROCEDURE

**Enforcement of Camping Disorderly Conduct Ordinances on Public Property**

CAMPING

Officers shall not enforce the camping ordinance when an individual is on public property and there is no available overnight shelter. Shelter space is considered “unavailable” when:

1. An individual cannot stay because the individual has exceeded a shelter’s maximum stay rule or because shelter is unavailable due to the individual’s sex or sexual orientation;
2. The shelter space cannot reasonably accommodate the individual’s mental or physical needs or disabilities;
3. The shelter space does not permit a minor child to be housed in the same facility with at least one parent or legal guardian; or
4. The shelter space requires an individual to attend or participate in religious activities or programs as a condition of utilizing the shelter space.

Police or their designee shall initiate contact with the shelters after 11 p.m. daily to determine whether the shelters have available space and, if so, the number of available sleeping spaces. Prior to issuing any citation, a police officer shall also confirm that a shelter has available space that can be utilized by that particular individual. No police officer shall issue a citation to a homeless person sleeping, lying, sitting, or camping outdoors unless the officer first confirms the shelter has available space that can be utilized by the individual.

(Note: Officers should be aware sleeping in a public park during open park hours is not prohibited)

DISORDERLY CONDUCT

Officer shall not enforce the disorderly conduct ordinance when an individual is on public property and there is no available overnight shelter. The disorderly conduct ordinance may be enforced on private property regardless of shelter availability.

ADDITIONAL RECOMMENDATIONS

## **BOISE POLICE DEPARTMENT**

### **GLOSSARY**

Before making a determination that an individual has engaged in camping or disorderly conduct within the meaning of the Ordinances, a police officer should make an individualized determination if there is available overnight shelter based upon the individual's circumstances.

If the police officer confirms that there is a shelter with available overnight shelter as defined herein, the officer should advise the homeless individual of the availability.

If the officer informs the homeless individual of the available overnight shelter, but the homeless individual declines to seek the available shelter space, the officer may but is not required to issue a written warning informing the individual of the availability of shelter space.



BOISE POLICE DEPARTMENT

GLOSSARY

**P-6.000 Juveniles**

P-6.007 Runaway Juveniles

[Click Here for Policy](#)  
PROCEDURE

**Runaway Juveniles**

Incidents shall be documented using the Runaway/Missing Person Report form, including:

- Complete entry of mother's maiden name on the report.
- Contact information for the parent/guardian, including phone numbers, addresses, etc.
- Complete entry of the juvenile's place of birth (city, county, and state).
- Note which school the juvenile currently attends or the last school the juvenile attended.
- Obtain a photograph of the juvenile (if possible).

The heading on the Information for Parents Reporting Runaway Children form will be completed and a copy will be provided to the reporting party. The report shall be provided to a supervisor and shall be copied to the SRO section for follow up. The reporting officer shall contact dispatch for an Attempt to Locate (ATL). The reporting officer shall also contact Records so an NCIC entry can be made as soon as possible. If the runaway is located and returned, the broadcasted ATL shall be canceled and the NCIC entry shall be removed as soon as possible, documenting the cancellation, as well as the name and Ada number of the person canceling the NCIC entry, in the appropriate reports.

If there are unusual circumstances present, indications of foul play exist or if the juvenile is 12 years of age or younger, the reporting officer will immediately notify their supervisor and follow the procedure described in *6.008 Missing Juveniles*.

**Supervisor's Responsibilities:**

- Assign a Patrol unit to follow up on a runaway report taken by a TRU officer when it is determined that immediate follow up is necessary.
- Review and approve the Runaway/Missing Person Report to ensure completeness and compliance with this order. Also ensure the report includes the appropriate information.
- Notify the Watch Commander/Lieutenant, the Special Victims supervisor, and the SRO supervisor immediately if there are unusual circumstances associated with the runaway juvenile or if the juvenile is 12 years of age or younger. *See 6.008 Missing Juveniles*

**SRO Supervisor's Responsibilities:**

- Receive and review the report, assigning the case to an investigator.
- Notify the SVU supervisor and the COD Lieutenant when the juvenile cannot be located if unusual circumstances are present, indications of foul play exist, or if the juvenile is 12 years of age or younger. The SVU will have the primary investigative responsibility when unusual circumstances are present and/or indications of foul play exist.
- Review and approve the Runaway/Missing Person Report to ensure compliance with procedure as reflected in the investigative report(s).

