



# **POLICY MANUAL**

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## **FOREWORD**

Explaining what we do at the Ada County Sheriff's Office every day and how we do it can be a difficult task, because as Idaho's largest law enforcement agency, we are involved in many different aspects of the criminal justice system. This policy manual lets us explain that in a unique and public way – and break through any mystery as to why we do what we do. Our policies explain who we are. They provide insight into some basic facts about our agency and the philosophy that guides our actions. We are here for you, every day, and this is how we do it.

The first section holds our agency's oath, mission, and vision. It also lists our four main values: integrity, service, dedication, and positive attitude. Those four words guide every employee in our agency, pulling us in the direction we need to go as we navigate through moments of crisis or the routine activities of our day.

Integrity is our first and foremost value – and it is at the heart of every decision we make. I am proud our employees choose to be honest and to treat people fairly. This is the only way to retain the trust of the community, which is our fundamental responsibility.

Actively working to make people and places safer in Ada County is more than a job. It's a calling, and we should never take it for granted. I am grateful for all 750+ ACSO employees who are committed to service. Dedication is our choice to be productive because of our commitment to integrity and service.

Maintaining a positive and productive attitude can be a challenge to maintain, but our commitment to be professional, even when others make it difficult, allows us to serve with integrity. Our community trusts us to do the right thing at the right time for the right reason. We are committed to be true to our mission, vision, and values each and every day, leaving no question about who we are and why we do what we do.

— Sheriff Matt Clifford

## **CHAPTER 1 – ACSO ETHICS, AUTHORITY, & COMMAND STRUCTURE**

### **1.1 ADA COUNTY SHERIFF'S OFFICE EMPLOYEE CODE OF ETHICS**

- My fundamental duty is to protect the constitutional rights and freedoms of the people whom I have been sworn to uphold. I will serve my community, this agency, and my fellow deputies with honor and to the best of my ability.
- I will perform all of my duties in a professional and competent manner. I consider the ability to be courageous and to exercise restraint in the use of my power and authority to be the ultimate public trust. I accept that I must consistently strive to achieve excellence in learning the necessary knowledge and skills associated with my duties. I will keep myself physically and mentally prepared so that I am capable of performing my duties according to the standards expected of my position.
- I will be fully truthful and honest in my dealings with others. I deplore lies and half-truths that mislead or do not fully inform those who must depend upon my honesty. I will obey the very laws that I am sworn to uphold. I will comply with the standards of my department and the lawful directions of my supervisors.
- I will treat others with courtesy at all times. I consider it to be a professional weakness to allow another's behavior to dictate my response. I will not allow the actions or failings of others to be my excuse for not performing my duties in a responsible, professional, and expected manner.
- I will empathize with the problems of people with whom I come into contact. However, I cannot allow my personal feelings, prejudices, animosities, or friendships to influence the discretionary authority entrusted to my job. I will avoid conflicts and potential conflicts of interest that could compromise my official authority or public image.
- While I consider the way I choose to conduct my private affairs a personal freedom, I accept responsibility for my actions, as well as inactions, while on duty or off duty, when those actions bring disrepute on the public image of my sheriff, my fellow deputies, and the law enforcement profession.
- I hold the authority inherent in my position to be an affirmation of the public's trust in me as an ACSO deputy. I do not take this trust lightly. As long as I remain in this position, I will dedicate myself to maintaining this trust and upholding all the ideals of the Ada County Sheriff's Office and the law enforcement profession.

### **1.2 MISSION & VISION**

We make safer places for you to live, work, and play. The Ada County Sheriff's Office will be the agency of choice for criminal justice services.

### **1.3 VALUES**

- **Integrity** - People can trust us to always do the right thing - both personally and professionally.
- **Service** - We care about the people we serve and always try to help them.
- **Dedication** - We are expected to work harder and "go the extra mile" for each other and for members of our communities.
- **Attitude** - The positive way we interact with others and approach our responsibilities makes all the difference in the world.

### **1.4 OPERATING PRINCIPLES**

- Expectations of employees are clearly set in the form of policies, standard operating procedures, and evaluations.
- Supervision provides leadership, support, and resourceful problem-solving.
- Training maintains standards and provides employees with new and better skills.
- Communication among line staff, supervisors, lieutenants, managers, directors, the Sheriff, and community is clear and timely.
- Collaboration brings stakeholders together to find the most effective and efficient solutions to problems.
- Forecasting uses reliable data to accurately predict future needs, challenges, and opportunities, and uses that information to plan for the best outcomes.

### **1.5 SHERIFF AUTHORITY & POWERS**

The Sheriff is responsible for administration and management of the Ada County Sheriff's Office. The Sheriff shall fulfill his or her duties as stated in Idaho Code Title 31, Chapter 22.

### **1.6 PEACE OFFICER AUTHORITY & POWERS OF ARREST**

Certified, full-time peace officers employed with the ACSO whose duties include and primarily consist of the prevention, investigation, and detection of crime may make an arrest in obedience to a warrant, or may, without a warrant, make an arrest under any provision of I.C. § 19-601 & 603. ACSO commissioned deputies with patrol certification shall have the same authority outside the county when complying with I.C. § 67-2337. However, ACSO deputies will not routinely perform law enforcement duties outside of the county limits except as approved by the Bureau Director. Whenever acting in their official capacity, ACSO deputies shall observe and comply with every person's clearly established rights under the United States and Idaho Constitutions.

### **1.7 OATH OF OFFICE**

Upon employment, all employees shall affirm the oath below expressing their commitment and intent to faithfully discharge the duties of an Ada County Sheriff's Office deputy.

*I do solemnly swear or affirm that I will support and defend the Constitution of the United States of America and the Constitution and laws of the State of Idaho. I will earn the respect of others by being ethical and professional at all times. I pledge to carry out my duties to the best of my ability and bring honor to the Ada County Sheriff's Office and to myself, so help me God.*

### **1.8 BUREAUS**

The Sheriff has created five bureaus, each commanded by an appointed Bureau Director whose primary responsibility is to provide general management direction for that bureau.

- **Administrative Services Bureau (ASB)** - office support services such as business functions, personnel issues, and record management
- **Court Services Bureau (CSB)** - court support services such as inmate transport, pretrial supervision, reentry programs, alternative sentencing, and misdemeanor probation
- **Emergency Communications Bureau (ECB)** - Ada County 911, dispatch, and technological support for emergency communication systems
- **Jail Services Bureau (JSB)** - care and custody of inmates
- **Police Services Bureau (PSB)** - law enforcement functions such as patrol and investigations

### **1.9 CHAIN OF COMMAND & SUCCESSION**

The descending order in the line staff chain of command is as follows: Sheriff, Chief Deputy, Captain/Bureau Director, Lieutenant/Division Manager, Sergeant/Supervisor, AFC/LEAD, and Deputy. The Sheriff exercises command over all personnel in the office. During planned absences, the Sheriff will designate the Chief Deputy to serve as the acting Sheriff. In the absence or unavailability of the Sheriff and Chief Deputy, the Sheriff's command authority will fall to the Police Services Bureau Director, and then to the Jail Services Bureau Director. All official communications of the Sheriff's Office must adhere to the chain of command.

### **1.10 UNITY OF COMMAND**

Each individual unit and situation is under the immediate control of one and only one person. 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., K-9, SWAT), and any supervisor may temporarily direct any subordinate if operational necessity exists.

### **1.11 SUPERVISOR'S ROLE**

A supervisor is a person in a position of authority regarding hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other office employees, directing the work of other employees, 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., deputy-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. When there is only one employee on duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the employee's off duty supervisor or an on call supervisor.

### **1.12 SUPERVISOR AUTHORITY**

Authority delegated to supervisors is for effective delivery of ACSO services. Responsibility equal with delegated authority is inherent with supervision, and supervisors are accountable for the actions of their subordinates. In the absence of the employee's supervisor, every ranking employee has the responsibility for any subordinate employee's conduct. The authority delegated to ranking employees is not confined to their respective Bureaus, but includes supervision over all employees as may be necessary, and shall be exercised with utmost discretion and only in periods of absolute need. In such event, the matter should be communicated to the immediate supervisor of the employees involved without unnecessary delay.

- **DIRECT SUPERVISOR** – responsibility under normal conditions for such things as making work assignments, monitoring work performance, handling disciplinary matters, resolving questions and problems, forwarding communications up and down the chain of command, and ensuring the completion of routine administrative requirements relating to his or her subordinates.
- **FUNCTIONAL SUPERVISOR** – authority extended to an employee to complete a specific task and direct the actions of others who are not normally under his or her control to accomplish the task.

A superior shall sustain a subordinate when a subordinate is acting within his or her rights. Ranking employees shall not unnecessarily countermand any orders of those below his or her rank or needlessly interfere with the specific duties of lower ranking employees. Additionally, ranking employees should not deliberately criticize directives, policies, orders, or instructions of superior employees in the presence of subordinates. The supervisor should, in most cases, use tact when giving orders and correcting mistakes. A subordinate's understanding of instruction should be tested so that the subordinate will know in detail what is to be done, how to do it, and, if desirable, the reasons therefore. When a supervisor must reprimand, correct, or counsel a subordinate, it should be done in private when practical. This is not to be construed to restrict normal duty assignments and instructions.

In order to accommodate training and other unforeseen circumstances, employees who are designated as a team lead may be used as a supervisor. A senior deputy may act as an Incident Supervisor for a limited period of time with prior authorization from a Division Lieutenant or Bureau Captain.

### **1.13 ORDERS**

Employees shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authorities. Employees who are given an otherwise proper order, which is in conflict with a previous order, rule, regulation, or directive, shall inform the ranking employee issuing the order of the conflict. If the ranking employee, after being informed, does not alter or retract the conflicting order, it shall stand. Under these circumstances, the responsibility for the conflict shall be upon the ranking employee. Employees shall obey the conflicting order and shall not be held responsible for disobedience of the original order, rule, regulation, or directive. Employees shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to legality, employees should request the issuing employee to clarify the order through the chain of command.

When a question of seniority arises regarding who is in command in the absence of any established rank or appointed responsibility, seniority shall be determined by the following rule: if employees are of equal rank, seniority goes to the person with the longer continuous length of service in that rank, and then by position on the certified eligibility list in the case that two or more employees were appointed to that rank on the same day. When two or more employees are working together on the same assignment and detail and have equal rank, seniority is inapplicable except in an emergency necessitating it. All employees should strive to work together in harmony and in a spirit of cooperation rather than by authority and seniority.

### **1.14 SHERIFF'S LEGAL ADVISOR**

ACSO employees seeking a formal legal opinion shall direct such requests through chain of command to the Sheriff's Legal Advisor. All written legal opinions are confidential, attorney/client correspondence, and are not subject to any disclosure unless directed by the Sheriff. The only persons authorized to accept service of court process for civil suits filed against the ACSO or its employees, including notices of tort claim or subpoenas for records or dispatch information, are the Sheriff, his designee, or the Legal Advisor. The Sheriff's Legal Advisor and the on-call prosecutor are available by phone 24/7 to assist deputies with emergent legal matters.

### **1.15 EMERGENCY OPERATIONS PLAN**

The Sheriff, or the highest ranking official on duty, may activate the Emergency Operations Plan in response to a major emergency, and shall review the plan at least annually to ensure compliance with any NIMS revisions. During any such activation, all employees of the ACSO are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Sheriff or his authorized designee. A copy of the Emergency Operations Plan is available in Dispatch, the Ada County Emergency Management Office, and digitally available on the ACSO internal webpage under "Emergency Response Plans." Supervisors should familiarize themselves with the plan and what roles ACSO personnel will play when the plan is implemented.

### **1.16 POLICY PURPOSE & SCOPE**

The policy and procedures of the ACSO is a statement of the current rules and guidelines of this office. The manual is designed to balance ACSO's direction with an employee's ability to wisely use their discretion in performing their duties. ACSO policies are for the internal use and shall not be construed to create a higher standard or duty of care for civil or criminal liability against Ada County, its officials, or employees. The provisions contained herein are not intended to create an employment contract nor any employment rights or entitlements.

ACSO employees shall conform to all provisions of the most current form of the policy and its accompanying procedures, as

displayed by its issuance date. Violations of any policy or procedure shall only form the basis for administrative action, training, or discipline. Employees shall, as a condition of employment, acknowledge that they have had the opportunity to access and review the policy and procedures, and sign a declaration stating such. Employees will consult with their supervisor on any portion that is not fully understood. Employees are responsible for reviewing revisions when updates are posted.

ACSO reserves the right to revise policy or procedure content, in whole or in part, and the Sheriff is the ultimate authority for both content and adoption of new provisions, ensuring compliance with all applicable laws. No changes shall be made without authorization from the Sheriff. In addition to amending policy, the Sheriff may issue a standing order which shall have the same effect as policy or procedure until such time as the policy is amended to include the order. Suggested changes should be sent through the chain of command or to the Sheriff's Legal Advisor.

The Sheriff or his designee may make immediate changes to the policy and procedures at any time. When needed, the Sheriff may issue an "Interim Directive" to all personnel or to a particular bureau to effect notice of any changes made. All interim directives shall be reviewed by the Sheriff's Legal Advisor before release. Employees shall be responsible for keeping abreast of all directives and shall seek clarification from an appropriate supervisor as needed.

### 1.17 POLICY & PROCEDURE DEFINITIONS

- **ACSO / Office** – Ada County Sheriff's Office
- **CFR** – Code of Federal Regulations
- **Commissioned Deputy** – Employees and volunteers who, regardless of rank or title, have peace officer powers
- **County** – County of Ada
- **Employee/member/personnel** – Any person employed or appointed by the Ada County Sheriff's Office, including full-time sworn deputies, reserve deputies, non-sworn employees, and volunteers
- **IDAPA** – Idaho Administrative Procedure Act
- **ISP** – Idaho State Police
- **I.C.** – Idaho Code
- **ITD** – Idaho Transportation Department
- **Manual** – Ada County Sheriff's Office Policy Manual
- **May** – Indicates a permissive, discretionary, or conditional action
- **On duty** – An employee's status during the period when he/she is engaged in the performance of duties
- **Off duty** – An employee's status during the period when he/she is not engaged in the performance of duties
- **Order** – A written or verbal instruction issued by a superior
- **POST** – Idaho Peace Officer Standards and Training Council
- **Professional staff** – Employees who, regardless of rank or title, do not have peace officer powers
- **Rank** – The title of the classification held by a deputy
- **Shall/will** – Indicates a mandatory action
- **Should** – Indicates a generally required or expected action, absent a rational basis for failing to conform
- **Standard Operating Procedure (SOP)** – specific procedures stating the who, what, when, where, and how needed to accomplish policy set forth by the Sheriff
- **U.S.C.** – United States Code
- **I. C.** – Idaho Code

## **CHAPTER 2 – ACSO ADMINISTRATION, EMPLOYEE CONDUCT, AND OPERATIONS**

### **SECTION 2A – ADMINISTRATION POLICY**

#### **2A.1 SUPERVISOR'S ROLE AND PHILOSOPHY**

The foundation of the Sheriff's Office is the first-line supervisor. Supervisors move the Sheriff's mission forward and are at the center of personnel development, motivation, discipline, and morale. Except for the Sheriff, each employee of the Sheriff's Office will have a supervisor. It is the duty of every supervisor to know whom he/she is supervising, and it is the duty of every employee to know who his/her supervisor is. Ranking employees have authority to carry out policies and administer and supervise the work of various Bureaus, Divisions, or Units of the ACSO. Each supervisor shall, by actions, manner, and attitude, promote understanding of all procedures essential to effective organizational control. Each supervisor is to convey the intent and spirit of orders and directives to subordinates. Each supervisor should know of a subordinate's progress and assist by counseling, advice, and direction, and assist subordinates with problems that affect the performance of their work.

#### **2A.2 RECRUITMENT AND SELECTION**

The ACSO shall provide equal opportunities for all applicants and current employees. ACSO strives to hire quality people for both commissioned and professional (civilian) positions who demonstrate personal dedication and professional service to our mission and community. The rules governing employment practices for the ACSO are maintained by the ACSO Human Resources Department, which follows a formal process to hire both commissioned and professional staff. All employees of Ada County are at-will and no ACSO policy or procedure should be considered a contract for purposes of employment, payment, compensation, or benefits. To ensure fairness, the Sheriff has elected to provide a disciplinary appeal procedure as explained in this policy manual.