## BOISE POLICE DEPARTMENT

### GLOSSARY

- Notify the COD Lieutenant if the juvenile has been missing for 15 days or more. Also, confirm that the NCIC Missing Person Data Entry Guide booklet has been completed as much as possible and submitted to Records within 30 days of the date of the disappearance.

#### **Investigator's or SRO's Responsibilities:**

- Conduct and note in writing the follow-up investigation of all case leads including, but not limited to,:
  - The subsequent contacts with the parents or guardians, witnesses, and/or associates.
  - The coordination efforts with other agencies or request assistance from other specialized investigators.
  - The final clearance of the case and notification of the juvenile's school.
- If the juvenile cannot be located and unusual circumstances are present, there are indications of foul play or the juvenile is 12 years of age or younger, notify the SRO supervisor.
- If the juvenile is enrolled in school, notify the appropriate school administrator as soon as possible and request that they flag the student's record, as required by *Idaho Code 18-4509 (2)*.
- When a juvenile has been missing for 15 days, initiate data collection with the NCIC Missing Person Data Entry Guide booklet and complete it as much as possible. The booklet shall be submitted to Records no longer than 30 days from the date of disappearance.
- Notify your supervisor or any SRO supervisor that the juvenile has been missing for 15 days.
- Notify Records personnel to remove the juvenile's name from NCIC and verify the cancellation when a juvenile has been located. Ensure the cancellation documentation includes the name and the Ada number of the person canceling the NCIC entry. Advise the juvenile's school of the cancellation, documenting the name of the person contacted at the school and the date and time of the cancellation. The State Criminal Investigation Bureau will notify the Bureau of Vital Statistics.

#### **SRO Senior Department Specialist's Responsibilities:**

- Enter data from the report and assignment information into the Case Management System. Route to the officer for investigation.
- Forward information to the Patrol Senior Department Specialist.
- Print the Runaway Report weekly and post as a resource for COD employees.
- At the time of clearance, enter the information from the Case Status into the Case Management System, update the juvenile's record, and route copies of the report to the Juvenile Prosecutor when the disposition dictates.

## BOISE POLICE DEPARTMENT

### GLOSSARY

P-6.008 Missing Juveniles

[Click here for Policy](#)  
PROCEDURE

#### **Officer's Responsibilities:**

- Respond to the reporting party's location and interview the reporting party to determine the circumstances (for example, if the juvenile is involved in a custody dispute, has had prior runaway offenses, or if there is any other reason the juvenile may be missing).
- Request assistance from other units as necessary for follow up and an area search.
- Cause an immediate broadcast of an ATL.
- Discuss with a supervisor to determine if an immediate area search should be initiated. Consider the following criteria:
  - The age of the missing juvenile
  - Any learning or developmental handicap and the extent of that handicap
  - If there is a dangerous or life-threatening situation involved
  - If unusual circumstances are present and/or there are indications of foul play
- Complete a Runaway/Missing Person Report if the juvenile is not located, including:
  - Complete entry of mother's maiden name on the report
  - Complete entry of the juvenile's place of birth (city, county, and state)
  - Note which school the juvenile currently attends or the last school the juvenile attended
  - Obtain a photograph of the juvenile (if possible)
- Request Records to enter the juvenile into NCIC as a missing person
- Inform the parent/guardian of the actions taken and ensure that the parent/guardian understands the need to notify dispatch immediately if the juvenile is located.
- If the runaway is located and returned, the broadcasted ATL shall be canceled and the NCIC entry shall be removed as soon as possible, documenting the cancellation, as well as the name and Ada number of the person canceling the NCIC entry, in the appropriate reports.

#### **Supervisor's Responsibilities:**

The supervisor shall evaluate the need for additional resources and notify the Watch Commander/Lieutenant. They will also:

- Notify the SRO supervisor and the SVU supervisor when unusual circumstances exist, there are indications of foul play or the juvenile is under 13 years of age.
- Ensure the parent/guardian is informed of the investigation's progress until the SRO or SVU investigator takes over and evaluate the need to involve the Watch Commander/Lieutenant.
- Review, approve, and forward the white and pink copies of the Runaway/Missing Person Report to Records.
- If there is substantial evidence that the missing juvenile may be a victim of abduction, refer to *6.009 Amber Alert* for AMBER Alert Activation plan.