#### **2A.3 EMPLOYEE STANDARDS**

Employment standards shall be established for each job classification and shall minimally include the special training, abilities, knowledge, and skills required to perform the duties of the job in a satisfactory manner. The ACSO Human Resources Department maintains standards for all positions. In situations where applicants have a current or past issue that will require a waiver to attend the Idaho Peace Officer Standards & Training Academy, the Sheriff will be informed and no application shall be submitted without his approval.

#### **2A.4 EVALUATION OF EMPLOYEES**

The objective of the evaluation system is to record work performance for both the ACSO and the employee, giving recognition for good work and providing a guide for improvement where needed. The performance evaluation is a gauge in measuring performance and may be used for making personnel decisions relating to merit pay, promotion, reassignment, discipline, demotion, and termination. The performance evaluation also provides a guide for mutual work planning and review, and an opportunity to convert general impressions into a more objective history of work performance based on job standards.

#### **2A.5 AWARDS AND EMPLOYEE RECOGNITION**

Special recognition may be in order whenever an employee performs his/her duties in an exemplary manner. A meritorious or commendable act by an employee may include, but is not limited to the following:

- Superior handling of a difficult situation;
- Conspicuous bravery or outstanding performance by any employee;
- Any action or performance that is above and beyond the typical duties of an employee.

The ACSO Award Nomination Form can be found online on ACES.

ACSO Awards include:

- MEDAL OF VALOR
- DISTINGUISHED SERVICE MEDAL
- SHERIFF'S STAR MEDAL
- PURPLE HEART MEDAL
- SHERIFF'S AWARD
- BUREAU DIRECTOR AWARD
- TEAM CITATION AWARD
- LETTER OF COMMENDATION

**2A.6 TRANSFER**

The Sheriff may initiate the transfer of any employee to any position at his discretion. Notwithstanding anything in this policy to the contrary, the Sheriff retains complete discretion to make any transfer or promotion he feels would be in the best interest of the ACSO. Transfer opportunities may or may not be published depending on the discretion of the Sheriff. When published, employees should submit letters requesting a transfer. Any employee requesting or applying for a transfer may not be subject to any restrictions placed on them as a result of a letter of reprimand or discipline, be actively serving any current discipline, and must have successfully completed one year of service in their current position before applying for a transfer. One year of service before transfer shall begin once a commissioned deputy or dispatcher has successfully completed any academy, certification and/or specialized training to work in the position, including training officer programs. For all other positions, one year of service is calculated from the date of hire. Any exceptions made to the length of time before an employee can apply for transfer requires the approval of the Bureau Director.

**2A.7 PROMOTION**

The Sheriff has full authority for promotions and may initiate a competitive promotional process for any position. Candidates for promotion to an increased commissioned rank (i.e. Sgt., Lt., and Captain) must be firearms qualified and have at a minimum an Intermediate POST certificate for either the Patrol or Detention classification. All candidates must be free from any restrictions placed on them as a result of a letter of reprimand or discipline and also not be actively serving any current discipline. An eligibility list for future promotions may be created from the final ranking of candidates. The Sheriff may appoint anyone from among top candidates for open positions. There is no guarantee that a promotion will be made from the eligibility list or that the top person on the list will be the person selected for promotion. The eligibility list expires on the date of the next promotional process notification.

A temporary promotion to a supervisory position must meet the following requirements to justify a temporary pay increase:

- (a) The assignment must be equal to or greater than two pay periods.
- (b) Pay increase amount will be five percent (5%) of the affected employee's regular rate, whether or not the affected position is on the Pay Plan.
- (c) Information about the actual dates assigned must be communicated to the Sheriff's Human Resources Department (HR) before the work ensues.

All other assignments are considered developmental and do not affect pay.

**2A.8 REQUEST FOR CHANGE OF ASSIGNMENT**

Requests for change of assignment are considered equally. Employees wishing a change of assignment are to submit a letter of request to Human Resources through the chain of command to their Bureau Captain/Director. Request letters should include qualifications for specific assignments, relevant experience, education, and training, as well as all assignments an employee is interested in completing. The Request for Change of Assignment letter will remain in effect until Human Resources or the Bureau Captain/Director provides a formal response granting or denying the request.

**2A.9 EMPLOYEE CONFLICT RESOLUTION**

It is the intent of the ACSO to be responsive to employees and their concerns. Conflicts should be handled quickly, fairly, and at the lowest level possible. Conflict is any difference of opinion concerning terms or conditions of employment, or the interpretation of this manual. Employees, supervisors, and managers are strongly encouraged to attempt to address any concerns they may have as soon as possible and with each other directly, either in person or in writing. If all other efforts to resolve the situation have been exhausted, or if an employee is uncomfortable handling the situation directly, he/she may initiate a formal conflict resolution process. The conflict resolution procedure may only be initiated by an individual employee on his/her own behalf. This process does not replace, nor is applicable to: allegations of misconduct or improper job performance that, if true, would violate office policy or federal, state, or local law as guided by ACSO policy on personnel complaints, or to the disciplinary appeal process established by this policy.

**2A.10 PERSONNEL EARLY WARNING SYSTEM**

ACSO recognizes a need to help employees exhibiting below standard, unusual, or less than professional job performance attributable to trauma or personal stress rather than negligence, lack of knowledge, or illegal behavior. The early warning system is used to identify critical performance indicators, patterns, or trends that are adversely affecting an employee's performance. All employees are ultimately responsible for their own conduct, actions, and behaviors. The Sheriff, the Sheriff's Legal Advisor, and the Administrative Investigator shall evaluate the personnel early warning system annually.

**2A.11 PERSONNEL COMPLAINTS**

ACSO takes seriously all complaints regarding the conduct of its employees. The office will accept and address all complaints of

employee misconduct from both internal and external sources in accordance with this policy and applicable federal, state, and local laws. It is also the policy of this office to ensure that the community we serve can report misconduct without concern for reprisal or retaliation. A personnel complaint consists of any allegation of misconduct or improper job performance against any employee that, if true, would constitute a violation of the policy of this office, federal, state, or local law. Any employee or member of the public may make complaints in writing, by e-mail, in person, or by telephone. Personnel complaint forms (which may be printed in languages other than English when needed) will be made available to the public at the main records window at the Public Safety Building and at each ACSO substation. Inquiries about employee conduct which, even if true, would not violate an office policy or a federal, state, or local law may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures, or the office's response to specific incidents.

#### **2A.12 ADMINISTRATIVE LEAVE**

When a complaint of misconduct is of a serious nature or when circumstances practically dictate that it would be appropriate, an employee may be placed on administrative leave pending completion of the investigation or the filing of administrative charges.

#### **2A.13 ADMINISTRATIVE INVESTIGATIONS**

Administrative investigations may only be initiated by the Sheriff or his designee. The Administrative Investigator ensures all investigations of complaints and other inquiries or investigations against personnel of the ACSO are completed in a fair and expeditious manner. The Administrative Investigator is under the direct command of the Sheriff or his designee and may cross all supervisory lines and chains of command, as required, during an investigation. All employees shall provide prompt, honest, and complete statements regarding their knowledge of the subject of an investigation to the Administrative Investigator. Employees shall immediately provide any physical evidence, recordings, photographs, and/or other articles relevant to the investigation. The Administrative Investigations Office will track all complaints and subsequent investigations, provide a full Internal Affairs Report (IA) for any complaints, and develop an annual report for the Sheriff or his designee.

#### **2A.14 DISCIPLINARY ACTION**

Administrative discipline may include termination, suspension, demotion, in-band reduction in pay, written reprimand, counseling, and education-based discipline. Upon receipt of any completed personnel investigation, the Division Lieutenant or Manager of the involved employee shall ensure a thorough investigation into the matter has been completed and then conduct a review of the entire investigative file, the employee's personnel file, and any other relevant materials prior to issuing any discipline.

An employee who has been employed continuously for twelve months may appeal a termination, suspension, demotion, and or in-band reduction in pay. An employee who has been employed for less than twelve months has no rights of appeal for any type of discipline. Additionally, no employee (regardless of years of service) may appeal a written reprimand, counseling, or required education as part of any discipline. Failure of any employee to appeal a decision as directed herein shall constitute a waiver of any right to challenge the action. The tender of a retirement or resignation by itself shall not serve as grounds for the rescission of any pending discipline. Resignations in lieu of discipline or termination must be accepted by the Sheriff or his designee. If an employee tenders written notice of retirement or resignation prior to the imposition of discipline, and it is accepted, it shall be noted in their personnel file.

#### **2A.15 REPORTING OF EMPLOYEE CHARGES OR CONVICTIONS**

All prospective employees shall disclose any previous law enforcement contacts in which they were a suspect prior to being hired. Once hired, employees shall promptly notify their immediate supervisor verbally or in writing of any current criminal investigation or arrest in which they are or were a suspect, victim, or material witness regardless of the outcome of the investigation. All employees shall further promptly notify their immediate supervisor verbally or in writing if the employee becomes the subject of a domestic violence restraining order or similar court order as certain charges or convictions may restrict or prohibit an employee's ability to properly perform official duties. Any employee whose criminal conviction unduly restricts or prohibits that employee from fully performing his/her duties may be disciplined, including—but not limited to—being placed on administrative leave, reassignment, and/or termination. Any employee failing to provide prompt verbal or written notice pursuant to this policy shall be subject to discipline. As required by IDAPA, the Sheriff shall notify the POST Division Administrator within 14 days of learning of certain charges.

#### **2A.16 PERSONNEL FILE CONFIDENTIALITY**

Personnel records shall be deemed confidential and shall not be subject to disclosure except pursuant to the discovery procedures set forth by law. ACSO intends to maintain the confidentiality of all personnel records. A personnel record includes any information or file maintained under an employee's name. Regardless of the file's physical or digital location, an employee's "personnel file" includes pre-employment and current employment history and evaluations, disciplinary grievances and actions, internal administrative investigation records, letters of commendations, training records, and any other items related to employment, medical information, financial information, or other confidential material.

Requests for the disclosure of any information contained in any personnel record shall be promptly brought to the attention of the Human Resources Manager or other supervisor charged with the maintenance of such records. All requests for disclosure which result in access to an employee's personnel file(s) shall be logged in the corresponding file. Nothing in this section is intended to preclude review of personnel files by administrative personnel in connection with official business.

Except as provided by this policy or pursuant to lawful process, information contained in any confidential personnel file shall not be disclosed to any unauthorized person(s) without the express prior consent of the involved employee or by written authorization of the Sheriff or his/her designee. The Sheriff may release any information concerning a disciplinary investigation if the employee who is the subject of the investigation (or the employee's representative) makes a statement in regard to the matter which is published in any form of print or online/social media.

The Sheriff, Legal Advisor, and Sheriff's Human Resources Designee(s) have sole authority to release information pertaining to the job performance of current or past ACSO members (employees, volunteers, interns). This includes providing information to prospective employers or other persons seeking such information. No ACSO employee shall release any member information as representatives of the Sheriff's Office. ACSO members may only submit private personal references that do not contain job performance information. If a private personal reference is provided in writing, ACSO stationery shall not be used.

#### **2A.17 EMPLOYEE'S ACCESS TO OWN FILE**

Any employee may request access to his/her own personnel file(s) during the normal business hours of the individual(s) responsible for maintaining such file(s); however, employees may be restricted from accessing any such files under the following conditions:

- Background information, letters of recommendation, test results, and promotional assessments;
- Ongoing internal investigations pending final disposition or notice to the employee of intent to discipline;
- Administrative Investigation files which have not been sustained against the employee to the extent that such files contain confidential information;
- Portions of the employee's medical file.

#### **2A.18 BRADY/GIGLIO MATERIAL IN PERSONNEL FILES**

ACSO recognizes that as a part of the prosecution team, ACSO has an affirmative duty to disclose to every defendant any evidence which is both favorable and material to the guilt and/or punishment of the defendant. The Sheriff or his designee may examine any employee's personnel file at any time to determine whether there is any Brady/Giglio material contained therein, and, if located, shall notify the assigned prosecutor of the potential presence of such material. Should an ACSO employee's credibility or other issue related to a personnel file arise in the context of an employee acting as a witness for the prosecution, access to that employee's personnel file by either the prosecuting attorney or the criminal defendant shall be limited to that which is allowed by law and/or authorized by a court.

#### **2A.19 ACCESS TO PROTECTED/PRIVILEGED INFORMATION**

ACSO deputies have access to privileged and/or protected information as a routine part of their duties, to include information or data that is collected, stored, or accessed by ACSO employees and that may be subject to access or release restrictions imposed by law, regulation, order, use agreement, or information contained in federal, state, or local law enforcement databases that is not accessible to the public. Protected information shall not be accessed in violation of any law, order, regulation, user agreement, ACSO 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 anything 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. Employees of ACSO will adhere to all applicable laws, orders, regulations, use agreements, and training related to the access, use, dissemination, and release of protected information.

#### **2A.20 DRUG AND ALCOHOL FREE WORKPLACE**

Alcohol and drug use in the workplace or during work time shall not be tolerated (41 USC § 8103). Employees shall report for work in an appropriate mental and physical condition. ACSO will randomly test its employees for the presence of drugs and alcohol. Employees who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, which would tend to adversely affect their mental or physical abilities shall not report for duty. Any affected employee shall notify the appropriate supervisor as soon as the employee is aware that he/she will not be able to report to work. If the employee is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the employee is adversely affected while on duty, he/she shall be immediately removed and released from work.

#### **2A.21 SMOKING AND TOBACCO USE**

Smoking is not permitted while on duty or at any time during which the employee is acting in an official capacity for the ACSO. Smoking is not permitted inside any county facility, office, or vehicle. The use of other tobacco or simulated tobacco products is prohibited in view of the public while the employee is representing the ACSO. It shall be the responsibility of each employee to ensure that no person under his/her supervision smokes or uses any tobacco product in violation of these restrictions. 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.

#### **2A.22 VOLUNTEER PROGRAM**

ACSO benefits directly from the assistance of volunteers. ACSO builds lasting relationships that keep employees in closer touch with residents. Volunteers can help increase responsiveness and service delivery, and bring new skills and expertise as well as enthusiasm to ACSO. A volunteer is an individual who performs a service for the office without promise, expectation, or receipt of compensation for services rendered. Per Fair Labor Standards Act (FLSA) rules, an employee must seek permission from HR or their Bureau Captain prior to performing volunteer work for the ACSO. This may include unpaid chaplains, unpaid reserve officers, interns, persons providing administrative support, and youth involved in the Explorer program, among others.

#### **2A.23 ANTI-BIAS AND EMPLOYEE BEHAVIOR**

Every employee shall perform his/her duties in a fair and objective manner and shall report any known instances of bias-based profiling to a supervisor. Deputies detaining any person shall be prepared to articulate sufficient reasonable suspicion to justify a detention. To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved deputy should include those facts giving rise to the deputy's reasonable suspicion or probable cause for the detention, as applicable. No retaliatory action will be taken against any employee who discloses information concerning bias-based profiling. ACSO prohibits all forms of discrimination, including any employment-related action by an employee that adversely affects an applicant or employee and is based on race, color, religion, sex, age, national origin or ancestry, genetic information, disability, military service, sexual orientation and other classifications protected by law. The ACSO also prohibits all forms of discriminatory harassment, including sexual harassment, which is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments, crude and offensive statements or remarks, making slurs or off color jokes, stereotyping, engaging in threatening acts, making indecent gestures, pictures, cartoons, posters or material, making inappropriate physical contact, or using written material or ACSO equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to ACSO policy and to the office's commitment to a work environment free from discrimination.

## **CHAPTER 2 – ACSO ADMINISTRATION, EMPLOYEE CONDUCT, AND OPERATIONS**

### **SECTION 2B – EMPLOYEE CONDUCT**

#### **2B.1 EMPLOYEE CONDUCT**

Employees shall conduct themselves, whether on or off duty, in accordance with the Constitution of the United States, the Idaho Constitution and all applicable laws, ordinances and rules enacted or established pursuant to legal authority. Employees shall also familiarize themselves with ACSO policy and procedures and be responsible for compliance with each of the policies contained herein. ACSO wants employee conduct to reflect the values and mission of the ACSO. The continued employment of every employee shall be based on conduct that reasonably conforms to the law and those guidelines set forth herein. Failure of any employee to meet these guidelines, (on or off duty) may be cause for disciplinary action including termination. This policy shall apply to all employees (including volunteer, part-time and reserve employees). This policy and its companion procedure sections is intended for internal use only and shall not be construed to increase or establish an employee's civil or criminal liability. Nor shall it be construed to create or establish a higher standard of safety or care. A violation of any portion of this policy may only serve as the basis for internal disciplinary and/or administrative action. Employees should seek clarification and guidance from supervisors in the event of any uncertainty. Discipline may be taken for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline and this policy is not intended to cover every possible type of misconduct.

#### **2B.2 DISCRIMINATION/BIASED BASED PROFILING PROHIBITED**

ACSO is committed to its mission of providing the entire Ada County community with a safer place to live, work, and play. In order to fulfill this mission, ACSO will safeguard the rights of all individuals irrespective of their disability, gender, nationality, race or ethnicity, religion, sexual orientation, and/or association with a person or group with one or more of these actual or perceived characteristics. ACSO employees will enforce the law equally and without discrimination toward any individual or group. An individual's status or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate or bias should be viewed very seriously and will be given high priority. ACSO will deploy all necessary resources to identify and arrest hate crime perpetrators. This includes providing support and protection for victims, from the potential for reprisal and escalation of violence, and the other far-reaching negative consequences of these crimes on the community. All deputies shall be trained on and familiar with federal and state hate crime legislation to ensure the ACSO is fully prepared to respond to, investigate, and charge these types of crimes.

#### **2B.3 FITNESS FOR DUTY**

ACSO's purpose is to ensure that all deputies remain fit for duty and able to perform their job functions. Deputies are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of their powers and responsibilities.

#### **2B.4 PERSONAL CONFLICTS OF INTEREST AND ETHICAL BEHAVIOR**

To ensure that employment and business matters are decided on an objective basis all ACSO employees shall disclose relationships that have created or may create a conflict of interest. Employees shall not allow, or attempt to foster, a personal relationship with any person under their custody or control at any time during the course of their duties. Except as necessary in the performance of official duties or where unavoidable because of family relationships, employees shall avoid regular or continuous associations or dealings with any person who the employees knows is under criminal investigation or indictment, is on parole or supervised felony probation, was released from any jail, prison, or other criminal holding facility within the past 6 months, has a felony case not yet adjudicated in any court, or engages in activities that, by association, would bring discredit to the employee or the Sheriff's Office. Examples of such associations include, but are not limited to: users of illegal drugs, gang members, exotic dancers, strippers, escort service providers and/or performers in pornographic productions. Employees who believe their individual situation may put them in violation of this policy shall contact the Sheriff's Office's Legal Advisor for direction.

The ACSO is committed to fair and impartial investigations of criminal complaints. In any case where a potential conflict of interest is identified, the employee shall immediately notify his/her supervisor of the potential conflict. The complexity of the investigation, public perception and confidence, as well as availability of resources will be considered for any potential conflict of interest. A conflict of interest is any criminal case (internal or external) where allegations of favoritism, special consideration, nonfeasance, malfeasance, or misfeasance may be made based on a special relationship between a subject involved in the criminal case and a staff member of the Sheriff's Office. Passing a conflict case to another agency must be approved in writing by the Sheriff or Chief Deputy. Conversely when receiving a case from another agency for a conflict investigation, the agency request must be in writing for approval by the

Sheriff or Chief Deputy. If the case needs immediate attention, a captain or lieutenant may authorize the investigation to begin; however, a written request and proper approvals by Sheriff or Chief Deputy should be made at the earliest opportunity.

Given the role of ACSO deputies and civilian staff, both in terms of their daily discretionary decisions and access to sensitive information, ACSO employees should work to guard against potential situations that could expose them or the ACSO to extortion, cyber extortion, blackmail or other personal or financial jeopardy. Employees shall immediately notify their supervisor if the employee or a member of their family is the target or victim of an extortion scheme or legitimate blackmail attempt.

#### **2B.5 EMPLOYEE SPEECH, EXPRESSION, POLITICAL ACTIVITY, AND SOCIAL MEDIA**

Employee conduct both on and off duty must meet a high standard. This includes, but is not limited to, conduct related to political activity, endorsements, advertisements, and materials posted on the internet or disseminated electronically. Employees shall 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). No employee shall maintain, or permit to be maintained, Internet or other digital content that is unprofessional, illegal, or exhibits behaviors such as lewdness or excessive alcohol consumption in a manner that brings disrepute on to the Sheriff's Office. 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 a member of any recognized employee associations. Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy. 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, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, and other file-sharing sites.

#### **2B.6 PERSONAL APPEARANCE**

Every ACSO employee shall maintain their personal hygiene and appearance to project a professional image appropriate for this office and for their assignment. Procedures will dictate employee standards for hair, facial hair, fingernails, jewelry, accessories, tattoos, and piercings. Any employee who a supervisor finds is not in compliance with this policy shall be referred to the Sheriff for his consideration. The Sheriff shall be the final authority on what is and is not allowed for a particular tattoo, body art, piercing, or any other exception needed so that the employee is considered within policy.

#### **2B.7 SUBPOENAS AND COURT APPEARANCE**

Employees who receive subpoenas related to their employment with this office shall follow policy and procedures. Compliance is mandatory on all cases for which they have been properly served civil or criminal subpoenas. Employees shall cooperate with the prosecution to ensure the successful conclusion of a case. Procedure with county and city prosecutor's office 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.

#### **2B.8 UNIFORM, CLOTHING, AND EQUIPMENT STANDARDS**

The uniform policy of the ACSO is established to ensure that uniformed deputies will be readily identifiable to the public through the proper use and wearing of the uniform of this office. The quartermaster will be responsible for the issuance of uniforms and equipment and maintenance of this office's inventory of uniforms and equipment. The quartermaster will issue uniforms and equipment to commissioned deputies and professional staff members who are required to wear uniforms according to duty status. All deputies will maintain uniforms and equipment in clean, neat, and fully operational condition. The quartermaster will collect and inventory all issued equipment upon resignation or termination of employment. Changes to uniform standards shall be submitted to the uniform committee who shall evaluate and make recommendations to the Sheriff. The Sheriff shall be the final authority on uniform standards.

#### **2B.9 TIMEKEEPING AND OVERTIME REPORTING**

Timesheets are submitted to Sheriff's Office Administration for the payment of wages. Each employee is responsible for the accurate and timely submission of his/her hours worked. Employees shall comply with all procedures regarding sick leave, vacation leave, meal periods, break periods and the procedures for overtime, on-call and call-out duties.

#### **2B.10 SECONDARY EMPLOYMENT**

ACSO is considered the primary employer of all Sheriff's Office employees. To help insure an employee's ability to perform their Sheriff's Office duties effectively and efficiently, and to avoid actual or perceived conflicts of interest or professional standards for employees engaging in secondary employment, the Sheriff shall have sole discretion of approving or denying any employee's secondary employment. Secondary employment is the provision of a service outside of the employee's specific job at the Sheriff's Office in exchange for a fee or other service and compensation including operating any business and/or providing paid consultancy services to another person or organization.

### **2B.11 OFF DUTY LAW ENFORCEMENT ACTION**

The decision to become involved in a law enforcement action when off duty can place a deputy as well as others at great risk and must be done with careful consideration. Employees initiating law enforcement action while off duty is generally discouraged. Deputies should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving, or minor property crimes, however such incidents should be promptly reported to the appropriate law enforcement agency and the deputy may act as a witness so as to remain safe. While deputies are not expected to place themselves in unreasonable peril, a commissioned deputy who becomes aware of an incident 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, deputies should first consider reporting and monitoring the activity and only take direct action as a last resort. Deputies 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 (I.C. § 67-2337). Deputies of this department may carry firearms while off duty in accordance with federal regulations and ACSO policy. All firearms and ammunition to be carried by a deputy so they may respond to address criminal activity in a law enforcement capacity must meet guidelines as described in the firearms procedures below. When carrying firearms while off duty, deputies shall also carry their ACSO identification. Deputies should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any deputy who has consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect the deputy's senses or judgment.

### **2B.12 OCCUPATIONAL DISEASE, WORK-RELATED INJURY, AND LIMITED DUTY**

Any employee who sustains any work-related injury or who is involved in any accident while on duty shall report the injury or accident as soon as practical to his/her supervisor. Any employee observing or learning of a potentially hazardous condition is to promptly report the condition to his/her immediate supervisor. Any employee sustaining a work-related injury that requires relief from duty is required to be examined and or treated by a designated workers' compensation medical provider unless an emergency dictates otherwise. An injured employee shall report as soon as practical to their immediate supervisor the medical findings concerning the injury and the extent and duration of any work restrictions, if they are known. ACSO will address occupational diseases and work-related injuries appropriately, and will comply with applicable state worker's compensation requirements and Idaho Code Title 72. Employees with an illness, injury, or other medical condition that creates restrictions or limitations rendering them unable to perform their regular assigned duties may request limited duty and be assigned based on the needs of the ACSO. Limited duty assignments are intended to provide an employee with the opportunity to continue working within the limits of his/her restrictions and temporary limitations while providing the ACSO with a productive employee during the interim period. Limited duty assignments are a management prerogative and not an employee right. All requests for limited duty are to be submitted to the Sheriff's Human Resources Department. Eligibility for a limited duty assignment is subject to availability and must be initially approved by Sheriff or his designee.

### **2B.13 COMMUNICABLE DISEASE PREVENTION**

To assist in minimizing the risk of employees contracting and/or spreading communicable diseases, all employees shall follow the procedures below, including the guidelines of the Idaho General Safety and Health Standards (IGSHS).

### **2B.14 LINE OF DUTY DEATHS**

ACSO will ensure proper support and emotional care for an employee's family and our staff following a line-of-duty death. Line-of-duty death includes incidents where an employee is killed or dies as a result of an injury suffered while performing a work-related function, either on or off duty. This policy applies to all active employees regardless of rank or commissioned status. Additionally, the Sheriff may choose to implement certain parts of the procedures for an employee's natural death.

### **2B.15 ACSO PROPERTY**

ACSO Employees are expected to properly care for property issued, assigned, or entrusted to them. Employees may also suffer occasional loss or damage to personal, issued, assigned, or entrusted property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item. Employees are responsible for the safekeeping, serviceable condition, proper care, use, and replacement of property assigned or entrusted to them. Any employee's intentional or

negligent abuse or misuse of ACSO property may lead to discipline including, but not limited to, the cost of repair or replacement.

## **2B.16 PCD, CELL PHONE, COMPUTER, SOFTWARE, MDT, AND EMAIL USE**

ACSO employees shall properly use ACSO information technology resources, including computers, all electronic and or mobile devices, hardware, software, and systems as required. ACSO allows employees to utilize ACSO-issued Personal Communication Devices (herein PCD) and to possess personally owned PCDs in the workplace, subject to certain limitations. A PCD includes telephones, smartphones, tablets, personal digital assistants and/or any similar wireless two-way communications and/or portable Internet access devices. In addition to PCDs, the ACSO provides certain employees computing devices such as computers, mobile digital terminals, laptops, and tablets, software, and data storage devices for job related functions. Employees are also issued a specific ACSO email for professional and business use. PCD and computing device use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, e-mailing, using video or camera features, playing games, and accessing sites or services on the Internet. Any computing device or PCD used while on duty, or used off duty in any manner reasonably related to the business of the ACSO, will be subject to monitoring and inspection consistent with the standards set forth in this policy and procedure. The inappropriate use of a PCD or computing while on duty may impair deputy safety and may lead to discipline as a violation of policy or procedure.

Any employee utilizing any PCD, or computing device, computer, electronic storage device or media, internet service, phone service, information conduit, system or other wireless service provided by or funded by ACSO expressly acknowledges and agrees that the use of such service, whether for business or personal use, shall remove any expectation of privacy the employee, sender and recipient of any communication utilizing such service might otherwise have, including as to the content of any such communication. The Sheriff's Office also expressly reserves the right to access and audit any and all communications (including content) sent, received and/or stored through the use of such service.

## **2B.17 VEHICLE USE AND MAINTENANCE**

Any ACSO vehicle shall be used appropriately and kept in a safe, serviceable, and clean condition. ACSO provides vehicles for ACSO-related business use, and may assign patrol and unmarked vehicles based on its determination of operational efficiency, economic impact to ACSO, requirements for tactical deployments, and other considerations. ACSO-owned vehicles shall only be used for official business and, when approved, for commuting to allow employees to respond to ACSO-related business outside their regular work hours. While operating any ACSO-owned vehicle, all employees are required to carry their ACSO identification card and wear safety restraints. Brief exceptions are allowed for commissioned employees if immediate exit from the vehicle may be necessary during a tactical situation or suspect search. Employees may only operate an ACSO vehicle with emergency equipment if they have successfully completed the emergency vehicle operation course (EVOC) training. Use of marked patrol vehicles is restricted to commissioned employees. Employees shall not permit persons other than ACSO employees or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as a passenger in their vehicle. All passengers are required to wear safety restraints. ACSO employees are responsible for assisting in maintaining vehicles provided by this office so that they are properly equipped, properly maintained, properly refueled, and present a clean appearance.

## **2B.18 TRAINING REQUIREMENTS**

The Sheriff, via the Professional Standards & Training Division of the ACSO, shall administer a training program that will provide for the professional growth and continued development of all personnel. The objectives of the Professional Standards & Training Division are to enhance the level of all Sheriff's Office services to the public, increase the technical expertise and overall effectiveness of our personnel, and provide for continued professional development of Office personnel. ACSO shall provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates. While there are exceptions, ACSO strives to use courses certified by Idaho Peace Officer Standards and Training (POST).

### TRAINING DOCUMENTATION

ACSO recognizes that training of all deputies is as important as the records of that training. In order to prove that an employee was properly trained, deputies shall comply with all requests from the Professional Standards and Training Unit to complete and return training forms and documentation as required. In addition to what is required to be filed with the Professional Standards and Training Unit, specialty units/assignments of the ACSO also may retain duplicate copies of any training plans, materials, or documentation of employees attending training.

### TRAINING ATTENDANCE

ACSO training is designed for teams to train as a group in order to increase knowledge, skills, and abilities. All training, including block training, is designed to be at regular occurring intervals for all teams. Commissioned deputies are required to attend all scheduled block training with their team. Commissioned deputies who know they will miss any upcoming block training (due to

scheduled vacation, court attendance, etc.) shall work with their supervisor prior to missing training and shall attend the other offered block training for that period or any offered make up sessions.

Excused absences from mandatory training are generally limited to the following:

- Court appearances;
- Vacation with pre-approval;
- Sick leave;
- Documented physical limitations preventing the employee's participation;
- Emergency situations or other exigent circumstances.

## **2B.19 MANDATORY PT TESTING, MEDICAL EXAM, AND EAP POLICY**

The ACSO is responsible for ensuring commissioned deputies are physically capable of performing their jobs in a safe and effective manner as deputies are called upon to perform high intensity physical tasks and must be prepared to defend themselves or others, apprehend suspects, and respond to public safety emergencies. The community expects and deserves law enforcement services to be carried out by deputies who are well trained and physically capable of performing their job. Physical fitness plays a key role in minimizing the risk of health problems and reducing the risk of injury to deputies and the citizens we serve. The ACSO recognizes the value of these benefits and the opportunity to improve personal wellness and occupational performance via physical fitness as it relates to officer safety, lower personal health risks, reduced stress, improved self-esteem, as well as countless additional benefits. The goal of the ACSO physical fitness program is to provide the knowledge, skills, and abilities to each commissioned deputy in regards to health, physical fitness, and wellness. The physical fitness program includes a medical examination, physical fitness and nutrition assessment, goal setting, exercise prescription, incentives, education, and coaching.

Procedures related to PT, medical exams, and EAP is for ACSO use only and does not apply to any criminal or civil proceeding. It does not create any higher standard of care or safety in an evidentiary sense with respect to any third party claims. Every effort will be made by Human Resources (HR), and supervisors to maintain the confidentiality of any health information. Medical information is strictly confidential to the participant, examining physician, medical contractor, and ACSO HR personnel. Supervisors may be apprised of medical conditions that may affect job performance, but shall not have regular or routine access to participant medical information. In regard to fitness testing results, while every attempt will also be made to keep fitness assessment results confidential, strict confidentiality relating to fitness testing is difficult because of the group fitness testing environment. The Sheriff, or his designee, may authorize any variation from the procedures set forth below at any time for any reason.

### **Mandatory PT Testing Procedure:**

- All commissioned deputies are required to participate in PT testing.
- PT Testing will generally be offered in fall and spring and each testing period will include sessions set at different days and times, with make-up sessions scheduled as needed.
- All deputy scores from the fall PT testing will be recorded.
- No deputy scores from the spring PT testing will be recorded.
- Professional employees are encouraged to voluntarily participate in any PT testing, but shall obtain approval by their supervisor prior to participating.