#### **SRO Supervisor's Responsibilities:**

- Receive and review the missing juvenile report.
- Give the highest priority to missing juveniles and immediately assign an investigator to conduct a follow-up investigation.

## BOISE POLICE DEPARTMENT

### GLOSSARY

- Notify the SVU supervisor and the COD Lieutenant when the juvenile cannot be located if unusual circumstances are present, indications of foul play exist or if the juvenile is 12 years of age or younger. SVU will have the primary investigative responsibility when unusual circumstances are present and/or indications of foul play exist.
- Notify the COD Lieutenant if the juvenile has been missing for 15 days or more. Also confirm that the NCIC Missing Person Data Entry Guide booklet has been completed as much as possible and submitted to Records within 30 days of the date of the disappearance.

#### **Investigator's or SRO's Responsibilities:**

- Conduct the follow-up investigation including, but not limited to,:
  - The subsequent contacts with the parents or guardians, witnesses, and/or associates.
  - The coordination efforts with other agencies or request assistance from other specialized investigators.
  - The final clearance of the case.
- When a juvenile has been missing for 15 days, initiate data collection with the NCIC Missing Person Data Entry Guide booklet and complete it as much as possible. The booklet shall be submitted to Records no later than 30 days from the date of disappearance. The immediate completion of the NCIC Missing Person Data Entry Guide booklet may be required depending on the circumstances.
- If the juvenile is enrolled in school, notify the appropriate school administrator as soon as possible and request that they flag the student's record, as required by *Idaho Code 18-4509 (2)*.
- Notify Records personnel to remove the juvenile's name from NCIC and verify the cancellation when a juvenile has been located.
- Ensure the cancellation documentation includes the name and the Ada number of the person canceling the NCIC entry.
- Advise the juvenile's school of the cancellation, documenting the name of the person contacted at the school and the date and time of the cancellation.
- Forward all reports to the SRO supervisor for review and approval.

## **P-14.000 Command and Supervision**

P-14.005 Supervision Authority and Responsibility

[Click Here for Policy](#)  
PROCEDURE

### **Basic Day to Day Duties**

#### **Sergeant:**

- Collect the daily crime reports, and other pertinent documents in a timely manner, prior to the end of shift, including transcribed reports. (Leaving reports for the oncoming shift is discouraged, unless specific notifications are made.)
- Review all reports for accuracy, completeness, elements, proper charging codes, and probable cause. (special attention to arrest, and search / seizure actions)
- Appropriately route the reports and ensure the reports are assigned for follow-up as necessary.
- If there are concerns or problems with the reports, ensure the problems are corrected prior to it being routed.
- You are responsible for the operational effectiveness of your assigned personnel in regards to the Priorities of Life, Mission, Guiding Principles and other directives as may be given you.

#### **Lieutenant:**

- You are responsible for your watch's paperwork.
- Responsible to ensure reports are reviewed, routed, and signed by the Sergeant.
- Make appropriate notations on the Watch Commanders Daily.
- You are responsible for the operational effectiveness of your assigned supervisors and teams in regards to the Priorities of Life, Mission, Guiding Principles and other directives as may be given you.

## BOISE POLICE DEPARTMENT

### GLOSSARY

#### Miscellaneous

##### 16P-16.002 Significant Major Events

[Click Here for Policy](#)  
PROCEDURE

When a significant major event occurs, the reporting employee shall notify the supervisor, who shall advise the Watch Commander/Lieutenant of the event and the particular details. The Watch Commander/Lieutenant should notify their Division Commander and the Public Information Officer if media interest is expected.

Significant major events include, but are not limited to:

- Command Notification:
  - Police Use of Deadly Force against a person regardless of injury.
  - Serious injury or death of an employee.
  - Serious injury or death related to employees actions.
  - Homicides, fatal car crashes or unusual or noteworthy deaths may drawing media attention.
  - An employee or suspect is medically admitted to the hospital as a result of police action.
- Senior Command Notification:
  - Bank robberies with injury or loss of life.
  - Any non-preplanned SOU activation.
  - Any juvenile abduction committed by an unknown subject (stranger) or AMBER Alert.

The Watch Commander/Lieutenant will initiate a command text with the following information:

- Nature of the event.
- Event location.
- Name of the Incident Commander.
- Location of the command post, if applicable.
- Phone number designated for Commanders to call for further information.