### **Mandatory Medical Exam and EAP Visit Procedure:**

- All patrol certified deputies and dispatchers shall complete a medical exam in FY2019 and again in every odd numbered fiscal year thereafter.
- All patrol certified deputies and dispatchers shall complete an EAP screening/visit in FY2020 and again in every even numbered fiscal year thereafter.
- Detention certified deputies shall complete a medical exam in FY2020 and again in every even numbered fiscal year thereafter.
- Detention certified deputies shall complete an EAP screening/visit in FY2019 and again in every odd numbered fiscal year thereafter.
- Any deputy assigned to a high-risk position will attend an EAP screening every six months as directed by Command Staff.
- The Emergency Responders Health Clinic will provide proof of employee attendance/completion of medical exam to ACSO HR. This is the only information the ACSO will receive related to individual employee medical exams. The ACSO will receive aggregate information related to health trends in the employee population; however absolutely no personal identification information will be included.

**CHAPTER 2 – ACSO ADMINISTRATION, EMPLOYEE CONDUCT, AND OPERATIONS****SECTION 2C – OPERATIONS POLICY****2C.1 REPORT PREPARATION**

Report preparation is a major part of each ACSO deputy's job. The purpose of reports is to document information, to refresh the deputy's memory, and to provide information for follow-up investigation and successful prosecution. Employees should ensure that reports are sufficiently detailed for their purpose and free from errors. Employees shall complete and submit all reports made during the shift before going off duty, unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody, should not be held. 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.

**2C.2 COMMUNICATION WITH PERSONS WITH DISABILITIES**

ACSO employees shall ensure that any person with a disability has equal access to all ACSO services, programs, and activities. Employees shall make every effort to communicate effectively with individuals with disabilities. ACSO will not discriminate against or deny any individual access to services, rights, or programs based upon a disability. Ada County has appointed an American's with Disabilities Act (A.D.A.) Coordinator (28 CFR 35.107) and Steering Committee to ensure equal access to county services. Because the nature of any law enforcement contact may vary substantially from one situation to the next, employees should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Employees shall be trained on the types of assistance and resources available to allow communication.

**2C.3 PORTABLE AUDIO / VIDEO RECORDERS & DIGITAL PHOTOGRAPHY**

ACSO provides deputies with portable video and audio recorders (including those worn on the deputy's person) and digital cameras for use during the performance of their duties. The use of recorders and cameras are intended to enhance the mission of ACSO by accurately capturing contacts between deputies and the public and documenting evidence. Employees are strongly encouraged to activate the recorder during all enforcement stops and field interrogation situations and any other time the employee reasonably believes that a recording of an on duty contact may be useful. Once started, recordings should continue without interruption until the contact ends, if feasible. However, at no time is an employee expected to jeopardize his/her safety to activate a portable recorder or change the recording media. If a deputy chooses to de-activate a device, the reason will be documented on the device prior to turning off or muting the recorder. Additionally, potential victims or witnesses may request the deputy not record their statement for privacy reasons. This policy does not apply to lawful surreptitious audio/video recording or the interception of communications for authorized investigative purposes.

**2C.4 USE OF FORCE**

ACSO recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting deputies with the authority to use reasonable force and to protect the public welfare requires training, monitoring, evaluation, and a careful balancing of all interests. Deputies are expected to have an understanding and true appreciation for their authority and limitations and, as required, may use reasonable force in carrying out their duties. Deputies shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose. The reasonableness of force will be judged from the perspective of a reasonable deputy on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that deputies are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving. Given that no policy can realistically predict every possible situation a deputy might encounter, deputies are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. In such circumstances where deputies reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by the ACSO, 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. While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a deputy to retreat or be exposed to possible physical injury before applying reasonable force.

Deputies shall also be trained to know when the use of deadly force is authorized. A deputy may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury. Additionally, a deputy may use deadly force to stop a fleeing subject when the deputy has probable cause to believe that the person

has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the deputy reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible. Deputies are trained that imminent does not mean immediate or instantaneous, as an imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if a deputy reasonably believes the person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the deputy or another or the person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.

Deputies are authorized to use control techniques, restraint devices, control devices, and conducted energy devices (known commonly as Tasers) and weapons listed in procedures below in conjunction with the Use of Force Policy. All commissioned deputies shall carry at least one less than lethal control device at all times while on duty. The Sheriff, via direct order, may excuse an individual deputy or specific team on assignment from the requirement to carry a less than lethal control device. Deputies shall use any listed or improvised techniques, devices, or weapons with the goal of controlling a violent or potentially violent individual, while minimizing the risk of serious injury to the individual, themselves, other employees, or the public.

## **2C.5 FIREARMS**

The Sheriff or his designee shall approve all firearms and ammunition intended for on duty use, whether personally owned or owned by this office, before such firearms and ammunitions are utilized by any employee. All commissioned and reserve deputies are required to possess and be currently qualified with an approved duty handgun, unless excused by the Sheriff. No firearms will be carried that have not been annually inspected and approved by the rangemaster. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a commissioned employee who has not qualified with that firearm at a range authorized by this office. Any non-commissioned staff member or volunteer who is not authorized to carry a firearm, and who has not met the ongoing training requirements of this office, is strictly prohibited from carrying or possessing a firearm while on duty, or while engaged in office-related activities. The issuance of a permit to carry a concealed weapon (including enhanced carry) does not supersede this policy, as a CWL does not allow for the right to carry in a "jail" facility, per Idaho Code, and all secure areas of the ACSO campus, including the secure parking lot, are considered parts of the jail facility, as inmate workers move through those areas. Any employee not authorized to carry a firearm on duty may place the firearm in a securely locked container within the employee's locked vehicle while parked in the secured parking area. Security of all firearms is of extreme importance at all times. The Sheriff may, in his sole discretion, waive the prohibition for individual non-commissioned professional staff to carry a concealed weapon.

## **2C.6 CRITICAL INCIDENT – OFFICER INVOLVED SHOOTINGS**

ACSO is a joint partner in the Critical Incident Task Force (CITF) Protocol for investigating officer-involved critical incidents. Members of the CITF establish policy and procedures for the investigation of an event in which an officer is involved as a principal, victim, or custodial officer, where death or injury likely to cause death was the result of the "use of force," and ensure that such incidents are investigated in a fair and impartial manner. 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. Jurisdiction is determined by the location of the critical incident and the agency employing the involved officer or deputy.

## **2C.7 MAJOR INCIDENT NOTIFICATION**

Certain incidents should be brought to the attention of ACSO supervisors to facilitate the coordination of activities and ensure that inquiries from the media and the public are properly addressed. Sergeants or other acting supervisors must report any unique or serious situations to the appropriate lieutenant in a timely manner. If attempts to contact the lieutenant are unsuccessful, the bureau captain or director should be notified via cell phone, home phone, or work phone. If, after a reasonable amount of time, the employee is unsuccessful in reaching his/her bureau captain or director, he/she should make contact with the Chief Deputy and/or the Sheriff.

## **2C.8 COMMAND PAGE AND COMMAND EMAIL**

To help command staff meet its goal of making informed decisions and upholding community trust during serious incidents, they must receive accurate and important information in a timely manner. Command pages are designed to help command staff respond to and manage major events appropriately, lend assistance to other agencies during major events, and respond to public requests for information.

A command page is meant for serious incidents that may require member(s) of command staff to take immediate action at any time of the day or night. A command email is meant for incidents where command staff needs to be informed in a timely manner, but the incident does not rise to the level of requiring a command page.

Responsibility for command pages and emails resides with sergeants/supervisors (or their designees), lieutenants/managers,

captains/bureau directors, the chief deputy, or the sheriff. The incident commander is responsible for making the appropriate notifications and initiating a command page or email. If applicable, the page should list the incident commander and location of the command post. For most incidents, once a command page has been made, any continuing updates can be provided via command email. When the incident has been resolved, the incident commander shall ensure that a final notification to command staff is initiated by email detailing the resolution of the incident.

#### **COMMAND PAGE INCIDENTS**

- The on-duty death or serious injury of any Ada County employee, any person in ACSO custody or any person being supervised by an ACSO employee.
- The on-duty death of any peace officer in Ada County or any surrounding county.
- Any officer-involved critical incident in Ada County.
- The escape of any person in ACSO custody.
- Any major event within Ada County likely to require a large ACSO response or the deployment of a specialized ACSO unit or ACSO resources (i.e. large fire, bombing, act of terrorism, prison riot, major road closure, SWAT activation, etc.).
- Any major disaster that will impact any infrastructure in Ada County (i.e. landslide, flooding, fires, or plane crash).
- Any time an ACSO employee is responding outside of Ada County to a high risk or hostile situation, an active emergency, or a situation where there is a strong likelihood of a higher level of a serious bodily injury or death as the result of use of force (i.e. riot, active shooter, violent disturbance, etc.).

#### **COMMAND E-MAIL INCIDENTS**

- The on-duty death of any peace officer in Idaho.
- The arrest or booking of any prominent individual or high-profile suspect.
- Any time an ACSO call involves a political issue, a political figure, or response to any city, county or state-owned property in ACSO's jurisdiction.
- Any incident that involves an interview with media or is likely to result in a media story.
- Any traffic fatality in ACSO's jurisdiction.
- Any time an ACSO employee is injured on duty requiring medical care or any time an ACSO vehicle is involved in a traffic collision.
- Any time ACSO responds outside of Ada County jurisdiction to assist another agency.
- Any incident that causes significant damage to any county property.
- Any incident that is likely to disrupt normal ACSO business operations (i.e. courthouse bomb threat, flooding on campus, sewage issue in jail, extended power outage, dispatch computer failure, etc.)

For any item not listed above that involves any ACSO personnel or their family (such as arrest of an employee) the supervisor handling the incident should immediately notify their chain-of-command and then only provide a command email or command page if so directed.

### **2C.9 NOTIFICATION OF ADMINISTRATIVE INVESTIGATOR**

The administrative investigator provides the Sheriff and the Sheriff's Legal Advisor with risk management information concerning serious incidents. The investigator also has a duty to protect the rights and interests of all employees as well as the public. In the event of a serious incident (or when otherwise deemed appropriate), the Sheriff, Chief Deputy, or the Sheriff's Legal Advisor shall request the administrative investigator begin a risk management or administrative investigation.

The need for a thorough and complete investigation may necessitate the administrative investigator being called to the scene of serious incidents. The investigator will benefit from seeing the scene under the conditions in which the incident occurred. When required, the investigator will conduct a separate but parallel investigation to any criminal action. To complete a thorough investigation, the investigator will need access to the scene, as long as this does not interfere with a criminal investigation. The investigation conducted by the administrative investigator will be separate from and independent of any post-incident evaluation of ACSO's tactical response.

### **2C.10 VULNERABLE ADULT PROTECTION**

All incidents involving actual or suspected abuse, neglect, or exploitation of a vulnerable adult shall be fully investigated and appropriately documented. Every allegation of abuse, neglect, or exploitation of a vulnerable adult shall be documented. Reporting of cases of vulnerable adult abuse, neglect, and exploitation is confidential and may only be released to any person, department, agency, or commission authorized to carry out the duties enumerated per I.C. Title 39, chapter 53, and shall only be divulged with the written consent of the vulnerable adult or his legal representative. Further, records of investigations compiled by the Commission on Aging involving vulnerable adults (as defined in I.C. § 18-1505) alleged to be abused, neglected, or exploited are exempt from disclosure by I.C. § 74-105 (11). The following information should be documented, in addition to the general information documented on the crime report:

- Current location of the victim.
- Victim's condition/nature and extent of injuries, neglect, or loss.
- Attending physician, if examined.
- Names of agencies and personnel requested and on scene.

### **2C.11 CHILD ABUSE INVESTIGATION**

ACSO will investigate all reported incidents of alleged criminal child abuse, and ensure the Department of Health and Welfare is notified as required by law in such cases. Deputies shall notify the Department of Health and Welfare when they have received a report of abuse, abandonment, or neglect of a child, or when there is reason to believe that a child has been abused, abandoned, or neglected, or a deputy observes the child being subjected to conditions or circumstances which would reasonably result in abuse, abandonment, or neglect per I.C. § 16-1605 (1). For purposes of notification, abuse includes injuries without a justifiable explanation and sexual conduct e.g., rape, molestation, incest, other sexual exploitation. Abandonment and neglect include failure to provide support, regular contact, care, subsistence, medical care, etc. See I.C. § 16-1602 for full definitions. Notification shall be made as soon as practicable, but in all cases within 24 hours, to the Department of Health and Welfare, and the date and time of the notification shall be documented in the related report.

### **2C.12 ARREST/DETENTION OF FOREIGN NATIONALS**

Article 36 of the Vienna Convention on Consular Relations sets forth certain rights of foreign nationals from member countries when arrested, detained, or imprisoned by law enforcement officials in the U.S. ACSO deputies, when considering a physical arrest or detention of a foreign national claiming immunity or foreign national status, shall comply with federal law in this regard. All foreign service personnel shall be treated with respect and courtesy, regardless of the level of established immunity. The United States is a party to several bilateral agreements that obligate our authorities to notify the appropriate consulate upon the person's detention, regardless of whether the detained person(s) request that his or her consulate be notified. The list of specific countries that the United States is obligated to notify is listed in the U.S. Department of State website:

<https://travel.state.gov/content/travel/en/consularnotification/countries-and-jurisdictions-with-mandatory-notifications.html>

Questions regarding the proper handling of a foreign national may require after-hours consultation with the Sheriff's Legal Advisor.

### **2C.13 IMMIGRATION STATUS AND VIOLATIONS**

The immigration status of individuals alone is generally not a matter for ACSO action, as deputies shall provide equal enforcement of the law and equal service to the public regardless of immigration status. ACSO does not independently conduct any concentrated efforts to detain suspected undocumented aliens. The enforcement actions and disposition of every contact made by a deputy, while discretionary, should not be affected by race, ethnicity, age, gender, sexual orientation, religion, or socioeconomic status. Whenever any individual is reasonably suspected of a criminal violation (infraction, misdemeanor, or felony), the investigating deputy should take reasonable steps to determine the person's identity through valid identification or another reliable source. If an individual would have otherwise been released for an infraction or misdemeanor on a citation, the person should be taken to the station and given a reasonable opportunity to verify his/her true identity (e.g., through telephone calls). If the person's identity is thereafter reasonably established, the original citation release should be completed without consideration of immigration status. If the deputy intends to take enforcement action and the individual is unable to reasonably establish his/her identity, the deputy may take the person into custody on the suspected criminal violation.

The U.S. Immigration and Customs Enforcement (ICE) has primary jurisdiction for enforcement of the provisions of United States Code, Title 8, dealing with illegal entry. Any persons wishing to report immigration violations should be referred to the local office of the U.S. Immigration and Customs Enforcement at (208) 685-6600. Unless immigration status is relevant to another criminal offense or investigation (e.g., harboring, smuggling, or terrorism), the fact that an individual is suspected of being an undocumented alien shall not be the sole basis for contact, detention, or arrest by an ACSO deputy. If a specific request is made by ICE or any other federal agency, this office will provide available support services, such as traffic control or peacekeeping efforts, during the federal operation. Deputies should not participate in such federal operations as part of any detention team unless it is in direct response to a request for assistance on a temporary basis or for officer safety. Any detention by an employee should be based upon the reasonable belief that an individual is involved in criminal activity.

Under certain circumstances, federal law allows temporary immigration benefits to victims and witnesses of certain qualifying crimes. The decision to make a declaration/certification for a U-Visa/T-Visa for any person rests solely with the Sheriff or his designee. Any request for U-Visa/T-Visa certification shall be forwarded in a timely manner to the ACSO Legal Advisor, who shall research and prepare a memorandum for the Sheriff on whether certification is appropriate in the instant case. Such a memorandum shall take into account all information at the disposal of ACSO.

The Bureau of Justice Assistance (BJA) administer a State Criminal Alien Assistance Program (SCAAP) in conjunction with the U.S.

Immigration and Customs Enforcement (ICE). SCAAP provides federal payments to county jails that incur costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for any violation of state or local law where the undocumented criminal alien is incarcerated for at least 4 consecutive days during the reporting period. At the direction of the Sheriff, the ACSO may elect to participate in the SCAAP program and direct staff to comply with the program requirements as needed in order to seek reimbursement funding.

#### **2C.14 PUBLIC RECORDING OF DEPUTIES**

ACSO recognizes the right of persons to lawfully record deputies who are performing their official duties. Deputies 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. Further, deputies should exercise restraint and should not resort to highly discretionary arrests, such as obstructing officers, as a means of preventing someone from exercising the right to record deputies. Deputies shall recognize that members of the public who wish to record law enforcement officer (LEO) activity are limited only in certain aspects. Members of the public may record from any public place or private property where the individual has a legal right to be present. Further, beyond the act of photographing or recording, individuals may not interfere with ongoing law enforcement activity to include tampering with a witness or suspect, inciting others to violate the law, or being so close to the activity as to present a clear safety hazard to deputies or being so close that they interfere with the deputy's ability to effectively communicate with a suspect or witness when the suspect/witness cannot be moved to a different place by the officer for interview. Whenever practicable, deputies 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. If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, deputies shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued. Deputies should not seize recording devices or media unless 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. Absent consent or an exigency where there is reason to believe that the immediate seizure or search of such recordings is needed to prevent serious bodily injury or death of any person, a warrant should be sought before seizing and/or viewing such recordings. In such situations, deputies should take reasonable steps to prevent the erasure of the recording.

#### **2C.15 MUTUAL AID AND OUTSIDE AGENCY ASSISTANCE**

Deputies may provide assistance whenever possible, consistent with the applicable laws of arrest and detention policies of the ACSO, when another law enforcement agency requests assistance with an arrest or detention of any person. Calls for assistance from other agencies shall be routed to the shift supervisor for approval who will then discuss with the Patrol Commander. If a deputy receives a request in the field for assistance, that deputy shall notify a supervisor. Arrestees may be temporarily detained by our agency until arrangements for transportation are made by the outside agency. Only in exceptional circumstances will this office provide transportation of arrestees to other county facilities. When such assistance is rendered, at a minimum a report will be drafted to document action taken by ACSO personnel. If assistance is needed from another agency, the employee requesting assistance shall first notify a supervisor of his/her intentions. The handling deputy or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

#### *ASSISTANCE TO AGENCIES OUTSIDE THE COUNTY*

When a deputy is on duty and is requested by an allied agency to participate in law enforcement activity in another jurisdiction, responding deputies shall be dispatched by the Watch Commander. Deputies who are required to respond to assist in an exigent situation shall, at a minimum, notify the Communications Center before responding and thereafter notify a supervisor as soon as practical.

#### **2C.16 ACSO RIDE-ALONG PROGRAM**

The ACSO Ride-Along Program is offered to all civilians who are residents, students, or those employed within the County. While every attempt will be made to accommodate a civilian request, any request may be disqualified without cause. Disqualification may occur if the applicant rider is under 18 years of age, has a prior criminal history or pending criminal action or lawsuit against this office, or for any reason is denied by a supervisor. Civilians will be allowed to participate in a ride-along no more than once every three (3) years with exceptions made for explorers, chaplains, reserves, sheriff's office applicants, or any other person with approval of the Patrol Captain. Due to the high volume of requests, the Sheriff's Office reserves the right to delay or deny a ride along request based on the volume received or the reason for the requested ride along.

#### **2C.17 UNMANNED AIRCRAFT SYSTEM (DRONES) PROGRAM**

ACSO has implemented a small Unmanned Aircraft System ("UAS") program to directly assist the operations elements of the Office in the prevention of crime, the apprehension of criminals, the preservation of the public peace, and to protect the personal and property rights of the citizens of Ada County. Pursuant to Idaho Code §21-213, the ACSO shall only use an unmanned aircraft vehicle

(also known as a UAS or "drone") when conducting search and/or rescue operations, responding to potential hostage or barricaded subject situations, crash scenes, crime scenes, or during any public safety emergency response operation where the use of such technology may result in better operational planning and/or ensure the safety and well-being of potential victims, deputies, or the public in general. The UAS is a small, remote-piloted aircraft that must be piloted by a certified pilot. A competent observer should also assist the certified pilot whenever feasible. The UAS may be equipped with video recording equipment capable of taking both moving and still images, search lights, and forward-looking infrared imaging systems capable of detecting heat differences or other equipment designed for specified missions. Without an approved search warrant, the UAS shall not be used for non-emergency surveillance missions or missions that would violate the privacy rights of the public or Idaho Code §21-213. If required by state or federal law, ACSO deputies shall obtain a search warrant from a magistrate judge prior to any specific investigation in which a person or group of persons is a targeted for surveillance.

Any deployment outside of Ada County to aid another law enforcement agency shall be in the sole discretion of the Sheriff and only done with his express permission. ACSO may rely on Ada County or any other local emergency response agency to provide a UAS to use during any operation as outlined above. Any local agency cooperating with the ACSO shall follow the policy of the ACSO as outlined above as part of that agreement. No other member of the Department shall deploy their own personal UAS during the course of their duties.

## **2C.18 BOMB THREATS RECEIVED AT SHERIFF'S FACILITY**

For any bomb threat received by an employee at a sheriff's facility, the employee handling the call shall ensure that the shift supervisor is immediately advised and fully informed of the details. The shift supervisor will then notify the appropriate personnel, and if needed, direct and assign employees or request patrol deputies to coordinate a general building search or evacuation as is appropriate.

If a bomb threat is received, the employee should attempt to keep the caller on the line if possible and obtain expanded answers to these six basic questions.

- When is the bomb going to explode?
- Where is the bomb?
- What kind of bomb is it?
- What does it look like?
- Why did you place the bomb?
- Who are you? (to avoid possible termination of the call this should be the last question asked)

The employee should also document the following:

- Time of the call.
- Exact words of the person as accurately as possible.
- Estimated age and gender of the caller.
- Speech patterns and/or accents.
- Background noises.

If the incoming call is received at the sheriff's facility on a recorded line, steps shall be taken to ensure that the recording is preserved in accordance with current office evidence procedures.

## **2C.19 AFTER ACTION REPORTS**

An After-Action report (AAR) is designed to provide ACSO Command Staff an opportunity to assess what actions were taken by deputies in any specific operation or incident and what, if anything, could be improved upon in the future. An AAR is meant for events or incidents outside of the regular scope of a deputy's duties that require a retrospective analysis of strengths to be maintained and built upon. An AAR also should include a review of issues or problems with personnel, equipment, training methods, or any other issue that that requires improvement for better responses in the future. Responsibility for conducting an AAR at the completion of the event or incident resides with the supervisor, or their designees, in charge of the incident or event. Supervisors will be trained on completing the template form, how to access it, and how to submit it through the chain of command for review. Completed AARs shall be retained for at least two years if not earmarked for a longer retention by an Administrative Investigator, the Chief Legal Advisor, the Chief Deputy, or the Sheriff.

### **Examples of potential AAR incidents:**

- Active shooter or hostage incident or training exercise.
- Any incident, event, or training exercise likely to disrupt normal ACSO business operations (i.e., courthouse bomb threat, major medical episode, unplanned fire alarm, flooding on campus, extended power outage, dispatch computer or power failure, protests, riots, etc.)

- Deployment of a specialized ACSO unit or resources (i.e., SWAT, Dive, CNT, SRT).
- Catastrophic or major disasters impacting Ada County infrastructure (i.e., landslide, flooding, fires, plane crash, etc.).

## **2C.20 ADA COUNTY HONOR GUARD**

The mission of the Ada County Sheriff's Office ACSOHG (ACSOHG) is to represent the Sheriff's Office at funerals, parades, ceremonial functions, and other special events. The ACSOHG is a ceremonial unit comprised of sworn members of the Sheriff's Office who are highly motivated, maintain exceptionally high standards of appearance maintain exceptionally high standards of conduct, and who show an aptitude for ceremonial duty. The ACSOHG ASOHG will establish ceremonial protocols for official functions the ACSO participate in. The ACSOHG will provide emotional support and ceremonial services to and for the families of fallen ACSO employees, as well as families of other Law Enforcement Officers in the state of Idaho, local officials, and service members whenever possible. The ACSOHG and its members will strive to represent the highest standard of integrity, professionalism, and dedication to duty. The ACSOHG serves at the pleasure and direction of the Ada County Sheriff.

## **CHAPTER 3 – ADMINISTRATIVE SERVICES BUREAU – Under Construction**

The Administrative Services Bureau (ASB) is comprised of the following areas:

- Budget and Finance Office
- Data Analytics and Intelligence Unit
- Fleet Services
- ACSO Human Resources Unit
- Licensing Services
- Property and Evidence Unit
- Records Services
- Victim Witness Coordinator Unit

Each of these areas serves a unique function for the Ada County Sheriff's Office as explained below.

### **SECTION 3A BUDGET AND FINANCE OFFICE**

#### **3A.1 BUDGET AND FINANCE OFFICE**

The ACSO Budget and Finance Office accurately manages the financial resources of the Ada County Sheriff's Office. The Budget and Finance Office prepares the annual budget, manages and reports all fiscal auditing, handles all expenditures, and provides an accurate accounting to the Sheriff and his executive staff on all financial transactions that occur each year. The office is made up of a Budget and Finance Officer who manages a team of analysts, accountants, purchasing agents, and finance clerks who determine the current and future needs of the office to ensure all divisions of the Sheriff's office can continue to operate. The Budget and Finance Office works closely with the Ada County Treasurer and Assessor's Offices to ensure that the Ada County Sheriff meets all statutory and county regulations in the implementation of the budget as well as for purchasing. In addition to this policy manual, the Budget and Finance Office staff shall refer to the Ada County Employee Handbook.

### **SECTION 3B DATA ANALYTICS AND INTELLIGENCE DIVISION**

#### **3B.1 DATA ANALYTICS AND INTELLIGENCE DIVISION**

The ACSO Data Analytics and Intelligence Division conducts research, analysis and quality assurance utilizing data inputted into various systems utilized by the Office. The Data Analytics and Intelligence Division is responsible for all internal and external reporting consisting of crime, intelligence, agency measures, jail, courts, auditing, and compliance. Internal and external reporting is completed under the instruction of the Bureau Director, bureau leadership member, and/or Sheriff or designee. The division is separated into four separate units and is managed by the Data Analytics and Intelligence Manager who oversees the team of analysts, research technicians, data specialists and the Terminal Agency Coordinator (TAC).

The Crime Analysis Unit (CAU) works alongside Patrol, Detectives, Emergency Communications, other law enforcement agencies and county departments. CAU performs various activities related to collecting, processing, analyzing, and reporting of crime trends, patterns, problems and people involved in crime. CAU conducts a variety of statistical and descriptive analyses utilizing software and agency databases that contain Police and Emergency Communication data. CAU provides tactical, operational and strategic products to inform on officer safety, identification of crime-related issues, assistance on crime-reduction and the identification of criminal suspects.

The Planning Unit is responsible for conducting research, data analysis and report preparation to assist in the creation, development and implementation of strategic initiatives throughout the ACSO. The Planning Unit provides information to agency leadership including resource projections, performance monitoring and customer experience evaluations. The Planning Unit regularly conducts quality assurance audits to ensure data integrity and prepares data for State and Federal reports.

The National Incident-Based Reporting System (NIBRS) Unit is tasked with transferring crime-related data from our report writing system into our records management system. The data is collected in accordance with Idaho State NIBRS guidelines and Federal

Uniform Crime Reporting guidelines. The NIBRS team will ensure the accuracy of all data submitted to the State and State-provided deadlines will be met for participation in the annual Crime in Idaho report.

The Terminal Agency Coordinator (TAC) is tasked with maintaining NCIC standards as outlined in section 2A.19.06.

## **SECTION 3C FLEET SERVICES**

### **3C.1 FLEET SERVICES**

The Ada County Sheriff's Office Fleet Services Unit is responsible for making sure our deputies and employees have safe and reliable vehicles so ACSO can respond to citizen needs in a timely manner. ACSO Fleet services employs a team of trained technicians who are responsible for maintaining all ACSO vehicles each year as part of the ACSO fleet, which include patrol vehicles, inmate transport vehicles, undercover vehicles, and several types of off-road vehicles. The team is responsible for inspecting and repairing these vehicles so the ACSO personnel who rely on them can get where they are needed anywhere in the county. As Fleet Services maintains vehicles for all ACSO personnel, the specific requirements, and procedures for employees in regard to vehicle care and responsibilities can be found in this manual at 2B.17.

## **SECTION 3D HUMAN RESOURCES UNIT**

### **3D.1 ACSO HUMAN RESOURCES UNIT**

The Ada County Sheriff's Office Human Resources Unit strives to ensure the ACSO finds the best recruits and new hires to work as deputies or professional staff. The ACSO HR Unit is overseen by an HR Manager who employs a team of HR professionals who ensure the ACSO remains a competitive and discerning employer for law enforcement in the treasure valley. In addition to recruitment and hiring, the HR Unit also manages the daily human resources functions (in conjunction with Ada County Human Resources) to ensure current employees are appropriately compensated and cared for. The Unit manages the personnel files, HRIS system, time-keeping system, and the performance evaluation system, among others to hold employees accountable and promote good growth and professional development. As the HR Unit's practices applies to all employees, their procedures can be found throughout this manual, specifically in Chapter 2, along with the Ada County Employee Handbook.

## **SECTION 3E LICENSING SERVICES – Under Construction**

## **SECTION 3F PROPERTY AND EVIDENCE UNIT**

### **3F.1 PROPERTY AND EVIDENCE POLICY**

The ACSO Property & Evidence Unit (herein P&E) is vital to the criminal justice process. It's effective and efficient operation is an integral part of our agency's overall quality of service to the community. The management of this function has become increasingly complex due to factors related to legislative mandates, hazardous material storage, the protection and preservation of biological and DNA related material, facility security, and chain of custody. P&E's mission is to provide a secure chain of custody for the successful prosecution and return of property to its rightful owner as quickly as possible, and in the same condition as it was received. When it is not possible to return property, the unit will be responsible for carrying out the timely disposal or auction of property when legally permissible.

An effective property & evidence management system must develop and maintain strict procedures on the handling, security, and disposition of property and evidence so the courts and the public have confidence in the law enforcement and judicial process. The mismanagement of the property & evidence function can result in the unsuccessful prosecution of criminal cases and the loss of public confidence. These consequences can be avoided when all employees become aware of the issues confronting the property and evidence function.

ACSO Property and Evidence Technicians receive, process, store, and secure legal evidence, safekeeping and lost and found property;

testify in court regarding the chain of custody and the handling of evidence; research and recommend procedures to ensure proper handling of evidence; and perform related duties as required. Employees assigned to this unit may perform functions of this position under the direction of the Evidence Manager.

The policies outlined in this manual are set forth to improve and maintain the efficiency and integrity of the property & evidence function.

## **SECTION 3G                      RECORDS SERVICES**

### **3G.1      RECORDS SERVICES**

ACSO Records Services, also known as the Public Safety Information Center (PSIC) processes tens of thousands of bookings, releases and jail visits per year, which translates to tens of thousands of records. The PSIC is overseen by a Records Manager who employs an inmate records supervisor, a court support supervisor, and a booking & classifications supervisor to ensure records staff properly manage all of the records related to the arrest, bonding, prosecution, sentencing, and release for each case handled by all of our treasure valley police agencies.

Inmate Records is one of the main access points between the public and the ACSO. When a person has questions, the Records window has the responsibility to guide that person in the correct direction. In addition to providing this front-desk service, ACSO Inmate Record Law Enforcement Record Techs (known as LERTs) are responsible for routing all arrest paperwork to the courts, and prosecutors. These LERTS also ensure the proper maintenance of an inmate file throughout the inmates stay. Once the file has been closed and the inmate released, LERTs scan all the paperwork from the file into Laserfiche. All bonds are processed through Inmate Records.

Court Support is responsible for entering all warrants, no contact orders (NCO) and Protection Orders (POs) into our local record management system and our national database known as NCIC. Our court support LERTS confirm the warrants, NCO's and PO's for officers, deputies and the public. LERTs work very closely with the clerks at the court house to determine the validity of the warrants, NCOs, and POs. Additionally, every month LERTS must validate the warrants, NCOs and POs so that they are routinely validated or else they could be deleted out of the NCIC database. ACSO Transport Coordinators also fall under court support. LERTs are responsible in making sure the transport deputies have a list each morning of all inmates that are going to court and make sure all transport orders have been received in order to move inmates to other facilities and to coordinate getting people to and from our facility from other states.

Processing Support is responsible for booking in all charges on an inmate when they are processed in booking. This unit keep an inmate's property secured until the inmate is released from the facility. Our LERTS run a triple I on every inmate in our custody so they can be classified appropriately by a Classification Deputy. These LERTs label all incoming mail for inmates and run it through the mail scanner for detection of drugs. Once it has been scanned, LERTS then assist with ensuring mail is delivered to the inmate. Our Jail Lobby LERTS are responsible for booking warrants and taking fingerprints and a photo for all self-surrenders. They also schedule and manage all of the professional visitors wanting to visit with an inmate that is housed in our facility. Finally, they also are responsible for taking fingerprints of all applicants that have applied to work for Ada County and for contractors that are doing work within our facility.