Unusual or noteworthy events include, but are not limited to:

- Minor injury to employees.
- Major damage to Department property.
- Out of the ordinary criminal occurrences.
- Arrest of a public employee or a prominent citizen.
- Outstanding arrests or extraordinary police efforts.
- Police/community relations problems.

BOISE POLICE DEPARTMENT

GLOSSARY

**P-17.000 Equipment**

P-17.003 Intermediate Weapons

[Click Here for Policy](#)  
PROCEDURE

P-17.004 Specialty Impact Munitions (SIMs)

[Click Here for Policy](#)  
PROCEDURE

If it is determined the SIM round needs to be deployed, the following shall occur:

- A supervisor will be notified to respond. The supervisor will be on scene prior to the deployment of the SIM unless the situation does not allow time for their arrival. In this case, an officer trained in the deployment may make the decision to do so.
- A plan will be in place for taking physical custody of the subject once the SIM has been deployed.
- The subject will receive medical treatment by EMS and/or hospital personnel after being struck by a SIM.
- All personnel at the scene will be notified by radio or by other means that the SIM is being deployed and may be used.
- Photographs will be taken of the scene as it existed at the time.
- Photographs will be taken of the subject to document the presence of injuries or the lack thereof regardless of whether there was an impact by SIM.
- All spent casings and rounds deployed will be collected for evidence.
- A report documenting the use of the SIM will be completed by the officer deploying the SIM
- A supervisor will respond to the scene and insure all documentation per the Performance Review Policy is adhered to.

P-17.005 OC Aerosol

[Click Here for Policy](#)  
PROCEDURE

**Authorization to Carry and Use**

If an employee, based on their training, determines the use of OC is necessary, they shall:

- Cease use of OC Aerosol when subject discontinues resistance or aggression.
- Ensure the subject receives adequate decontamination or medical attention after having been exposed to OC Aerosol.
- After subject(s) have been controlled and secured, attend to innocent bystanders who may have been exposed.
- As soon as possible after the incident, notify a supervisor OC Aerosol has been used and the nature of the incident.
- Include details of the incident, the rationale for the use of OC Aerosol, and the results of use in related reports.

## BOISE POLICE DEPARTMENT

### GLOSSARY

- If deployed by a civilian employee, shall notify dispatch to request immediate police assistance, and will notify a patrol supervisor, as well as their immediate supervisor.

P-17.007      Duty Belt

[Click Here for Policy](#)

#### PROCEDURE

Duty belts shall be of buckle or Velcro closure design. All belts shall be 2 ¼ inches wide and made of Department-approved material. The belts shall be properly fitted to the wearer's waist to completely cover the trouser belt. Mirage Nytek duty gear (with the exception of the holster) is authorized for use as optional equipment, purchased at the officer's expense.

#### Duty Belt Accessories

Duty belt accessories shall adhere to the following:

- **Ammunition Carriers:** Each uniformed officer shall carry a minimum of two extra, magazines with Department-authorized cartridges. A minimum of two and a maximum of four magazines shall be carried on the duty belt. Any plainclothes officer will carry one extra magazine *Refer to BPD Firearms Unit Directives* for ammunition and approved carriers.
- **Handcuffs and Case:** Handcuffs shall be Department-approved hinged or standard link chain. They may be chrome, nickel-plated, blued or plain steel. One set minimum or two sets maximum shall be carried on the duty belt. At least one handcuff key shall be carried by the uniformed officer. The Department will issue two sets of handcuffs (one hinged and one chained) to each officer. The handcuff case shall accommodate one or two handcuffs. It shall have a full flap cover, equipped with a Velcro, hidden snap, black or a chrome fastener. A maximum of two single or one double handcuff case shall be worn on the duty belt.
- **Baton Ring or Expandable Baton Holder:** The baton ring shall be of loop design, approximately ¾ inch wide and 5 inches long with a black chrome ring at the bottom, approximately 2 inches in diameter, to hold the baton. The expandable baton holder shall be black basket weave. When worn, either the baton ring or the holder will be worn on the duty belt.
- **OC Aerosol and Carrier:** The OC Aerosol carrier shall be a closed-top, high-ride design.
- **Digital Voice Recorder and Holder:** The mini digital recorder shall be carried by each uniformed officer. The mini digital recorder may also be carried in the pocket of the uniform shirt.
- **Conducted Energy Weapon:** The Conducted Energy Weapon will be worn on the duty belt or as others authorized by the department.
- **Belt Keepers:** Belt keepers shall be ½ to 1 inch wide and 6 ½ inches long. The opposite ends are to be equipped with chrome, hidden or black snaps and fasteners.
- **Other Duty Belt Accessories:** With the Chief's approval, other optional belt accessories may be worn, provided it is carried in a black, basket-weave, leather carrier of full-flap design.