The processes outlined above can be found in throughout this policy and procedure manual, specifically 6D.21, 22 and 23.

## **SECTION 3H                      VICTIM SERVICES UNIT**

### **3H.1      VICTIM SERVICES UNIT**

The ACSO Victim Services Unit (also known as Victim Witness Coordinators) assists victims, witnesses and survivors of crime with navigating their way through the criminal investigation and/or prosecution of criminal cases by providing needed resources, referrals, and assistance to ensure their rights are received as afforded to them by the Idaho State Code and the Victim's Rights Act. The Unit acts as a liaison between the crime victim and/or witness and the investigators and prosecutors to ensure victims are supported, heard and validated. Members of the unit are on-call 24/7 to assist victims any time of the day or night at the scene of incidents. The VWC unit is overseen by a supervisor who relies on coordinators with specific specialties for certain victims to ensure comprehensive victim case is provided in each instance. Specifics of Victim Witness Unit and their work with the Patrol Services Bureau can be found in Chapter 7 of this manual.

## **SECTION 4A – PRETRIAL SERVICES POLICY**

### **4A.01 Pretrial Services Unit**

The ACSO Pretrial Services Program, through the Pretrial Services Unit (PSU), provides two essential services to the Ada County court system. First, the PSU collects, verifies, and assesses relevant information about a defendant which the PSU then provides to the court prior to the defendant's initial appearance. Second, the PSU supervises those defendants released on pretrial conditions by monitoring and ensuring compliance with release conditions. The goals of the program are to minimize risk to the community, maximize community and victim safety, and minimize the risk of nonappearance at court proceedings.

## **SECTION 4B – ALTERNATIVE SENTENCING POLICY**

### **4B.01 ALTERNATIVE SENTENCING**

The Ada County Sheriff's Office (ACSO) provides sentencing alternatives to incarceration in the Ada County Jail. To accomplish this goal, the ACSO operates a Sheriff's Labor Detail (SLD) program, a Sheriff's Community Service (SCS) program, a House Arrest program, a House Arrest with Work Release (HA w/ WR) program, a Scheduled Sentence Program (SSP), a Community Transition Program (CTP), a Work Release (WR) Program, a Work Search (WS) program and an Out of County (OOC) program as part of its Alternative Sentencing division. Additionally, the ACSO may accommodate judge's orders for work release pursuant to Idaho Code § 20-614.

## **SECTION 4C – JAIL EDUCATION POLICY**

### **4C.01 JAIL EDUCATION PROGRAMS**

The Ada County Sheriff's Office offers educational programs that consist of classes, case management, and case planning for inmates in an effort to assist them in developing pro-social coping skills, effective conflict resolution techniques and other life skills necessary to succeed in the community. Inmates can participate in jail classes on a voluntary basis or as part of a court order.

The ACJ Education Programs consists of the following components:

- Case Management;
- Classes;
- Honor Reentry Dorms;
- GED tutoring and testing.

## **SECTION 4D – ADA COUNTY MISDEMEANOR PROBATION POLICY**

### **4D.01 ADA COUNTY MISDEMEANOR PROBATION**

Ada County Misdemeanor Probation (ACMP) is granted the authority to perform their function based on the "Memorandum of Understanding for Provision of Ada County Misdemeanor Probation Services" between the Board of Ada County Commissioners, the Ada County Sheriff, and the Administrative Judge of the Fourth Judicial District of the State of Idaho (Agreement No. 9762 signed September 6, 2012; (This was rewritten and signed again on 8/16/2016, Agreement No. 11790) see Appendix). The role of the ACMP is to supervise misdemeanor offenders in cases where probation supervision has been ordered by a sentencing judge. Misdemeanor probation services include and primarily consist of oversight and enforcement of court-ordered conditions. ACMP staff are employees of the Ada County Sheriff's Office (ACSO) and are required to conform to the provisions of the ACSO Policy Manual, the Ada County Employee/Manager Handbook and Procedural Guidelines, and all applicable local, state and federal laws. In addition to these references, this policy and procedure is established in accordance with the "Standards for Adult Misdemeanor Services and Professional Responsibilities" as approved by the Idaho Association of Counties (Administrative Order No. 010711; January 5, 2011). Screening and assessment tools may be utilized to allow further evaluation of a probationer's risk for violence, re-offense, determine a recommended supervision level, and ascertain substance use and mental health status.

## **SECTION 4E – TRANSPORT TEAM POLICY**

### **4E.01 TRANSPORT TEAM**

The Ada County Sheriff Transport Team is made up of patrol and detention certified deputies whose duties include the transport of

inmates and the management of courthouse detention facilities as required by Idaho Code § 31-2202. Transport deputies are responsible for the safe and secure transport of inmates from the Ada County Jail to places around the treasure valley and beyond, including the Ada County Courthouse and the detention facility in the courthouse known herein as "J2".

## **SECTION 4F – TRAINING UNIT POLICY**

### **4F.01 TRAINING UNIT POLICY**

The Sheriff, via the Professional Standards & Training Division of the ACSO, shall administer a training program that will provide for the professional growth and continued development of all personnel. The objectives of the Professional Standards & Training Division are to enhance the quality level of services the Sheriff's Office provides to the public, increase the technical expertise and overall effectiveness of deputies and staff, and provide for the continued professional development of all ACSO personnel. The ACSO Training Unit consists of commissioned and civilian employees dedicated to designing and implementing training for the ACSO with the goal of developing well educated and disciplined deputies who stand ready to serve their community.

Throughout the ACSO Policy Manual, commissioned deputies and civilian staff are required to be trained in certain aspects of their job. The ACSO Training Unit shall provide this initial and ongoing training as required by this policy manual and encourages all personnel to look for opportunities to participate in advanced training and formal education on a continual basis. Training for deputies will be provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates. While there are exceptions, ACSO will strive to provide training using only approved and up to date curriculum.

The Training Unit will document training attendance for all deputies, whether the training is internal or external and shall, for all internal training, preserve the lesson plans and supporting documents used to train deputies in order to show a thorough training history as may later be required for civil or criminal court.

<b>SECTION 5A - EMERGENCY COMMUNICATIONS BUREAU POLICY</b>
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**5A.01 EMERGENCY COMMUNICATIONS BUREAU**

The Emergency Communications Bureau (ECB) includes the Ada County 911 Emergency Dispatch Center and ACSO Community Information Unit (Media, Public Information, Community Outreach and Education). The Ada County 911 Center employs 911 emergency dispatchers and support staff along with the 911 Technical Operations and Business Systems teams. The Ada County 911 Emergency Dispatch Center answers calls for service from members of our community and coordinates all police, fire, and emergency medical responses within Ada County. The employees in this bureau fall under the direction of the Sheriff, Chief Deputy, Director of Communication, and County Chief Information Officer. The bureau's mission is to make safer places to live, work, and play by ensuring the right information gets to the right people at the right time in the right way.

**5A.02 MEDIA AND RELEASE OF PUBLIC INFORMATION**

The ultimate authority and responsibility for the release of information to the media shall remain with the Sheriff, however, in situations not warranting immediate notice by the Sheriff and in situations where the Sheriff has given prior approval, the Chief Deputy, bureau directors, lieutenants/managers, shift supervisors and designated community information specialist(s) will work with the ACSO Public Information Officer (PIO) to prepare and release information to the media in accordance with this policy and the applicable law. Any media request for information or access to a law enforcement situation (including any on-going investigation) shall be referred to the media representative as designated by this office, or if unavailable, to the first available supervisor. The ACSO acts as its own news service, using the ACSO website and social media platforms to communicate directly to the public. The ACSO Community Information Unit determines the frequency and subject matter of the releases, with approval and direction from the Sheriff. Information that is routinely shared includes information about arrests, crime trends, traffic crashes, police standoffs, warrant arrests in the community, feature stories, and photo galleries.

**5A.03 911 TECHNICAL OPERATIONS TEAM**

The 911 Technical Operations Team (TechOps) is an integral part of the Emergency Communications Bureau. The TechOps team is established pursuant to Idaho Code Title 31, Chapter 48, commonly known as the "Emergency Communications Act" of 1988. This act established the Emergency Communications Fund (ECF) which collects \$1 per month in revenue from each landline telephone, cellular telephone, and Voice-Over-IP (VOIP) line. The sole purpose of the TechOps team is to ensure 911 calls are delivered to first responders. The TechOps Team uses the ECF to fund the purchase of hardware and software and then provide the needed support to ensure dispatch and first responders have all necessary technical resources to respond to emergencies.

The ECF is overseen by an advisory board called the Emergency Communications Planning Committee (ECPC) which is comprised of one voting member from dispatch and one member from each law enforcement, fire, and EMS agency within Ada County, with the exception of Eagle Fire, Star Fire and Kuna Fire, which has one voting member representing all three agencies. The ECPC meets regularly to discuss and vote on items ranging from operational changes, policy changes, or request for funding items governed under Title 31, Chapter 48, with any request for funding of items then being forwarded to the Ada County Board of Commissioners for final consideration.

The TechOps team is led by the TechOps manager who sets the vision and direction for dispatch and first responders with evolving and innovating technology that is presented to the user groups. The manager is assisted by two infrastructure engineers who ensure the hardware and network infrastructure are functioning with redundancy to support the needs of the 24/7/365 operation of dispatch and first responders; a radio administrator who administers the statewide radio network to ensure interoperability with first responders throughout the state; and two application administrators who support the countywide Computer Aided Dispatch (CAD) and the other applications that interact with the CAD. The team also has a project manager who develops bid specifications, request for proposals, contracts and other necessary documentations for the procurement of new systems and applications; a GIS analyst who manages all mapping data needed and provides continual analysis of the mapping data for improving processes and efficiency; and a help desk technician who handles tier 1 issues for dispatch and tier 2 issues for IT departments from our partner agencies.

**5B.01 ADA COUNTY DISPATCH POLICY**

The ACSO provides 24-hour telephone service to the public for information or assistance that may be needed in emergencies. The ability of citizens to telephone quickly and easily for emergency services is critical. ACSO provides access to the 911 system for a single emergency telephone number. ACSO also employs two-way radio capability providing continuous communication between the dispatch center, deputies, and other law enforcement, fire and EMS agencies. Ada County Dispatch responds to incoming law enforcement, fire, and EMS calls and dispatches appropriate personnel to places of emergency. Dispatchers, when necessary, shall refer to these policies and procedures using their good judgment to be responsive and timely in their duties and shall refer complex problems to a floor supervisor. Dispatchers are responsible for maintaining familiarity with ACSO Policy and Procedure Manual and all emergency operations plans. Supervisors are responsible for the specific training of new or updated policies via direct briefings

or briefing packets.

#### COMMUNICATION

Ada County Dispatch will record all relevant information on calls for criminal and non-criminal service or self-initiated activity. Dispatchers shall attempt to elicit as much information as possible to enhance safety and assist in anticipating conditions to be encountered at the scene.

#### RADIO COMMUNICATIONS

Operations are more efficient and officer safety is enhanced when dispatchers, supervisors, and fellow deputies know the status of deputies, their locations and the nature of cases. ACSO radio operations shall also be conducted in accordance with Federal Communications Commission (FCC) procedures and guidelines.

#### DEPUTY IDENTIFICATION

Identification systems are based on factors such as beat assignment and deputy identification numbers. Deputies should use their entire call sign when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate unit. Deputies initiating communication with other agencies shall use their entire call sign. This requirement does not apply to continuing conversation between the mobile unit and dispatcher once the mobile unit has been properly identified.

#### DISPATCH LAW ENFORCEMENT SERVICES

Section 5B.LE below are procedures developed through collaborative efforts with the leadership of the law enforcement agencies within Ada County. The purpose of these procedures is to provide the framework through which the public safety and law enforcement needs of Ada County citizens are met. In partnership with Ada County law enforcement agencies, the goal of Ada County Dispatch is to provide proficient and respectful service to citizens in need of emergency services. It is the responsibility of all Ada County dispatchers to know and understand these policies.

#### DISPATCH FIRE AND EMS SERVICES

Section 5B.FE below The following policies and procedures are developed through collaborative efforts with the leadership of the fire and EMS agencies within Ada County. The purpose of these policies and procedures is to provide the framework through which fire and EMS calls for Ada County citizens are met. In partnership with fire and EMS agencies within Ada County, the goal of Ada County Dispatch is to provide proficient and respectful service to citizens in need of emergency services. It is the responsibility of all dispatchers to know and understand these policies.

## **Section 6A – JAIL SERVICES BUREAU POST ORDERS**

### **6A.1 POST ORDERS POLICY**

Orders, policies, and procedures set forth below shall be enforced with fairness, uniformity, and in the spirit for which they were designed. Each staff member, regardless of station or position, is responsible to uniformly enforce all orders herein. If all members do not enforce the rules and regulations with uniformity, confusion and ill will is created. The orders, policies, and procedures are all part of a plan for the effective organization and smooth running of the Ada County Jail (ACJ). Any staff member who does not understand an order, policy, procedure, rule, or directive is required to contact the on-shift supervisor for clarification. The ACJ strives to meet all Idaho Jail Standards in the management of the facility. In exigent circumstances or when dealing with an unforeseen circumstance, staff may deviate from the SOP. In all such cases, staff shall use sound judgment and discretion to make such decisions. At the conclusion of any deviation, staff are required to report to the on-shift supervisor what occurred.

## **Section 6B – PRISON RAPE ELIMINATION ACT POLICY (Updated 1-1-19)**

### **6B.1 PREA POLICY**

Rape and sexual activity seriously reduces the mission of the Sheriff Office's to prevent crime and provide quality criminal justice service. In accordance with the Prison Rape Elimination Act of 2003 and as promulgated in 28 CFR Part 115, the ACJ has established a zero tolerance standard regarding the incidence of sexual abuse, sexual harassment and voyeurism. With this policy the Ada County Sheriff's Office has established practices that attempt to prevent, detect and respond to any incidence of sexual misconduct. The Ada County Sheriff's Office will take into consideration incidents that have either involved staff members or contractors who have had prior inappropriate sexual contact or sexual harassment of inmates; when making decisions regarding hiring or promotion of said person(s). **Updated 115.17 (a)**

### **6B.01 PREA POLICY & PROCEDURES**

**DEFINITIONS:** The definitions listed below are from the Federal PREA reporting guidelines and any reported incidents at the ACJ shall be documented using these prescribed definitions.

- **Agency** means the Ada County Sheriff's Office, who has the direct responsibility for the operation of the Ada County Jail that confines inmates, and/or detainees.
- **Facility** means the Ada County Jail, and buildings which are used to confine inmates/detainees.
- **Agency Head** means principle authority of the Ada County Sheriff's Office.
- **Bureau Director** means the principle authority of the Ada County Jail.
- **Shift commander** means the sergeant or shift supervisor having authority in the Ada County Jail at that time.
- **Security staff** means any deputy working for the Ada County Sheriff's Office, assigned to the facility; with primary responsibilities of the supervision and control of inmates in housing units, the courthouse, recreational and programming areas.
- **Staff** means any person who works directly for or contracts with the Agency.
- **Medical staff** means a health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his/her professional practice.
- **Mental health staff** means a mental health professional who by virtue of education, credential, and experience, is permitted by law to evaluate and care for patients within the scope of his/her professional practice.
- **Contractor** means a person who provides services on a recurring basis pursuant to a contractual agreement with the agency.
- **Volunteer** means an individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency.
- **Inmate** means any person incarcerated or detained in the facility.
- **Juvenile** means any person under the age of 18, unless under adult court supervision and confined or detained in a prison or jail.
- **Youthful inmate** means any person under the age of 18 who is under adult court supervision and incarcerated or detained in a prison or jail.
- **Direct staff supervision** means security staff in the same room with, and within reasonable hearing distance of the inmate/detainee.
- **Gender nonconforming** means a person whose appearance or manner does not conform to traditional societal gender expectations.
- **Intersex** means a person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

- **Transgender** means a person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.
- **Substantiated allegation** means an allegation that was investigated and determined to have occurred.
- **Unfounded allegation** means an allegation that was investigated and determined not to have occurred.
- **Unsubstantiated allegation** means an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.
- **Sexual contact** means sexual intercourse, genital-genital, manual-anal, manual-genital, oral-genital, anal-genital or oral-anal, between any persons of the same or opposite sex.
- **Pat down search** means a running of the hands over the clothed body of an inmate by security staff to determine whether the inmate possesses contraband.
- **Strip search** means a search that requires a person to remove or arrange some or all of their clothing to permit a visual inspection of the inmate's breasts, buttocks, or genitalia.
- **Exigent circumstances** mean any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the safety and security of the facility.