## BOISE POLICE DEPARTMENT

### GLOSSARY

P-17.019      Electronic Tracking System

[Click Here for Policy](#)

#### PROCEDURE

The Electronic Tracking System (ETS) is a system electronically tracking stolen property from a transmitting device (ETS TracPac) placed in the stolen money or property.

Monitoring and/or tracking equipment is used both by dispatch and field units to track the signal being emitted from the TracPac to determine the location of the money or property stolen.

#### **Training Requirements:**

An officer will attend ETS operator training prior to using a Vehicle Tracker to track a suspect in an actual robbery or other crime.

#### **ETS Program Responsibilities:**

The CID Lieutenant will be responsible for the management of the ETS program.

#### **CID Property Crimes Responsibilities:**

Sergeant will ensure portable Tracker units are available in unmarked cars assigned to CID and will have the responsibility for inventory control of fixed Tracker equipment assigned to CID.

#### **Patrol Division Responsibilities:**

The Fleet Manager will be responsible for the inventory control of fixed Tracker equipment assigned to the patrol fleet division.

The patrol supervisors will ensure deployment of Tracker equipment patrol vehicles when financial institutions are open.

#### **Gold Activation Response Guidelines:**

Officers should respond Code 2 when driving Tracker equipped vehicles during a "Gold Activation" unless information dictates a Code 3 response.

In the event of a "Gold Activation" in Meridian, Tracker equipped BPD units should respond to likely ingress routes into Boise City. BPD units may assist Meridian Police Department upon their request and with approval from a BPD supervisor.

In those cases where a "stake out tag" is used for possible tracking not related to a robbery of a financial institution, the tag will be set to transmit on the "Training frequency". In these cases if a "Gold Activation" occurs, responding officers will need to set their Vehicle Trackers to the "Training frequency" to track the tag.

#### **Program Confidentiality:**

The ETS Program success is dependent upon the confidentiality of the existence of the system. BPD employees shall not discuss the program or equipment with others outside of law enforcement, including the media.

## **BOISE POLICE DEPARTMENT**

### **GLOSSARY**

ETS tag activation shall be referred to as a “Gold Activation”. At no time shall radio traffic refer to “ETS” or “Electronic Tracking System.”

When completing police reports regarding an incident in which ETS was used, all reference to ETS will be noted as receiving information from “a credible and reliable source.”

#### **Search Warrants:**

Investigating officers will coordinate with the on-call Prosecutor should a search warrant be necessary for entry into a dwelling or other structure not open to the public.

## **P-30.000 Personnel Administration**

### **P-30.003 Transfers and Promotions**

[Click Here for Policy](#)  
PROCEDURE

#### **Applicant Eligibility**

All selection processes for skill areas shall be open to all Corporals, and sworn officers who have served a minimum of three years with BPD. Additional years of experience may be required if such requirements are established by an outside agency for certification purposes. If no officers meeting the above eligibility criteria sign up or pass the selection process, any officers who have successfully completed their probationary period with BPD will become eligible to participate in the selection process. If no sworn officers sign up or pass the selection process, the Chief shall determine the manner in which the vacant position will be filled.

#### **Selection Process**

An announcement shall be published, stating the following:

- Open position.
- Sign-up period.
- Applicant eligibility.
- Description of the selection process.
- Application instructions.
- Duration of a standing list, if appropriate.

The employee shall be notified of dates and times set for the oral interview or other processes described in the announcement. The selection process shall be administered by Personnel and, at a minimum, shall include a review of recent job performance, a supervisory recommendation, a review of personal qualifications, and a review of disciplinary action (Department review only). In order to be selected for an assignment or for a standing list, the employee must achieve a final score of 70% or more or as designated by posting. Each employee shall be notified of their score on the list upon completion of the selection process, while personnel orders shall announce the selected transfer date. The Chief may make a selection from the list, but is not obligated to select the highest ranking person.