## DEFINITIONS RELATED TO SEXUAL ABUSE

### ***Inmate on Inmate***

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva, or anus;
3. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
4. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

### ***Staff on Inmate***

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva, or anus;
3. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
4. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
5. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
6. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section;
7. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and;
8. Voyeurism by a staff member, contractor, or volunteer.

### ***Voyeurism***

Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as/but not limited to: the unnecessary viewing of either recorded or live video feeds of inmates in bathroom or shower areas; (115.15(d)) peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions. **Updated for 115.15 (d)**

### ***Sexual Harassment Inmate on Inmate***

Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another.

### ***Sexual Harassment Staff on Inmate***

Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

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## **COMMAND LEVEL SUPERVISION and MONITORING**

The agency has in place a formal staffing plan that works to ensure adequate staffing, technology (video monitoring), best practice facility design and proper resources to maintain compliance in all areas. If the staffing plan cannot be followed due to exigent circumstances, documentation shall be made utilizing the COMPUTER LOG code SDD (Staff Deviation Documentation) stating the circumstances requiring deviation. The Staffing, Technology and Facility Review (STFR) plan shall be reviewed on an annual basis and adjusted as needed. Annual reviews and any changes made shall be documented and such documentation maintained in accordance with current retention practices.

### ***Hiring and Background Standards***

The ACSO shall ask any potential applicant who will have access to the jail or inmate contact the following questions as part of the screening/interview process:

1. Have you engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution?
2. Have you been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?
3. Have you ever been civilly or administratively adjudicated to have engaged in the activity described above?

Any potential applicant who answers "yes" to any of the questions above will automatically be disqualified from any employment opportunities that would grant the applicant either access to the jail or inmate contact.

Prior to extending any final offer for employment, ACSO Human Resources shall contact all previous institutional employers for an applicant and request all information on any substantiated allegations of sexual abuse or any pending investigation of allegations of sexual abuse.

### ***Employee Promotional Process and Self-Evaluation***

The three questions listed above will also be asked of any current employees during the promotional process and in all written self-evaluations conducted as part of the annual review process. As part of the annual employee evaluation process each employee will initial the sentence that imposes upon employees a continuing affirmative duty to disclose any such misconduct. All individuals employed by the ACSO that may have contact with inmates housed in the ACJ shall have an updated background check conducted every 5 years.

### ***Sharing Information to Future Institutional Employers***

The ACSO will provide information related to any substantiated allegations of sexual abuse or sexual harassment involving a former ACSO employee when such information is requested by an institutional employer for whom such employee has applied to work.

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## **INMATE SUPERVISION Updated for 115.15(d)**

Intermediate or command-level supervisors will make unannounced and irregular rounds throughout the facility for both day and night shifts. Rounds will be documented utilizing the COMPUTER LOG code 50WS. All staff members are expressly prohibited from alerting others that rounds are being conducted. Security staff will make unannounced and irregular rounds throughout the facility on both day and night shifts. Security staff will observe all inmate areas; being present to deter, allow for reporting of possible PREA incidents, and provide protection for all inmates within the facility. The rounds will be done on a time set forth by JSB SOP 6D.16.01. The well-being checks will be every 15 minutes for inmates in HSU North and South, CCU small holding cells, and inmates considered to be a risk to themselves. The well-being checks for HSU Dorms, CCU housing cells, MSU, MCU and J2 will be every 30 minutes. The rounds will be logged by utilizing the COMPUTER LOG Code 50W.

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## **CROSS GENDER SUPERVISION**

Security staff is required to announce that Cross Gender Supervision is possible at the beginning of each shift. Each time that a security staff member is changed in a housing unit for purposes of allowing breaks, or relieving that security staff of their duty in that housing unit, an additional Cross Gender Supervision announcement must be made. After each Cross Gender Supervision announcement, that announcement must be logged in the computer log system by utilizing the CGS log code (115.15(d)). **Updated for 115.15 (d)**

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## **CROSS GENDER SEARCHING**

### **Pat Down Search**

Security staff will not conduct cross-gender pat down searches, except in exigent circumstances. Security staff will make all efforts to find suitable same gender security staff for completion of the search. If suitable same gender security staff cannot be found for the search, the Shift Commander must be notified in order for that search to be conducted. The approval for the cross gender search will be done by documenting the exigent circumstance in a report, included in that inmate's ELECTRONIC file. (115.15(b)) If same gender security staff is not available, the pat down search will be in completed in compliance with agency search policies and facility SOP's. **Updated for 115.15 (b).** **The above requirement to notify the Shift Commander or document the cross gender search in a report is not necessary when the pat search is conducted by a female transport deputy assisting with the transport of male inmates.** In the event that there are no same gender security staff to perform pat searches of inmates attending programming classes; inmates will not be prohibited from attendance due to that staffing issue (115.15(b)). **Updated for 115.15 (b)**

### **Strip and Cavity Search**

Security staff shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners. Exigent circumstances would not be authorized unless all efforts to find suitable same gender security staff have been exhausted.

### **Documentation of Cross Gender Searching**

Security staff shall document all cross-gender strip searches and cross-gender visual body cavity searches, and shall document all cross-gender pat-down searches of female inmates. Written documentation of the search will be included in that inmate's ELECTRONIC file.

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## **GENDER DETERMINATION - Physical Examination**

Security staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.

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## **LIMITED ENGLISH PROFICIENT INMATES**

### **Inmates with Disabilities**

The facility shall take appropriate steps to ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

In the event the inmate is unable to read the notifications posted in booking, the information should be read and explained to the inmate.

Inmates, who do not understand the posted information regarding PREA, should have the information relayed to them. Options for dealing with the communication barriers such as this are/but not limited to: the language line, or through facility approved interpreters.

Inmate Handbooks will be made available in all housing areas in both English and Spanish for review. In addition, housing areas will have posters denoting rules regarding PREA, ways to report a PREA incident, and personal warning signs to be aware of.

### **Inmate Interpreters**

The facility shall not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties, or the investigation of the inmate's allegations.

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## **INVESTIGATION REFERRALS**

The Bureau Director will ensure that an administrative or criminal investigation is completed for all allegations of staff sexual abuse. An administrative investigation, once assigned from the Bureau Director, will be given to a trained staff member who can conduct this type of investigation. The staff investigating the matter will interview all persons that were involved, or alleged to be involved,

in the incident to verify the facts in the allegations. Upon completion of the investigation the investigating employee will write a detailed report of his/her findings and will present the findings to the Bureau Director. Shift commanders will ensure that an investigation is completed of all allegations of inmate sexual abuse and harassment of other inmates. Referrals for further review to include criminal investigations will be sent through chain of command, and to the on-call agency detective. The facility has a policy to ensure that allegations of sexual abuse are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. The shift commander shall document all such referrals.

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## **TRAINING AND EDUCATION**

### **Staff Training**

The agency will train all staff that may have contact with inmates on:

- 1) Zero-tolerance policy for sexual abuse and sexual harassment;
- 2) How to fulfill their responsibilities under facility sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- 3) Inmates' right to be free from sexual abuse and sexual harassment;
- 4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- 5) The dynamics of sexual abuse and sexual harassment in confinement;
- 6) The common reactions of sexual abuse and sexual harassment victims;
- 7) How to detect and respond to signs of threatened and actual sexual abuse;
- 8) How to avoid inappropriate relationships with inmates;
- 9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and;
- 10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Training for staff is consistent with the gender of inmate that they shall be working with. Since the facility houses both male and female inmates, and cross gender supervision is approved, training curriculum covers aspects for both male and female staff as well as watching male or female inmates.

A formal initial training will be provided to every staff member prior to coming into individual contact with inmates, and shall be part of an initial training program. The training will be noted in that staff member's training file.

### **Ongoing Staff Training**

The agency provides staff with refresher training regularly to ensure that all employees know the facility's current sexual abuse/sexual harassment policies and procedures. The PREA standard requires training every two years, while Idaho Jail Standards requires a minimum of one hour of training be completed each year. This training will count towards the 40 hours of required training every two years by Idaho Jail Standards. The training will be presented through the agency's training department, and scheduled as part of a regular training program.

### **Volunteer and Contractor Training**

The agency will ensure that all volunteers and contractors who may have contact with inmates will be trained on their responsibilities under the ACJ SOP 6B.1.01 "Staff Reporting" regarding sexual abuse and sexual harassment prevention, detection, and response. Training for volunteers and contractors is tailored to the level of service and/or contact that they provide to the inmates, but at a minimum includes, notification of the agency's zero tolerance of sexual abuse or harassment policy and what to do if an inmate makes a report of sexual abuse.

### **Training Documentation**

The agency's training department keeps records of training by facility's Staff, Contractors and Volunteers received through employee signature or electronic verification that employees understand and acknowledge the training they have received.

### **Inmate Education**

The facility shall provide comprehensive inmate education to inmates housed in the facility within 30 days of intake. The education provided will be done via either on-line learning, video or in person, depending on staff availability. A method for tracking inmate participation has been developed to show the inmate received the training and a record of such inmate education is maintained. **(115.33 (a-c)).**

The comprehensive inmate education shall specifically inform inmates of:

- His/her right to be free from sexual abuse & sexual harassment;

- His/her right to be free from retaliation for reporting incidents; and
- The facility's general policies & procedures for responding to incidents.

During or prior to the admission process, inmates shall receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment, and how to report incidents or suspicions of sexual abuse or sexual harassment. This information will be delivered to them by handing them an informational pamphlet regarding PREA rules. Additionally a PREA video will be playing in the inmate waiting area in booking and PREA information will be available to inmates posted in the housing units as well as on the inmate computer system. ACSO deputies will confirm this education was provided via a written acknowledgement from each inmate which will be placed in the inmate's individual electronic for tracking purposes. **(115.33(a)).**

The facility shall provide inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. The written information will be posted in each housing living unit, and available for inmates to review at any time. The information posters will be posted in one specific information area and at a sight level that the average person can visibly see. **(115.33 (d-e)).**

### **Consensual Sexual Activity Between Inmates Prohibited**

Consensual sexual activity between inmates is prohibited. Good correctional practices can reduce, prevent, and detect sexual activity; however, detection of such activities can be difficult as disclosure of such acts will result in disciplinary action. Preventing a sexually charged atmosphere, conducting random well-being checks, observing inmate behavior, taking extra precautions with vulnerable inmates, and ensuring inmates are housed in a correct housing unit, all contribute to the reduction of opportunities for sexual activity.

If a staff member detects or learns of sexual activity between inmates, he/she will separate and restrict/isolate the offenders and immediately contact the on-shift supervisor. Upon learning of the incident, the on-shift supervisor will conduct a preliminary investigation. If it appears that the sexual activity may have been rape, the on-shift supervisor will implement the rape reporting procedures in this policy. If further investigation is required, the on-shift supervisor will place the inmates in appropriate housing, which may include restrictive housing. If the evidence indicates that the offenders were engaged in 'consensual' sexual activity, the on-shift supervisor will ensure that disciplinary incident reports are written under Sexual Contact / Conduct. If needed, the on-shift supervisor shall refer offenders to Health Services for evaluation if required. For rape kits, assault / sexual examinations, or evidence collections, inmates shall be transported to an external qualified medical professional (i.e. local area hospitals).

### **Consensual Sexual Activity Between Inmates and Staff Prohibited**

Sexual contact between staff and inmates is never consensual. It is a felony for any officer, employee or agent of a state, local or private correctional facility to have sexual contact with a prisoner (as those terms are defined in Idaho Code §18-101A) housed in such facility. Any person found guilty of sexual contact with an inmate is punishable by imprisonment in the state prison for a term not to exceed life.

If a staff member learns of sexual activity between staff and an inmate, he/she will immediately report it to the on-shift supervisor. The on-shift supervisor will immediately report it to the on-shift lieutenant who will immediately report it to the Bureau Director. The Bureau Director will decide on a course of investigation.

### **False Reports of Sexual Activity**

If an investigation finds that an allegation of rape, sexual assault, or sexual activity was false, the case should be reviewed for prosecution. A disciplinary incident report should also be written for making a false report. (SOP 5.3 Reports, Hotsheets and Log Entries)

## **SPECIALIZED TRAINING**

### **Investigators**

In addition to the general training provided to all employees, the agency shall ensure that, to the extent the facility conducts sexual abuse investigations; its investigators have received training in conducting such investigations in confinement settings.

Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, youthful inmates, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The training department will ensure that all investigators maintain required training, and report deficiencies to the PREA Coordinator for review. Trainings will include ongoing annual training through sources to include/but not limited to: the PREA Resource Center,

court rulings, and legal updates.

Any State entity or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations. This includes the agency as well as outside agencies assisting the facility with a sexual misconduct criminal investigation.

### **Medical and Mental Health Providers**

The agency shall ensure that all full and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in:

- 1) How to detect and assess signs of sexual abuse and sexual harassment;
- 2) How to preserve physical evidence of sexual abuse;
- 3) How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
- 4) How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

Documentation for training and certifications will be maintained by the Health Services Unit, and supervised the Health Services Manager.

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## **RISK SCREEN FOR SEXUAL ABUSE or VICTIMIZATION**

### **Initial Risk Assessment**

All inmates shall be assessed during an intake screening and upon being transferred from another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates. Intake screening shall take place within 72 hours of arrival at the facility. Initial assessment will be done in booking during medical questioning, and documented for housing and medical considerations. Within a set time period, not to exceed 30 days from the inmate's arrival at the facility, classification staff will reassess and document the inmate's risk of victimization or abusiveness based upon any additional relevant information received by the facility since the intake screening.

At any time, the inmate's risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. The reassessment will be done by security and/or medical staff as warranted. Classification staff is responsible for ensuring the reassessment is completed and results documented. All staff with relevant information must ensure classification staff receives that information immediately in writing. Inmates may not be disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked during the risk assessment interview. Inmates refusing to answer shall be referred to the shift commander or classification's officers for housing consideration. The facility shall keep all information received from responses on a need to know basis. Information found during the questioning period will not be exploited to the inmate's detriment. The sharing of information regarding a sexual assault and sexual activity shall be limited to those who need to know for safety and security decision-making, investigation, and prosecution. Staff members will refrain from talking openly about such issues. Staff shall immediately address inappropriate comments such as taunting or teasing.

### **Use of the Screening Information**

The security staff will make individualized determinations about how to ensure the safety of each inmate. The decision for housing will be made using information derived from the inmate, in addition to medical staff input, and in keeping within agencies guidelines for housing.

In deciding whether to assign a transgender or intersex inmate to a housing unit for male or female inmates, and in making other housing and programming assignments; the facility shall make considerations on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether the placement would present management or security problems.

Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least every 30 days to review any threats to safety experienced by the inmate.

A transgender or intersex inmate's own views with respect to his or her own safety shall be given serious consideration. Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates. Decisions on housing to provide shower access will be supervised the Classification's team. The facility shall not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or cell blocks solely on the basis of such identification or status.

### **Risk Screening for Protective Custody**

Inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If an assessment cannot be conducted immediately, the inmate may be held in involuntary segregated housing for less than 24 hours while completing the assessment.

Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the access to programs, privileges, education, or work opportunities is restricted, documentation will include:

- 1) The opportunities that have been limited;
- 2) The duration of the limitation; and
- 3) The reasons for such limitations.

Every 30 days, the facility shall conduct an inmate file review to determine whether there is a continuing need for separation from the general population. This review will be done by the Classification's team, in conjunction with Health Services staff during Treatment Team meetings (115.62 (a)). **Updated 115.62 (a)**

## REPORTING

### **Inmate Reporting**

The facility provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.

Inmate reporting can be done directly to security staff, health service staff, reporting through the PREA hotline, outside family or friends to report back to the agency, grievance forms, and through an external agency. ~~external counseling services~~. All information regarding ways to report will be made available for viewing in housing areas throughout the jail.

For confidential reporting through an external agency inmates may write to the Idaho Sheriff's Association by addressing a letter as follows:

Idaho Sheriff's Association  
ATTN: PREA  
3100 Vista Ave. Suite 203  
Boise, Idaho 83705

Letters addressed in this manner are to be treated like legal mail and should not be opened unless there is an obvious reason to suspect something besides papers are inside. If an inmate requests an envelope and paper for this purpose staff shall make it available if the inmate has used up their weekly indigent issue.

Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.

### **Staff Reporting**

The agency head requires all staff to report immediately according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in the facility, whether or not it is part of the agency; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in SOP 1.2.25, to make treatment, investigation, and other security and management decisions.

Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse; to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services. (Also found in HSU SOP J-B-05)

The facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators. The investigators will follow up on information to include/but not limited to: statements made,

video recordings of the area of alleged incident, and interviews of those involved.

When a staff member learns that an inmate is subject to a substantial risk of imminent sexual abuse, they shall take immediate action to protect the inmate. Actions shall include immediate separation of that inmate to protect them from possible further incidents.

### **Agency Reporting**

Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the facility shall notify the facility or appropriate agency where the alleged abuse occurred. Shift commanders shall be responsible for reporting, and documentation of such reporting will be included in a written report. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation (115.63(d)). **Updated 115.63 (d)**

### Hotline Reporting and Testing - **UPDATED 2/7/2022**

A hotline has been established to facilitate the reporting of incidents. When a call is received on the hotline, the Security Control Specialists will notify an on-duty sergeant or designee of the call and relay the information. All calls placed to the PREA hotline will be recorded by Security Control Specialists with a "PREA" log entry. The information should include, at minimum, the name of the involved inmate, the location the call originated from, the time of the call received, and the sergeant or designee notified. This will provide the necessary documentation to complete monthly audits.

To ensure the system is working, each Monday Night Inspection will include a test call to the PREA hotline to ensure the system, phone and/or email alerts are working properly. A "PREA" log entry will be made by the Security Control Specialists to record the test call. The log entry should state a test call was placed to the PREA hotline and the system functioned properly, or an error occurred, with explanation. This test call will not be documented in an incident report as the inmate phone system provides for an audible alert as well as a recorded test message and email alerts, all of which provide the necessary documentation to complete monthly audits.

If during the weekly test call an error is observed in the inmate phone system, the Central Control paging system or the email alerts, the on-shift supervisor shall note the error / issues on the Monday Night Inspection report and send an email detailing the observed error or issue to the PREA Coordinator or designee for follow-up and correction.

Audits will be done monthly on the PREA reporting hotline, comparing the email alerts received from the phone system to the Monday Night Inspection forms and/or incident reports, as appropriate, to ensure that test calls are made and that all actual calls are properly logged and necessary investigations and follow-up completed. Audits will be done by the PREA Coordinator or designee.

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### **FIRST RESPONDER DUTIES**

Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to:

- 1) Separate the alleged victim and abuser;
- 2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;
- 3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the *alleged victim* not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and
- 4) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the *alleged abuser* does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.

### **ON-SHIFT SUPERVISOR DUTIES**

- 1) If a medical emergency exists, ensure the victim receives proper medical attention.
- 2) If the assault occurred within 72 hours:
  - a. Secure the victim in a dry cell to preserve evidence. Although it is natural for the victim to want to clean up, the victim should not shower, eat, or drink until after evidence is collected.
  - b. Secure the alleged perpetrator in a dry cell to preserve evidence.

- c. Contact an on-call detective.
- d. If the victim requires transport to a hospital, notify the hospital that the victim coming in is a possible rape victim and request that the hospital activate the SART (Sexual Abuse Response Team).

### **QUALIFIED HEALTH PROFESSIONAL DUTIES**

- 1) Interview the victim to assess any mental health issues or suicidal ideation.
- 2) Make appropriate outside medical referrals for forensic medical exams.
- 3) Offer crisis counseling limited to the crisis created by the incident.
- 4) Make any appropriate recommendations to Health Services and/or Classifications.
- 5) Assist with directing the inmate to other counseling resources.

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### **PROTECTION AGAINST RETALIATION**

The facility will make all efforts to protect inmates and staff that report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff. The Classification's team will be responsible for ongoing supervision of matters regarding retaliation.

The facility employs multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. All measures taken will be included in a documented report for review by the Bureau Director.

For at least 90 days following a report of sexual abuse, the facility shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation.

Monitoring will be done by Classification's staff, and will be done on a regular schedule not to exceed 30 days per review. As part of the monitoring process, status checks on inmates, to include interviews, shall be conducted.

The specific duty to monitor and document staff and inmate safety after reporting a sexual incident will be performed by the Classifications Sergeant, and supervised by his/her Operational Lieutenant. Each staff member within the facility is also expected to make a report if they notice retaliation of any kind.

Items that are monitored include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The facility will continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

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### **INVESTIGATIONS**

When the facility conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. Where sexual abuse is alleged, the facility shall use investigators who have received special training in sexual abuse investigations as referred to in the specialized training section of this SOP.

Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. When the quality of evidence appears to support criminal prosecution, the investigating agency shall complete the investigation to include written reports for a pending criminal matter. When appropriate the investigating agency shall make arrests, or submit the criminal report to the prosecutor's office for consideration. The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff.

#### **Administrative investigations:**

- 1) Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and
- 2) Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.

Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution. The agency shall retain all written reports for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

The departure of the alleged abuser or victim from the employment or control of the agency shall not provide a basis for terminating an investigation. When outside agencies investigate sexual abuse; the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.

### **Reporting to Inmates**

Following an investigation into an inmate's allegation that he or she suffered sexual abuse in a facility, the agency shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:

- 1) The staff member is no longer posted within the inmate's unit;
- 2) The staff member is no longer employed at the facility;
- 3) The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
- 4) The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

Following an inmate's allegation that he or she has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever:

- 1) The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
- 2) The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

All such notifications or attempted notifications shall be documented. The agency's obligation to report under this standard shall terminate if the inmate is released from the custody.

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### **INMATE CONFIDENTIAL SUPPORT SERVICE ACCESS**

The facility shall provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations, and, for persons detained solely for civil immigration purposes, immigrant services agencies.

The facility shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible.

The facility shall inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

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### **DISCIPLINARY ACTIONS FOR STAFF**

Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination shall be the presumptive disciplinary sanction for staff members (commissioned, professional or contractual) who have engaged in sexual abuse. Disciplinary sanctions for violations of policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. All terminations for violation of sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

### **CORRECTIVE ACTION FOR CONTRACTORS and VOLUNTEERS**

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. Sexual contact between staff and inmates is never consensual (Inmates have no ability of consent in a confinement setting) and is always seen as an abuse of power and thereby makes it an act of coercion. It is a felony for any officer, employee or agent of a state, local or private correctional facility to have sexual contact with an inmate (as those terms are defined in Idaho Code §18-101A) housed in such facility. Any person found guilty of sexual contact with an inmate is punishable by imprisonment in the state prison for a term not to exceed life.

### **DISCIPLINARY ACTIONS FOR INMATES**

Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and

the sanctions imposed for comparable offenses by other inmates with similar histories. Sanctions for violations of sexual misconduct shall not exceed 30 days loss of privileges per violation. The ACSO shall, in accordance with safety, security and well-being, to offer therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse. If appropriate, the facility shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. The facility may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact. Sanctions for violations of sexual misconduct with staff shall not exceed 30 days loss of privileges per violation. For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. Incarcerated individuals are not able to consent to sexual contact of any type, whether with another inmate or with a staff member. It is recognized however, that not all sexual activity between inmates falls into the 'abusive contact' category. For purposes of this act, what would be otherwise known as a 'consensual' will be known as 'mutual'. The facility prohibits all sexual activity between inmates (mutual or abusive) and may discipline inmates for such activity. A key point in determining whether a sexual act is abusive or mutual (in addition to the gathering of evidence), is the determining if coercion was used to elicit the sexual act. Sanctions for violations of mutual or abusive sexual activity shall not exceed 30 days loss of privileges per violation.

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### **MEDICAL and MENTAL HEALTH SCREEN**

If the results of the 'sexual risk screening tool' indicates that an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening. A mental health referral should be started and properly routed. Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law. Medical and mental health staff shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18.

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### **SEXUAL ABUSE INCIDENT REVIEWS**

The facility shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. Such review shall ordinarily occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health staff.

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### **DATA COLLECTION**

The agency will make all efforts to collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. The agency will maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. The data review shall include an assessment process to improve effectiveness in: sexual abuse prevention, detection, responses, SOP's, training updates, and a facility evaluation for safety purposes (115.88 (a-c)).

The assessment group shall meet at a minimum annually and include/but not limited to: a data collection representative, Jail Bureau command staff member, the PREA coordinator, and the PREA manager. Findings will be written up for review, and maintained as per the Agency's data retention policy (115.88 (a-c)).

Actions taken to the review shall be documented, and retained for future auditing purposes (115.88 (a-c)).

If the agency is selected to receive the yearly Survey on Sexual Violence from the Bureau of Justice Statistics, we will complete and submit the survey. Upon request, the agency will provide all such data from the previous calendar year to the Department of Justice no later than June 30. **Updated 115.88 (a-c)**

### **DATA STORAGE**

The agency will ensure that data collected is securely retained. The agency will make all aggregated sexual abuse data readily available to the public at least annually through its website for review. All data placed onto the website for review, shall have personal identifiers removed prior to posting (115.89(c)). The data retained regarding sexual abuse will be held for review for a period not to

exceed ten years from initial collection (115.89 (a,d)). **Updated 115.89 (a, c, d)**

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## **Section 6C – JSB HEALTH SERVICES UNIT POLICY & PROCEDURES**

### **6C.01 JSB Health Services Unit Policy & Procedures**

Chapter 6, Section C is designated the Health Service Unit Standard Operating Procedure (HSU SOP).

The HSU SOP is hereby incorporated by reference and is found online at ACES.

The HSU SOP meets the National Commission on Correctional Health Care accreditation standard.

## **SECTION 6D - JAIL SERVICES POLICY**

### **6D.1 EMERGENCY RESPONSE**

Situations that affect a majority of the ACJ are considered emergencies. For these situations, the ACJ maintains a separate set of emergency manuals that provide post orders, checklists, and reference information which can be found in the red, white, and blue binders in Central Control or on ACES. Situations that are localized in the ACJ are considered incidents and handled with as minimal an impact on the rest of the ACJ as possible. There are also instances when the ACJ is at an increased risk of experiencing an emergency, but is not actively involved in one. When these conditions exist the ACJ may be placed on Alert Status. Alert Status provides for additional resources, based on the nature of the threat.

The ACJ should respond to all emergencies in and around the facility with a unified, comprehensive, tactical plan. The ACJ should use an incident command structure and a first responder system to ensure a controlled response to emergencies in and around the facility. Quick and coordinated response to an emergency significantly enhances the possibility of limiting and controlling it. ACJ staff will prepare for emergency situations through regular training and drills. (Idaho Jail Standards 4.08).

Any off-duty ACJ staff may be activated during emergency situations. Upon learning of an emergency, situation or event affecting the ACJ, off-duty staff members should call the ACJ to see if their services are required and respond as directed. Emergencies may include, but are not limited to: an earthquake of a large enough magnitude to disrupt utilities, a power outage that is expected to last longer than four hours, or any other natural or man-made disaster where safety and security are compromised.

Fire prevention is key to effective fire protection plans. (Idaho Jail Standards 6.01 – 6.05). The ACJ provides a fire protection system by incorporating the following elements: fire prevention efforts; facility inspections; fire and safety plans; and the training of ACJ staff.

#### **6D.1a RESPONSE TO INMATE DEATH**

Deputies should respond to an inmate death in a way that maximizes the possibility of discovering the cause and any contributing factors. The immediate area is to be treated as a crime scene and preserved for detectives. ACSO detectives will be responsible for notification of the coroner and will request an autopsy to determine the cause of death.

Initial responding jail deputies, following the discovery an inmate death, should:

- Ensure the scene is secure and evidence is preserved until relieved by a commander or until the investigating detective arrives;
- Start and keep a log of all people who come and go from the scene (recording name, time and, reason for entering the scene, and ADA #) until relieved;
- Ensure no person tampers with or removes any evidence; and
- Prevent any unnecessary person from entering the scene to prevent contamination.

The on-shift supervisor, following the discovery of an inmate death, should:

- Immediately notify the on-shift operational lieutenant, ACSO CID, and JSB chain of command.
- Assist the coroner or detectives when requested to coordinate family notifications.
  - Family notifications should be completed by the Coroner's office.
- Assist detectives to prepare the various reviews and audits required (i.e. mortality review, administrative review, etc.).

#### **6D.1b RESPONSE TO MEDICAL ISSUES**

The Ada County Jail provides a health services unit with a multitude of care options for inmates on a daily basis. Jail deputies should

review Chapter 6, Section C of the ACSO manual which covers the Health Services Unit in order keep inmates and themselves healthy and well-cared for. In addition to section C, the following section describes duties jail staff and deputies have in regards to supporting the mission of HSU.

## **6D.2 WELL-BEING CHECKS**

To ensure security, the continued safety, and the well-being of all inmates, well-being checks should be conducted on an irregular basis, day and night. (Idaho Jail Standards 7.02). Frequent checks should be made for persons who are violent, suicidal, mentally ill, intoxicated, or who have other special problems or needs that warrant closer observation.

### **6D.2a SUICIDE RISK REDUCTION**

ACJ staff will attempt to identify inmates who may be at risk of suicide and will initiate reasonable intervention. Staff will be provided periodic training on suicide prevention and intervention. Deputies will use the procedures below and the HSU SOP to continually be aware of best suicide prevention practices. (Idaho Jail Standards 8.06 – 8.07, 11.03).

### **6D.2b JAIL / INMATE SEARCH**

To protect inmates, staff, and visitors, and to ensure the safe and efficient operation of the ACJ, the Sheriff prohibits the introduction of weapons, drugs, or any item of contraband into the ACJ or any other custodial holding area. (Idaho Jail Standards 7.14 – 7.19). All persons incarcerated at the ACJ are subject to being searched by deputies. The types of searches performed at this facility include: pat-downs, entry search, strip search, suicide clothing removal, and cell/dorm search. The type of search conducted depends on the purpose for the search and inmate's location or need to be moved within the facility. Searching inmates deters and detects the possession of contraband or weapons. Inmates and cells may be searched randomly in an effort to suppress or locate possible contraband. Inmate searches may occur at any time and will normally consist of a pat-down search, but upon reasonable suspicion or other legal authority, inmates are subject to strip searches.

### **6D.2c SPECIAL MANAGEMENT INMATES**

Special management inmates require a higher level of supervision, close-custody security, and special consideration for housing. (Idaho Jail Standards 8.01).

Special management inmates are:

- Custody Level 1 and 2 (Maximum custody) inmates;
- Protective Custody (PC) inmates;
- Inmates with a debilitating mental illness or serious health condition (special needs);
- Inmates on preventative segregation;
- Inmates on disciplinary segregation;
- Inmates on investigative segregation; and
- Youthful inmates.

### **6D.2d RESTRAINTS**

Restraints should be used to enhance safety, prevent escape, and ensure security and order. Restraints should be applied to secure persons in custody who are moved either within the ACJ or transported outside of the ACJ. Security staff should double lock restraint devices when safe to do so and take precautions to make certain that the restraints do not cause impaired circulation or excessive pressure. This policy does not prohibit the use of new restraint techniques that are approved by the bureau captain or Sheriff upon a recommendation from the force committee.

### **6D.2e USE OF FORCE IN ACJ**

All ACSO deputies are trained to use force in compliance with this chapter and with section 2C.4. Jail staff are expected to know the additional requirements of a jail deputy as it relates to their authority to use reasonable force inside the jail. Deputies should use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose. Force, security equipment, and restraint equipment should be used only as justified control measures. Force should never be used as a means of punishment. (Idaho Jail Standards 7.09, 7.25).

ACJ security occasionally necessitates the use of force to gain compliance from an inmate. The ACJ recognizes that there is a difference between a planned use of force and an unplanned one. A planned use of force provides time for planning and mitigation. An unplanned use of force occurs with little or no warning. The level of resistance presented by an inmate can affect the amount of force needed to gain his/her compliance. For reasons of security and safety, a deputy may use a reasonable amount of force to gain compliance to any lawful order.

Deputies are authorized to use and carry a conducted energy device (a.k.a. "Taser") in accordance with CED policy in section 2C.4.05. Deputies are authorized to carry OC Spray in accordance with section 2C.4.04.e. In addition to 2C.4.04, Jail deputies carrying OC spray shall use carrying cases equipped with a full flap with either a snap or velcro closure that covers the top of the canister.

Deputies should inform the on-shift supervisor when physical force has been used that exceeds a police lead. A report is required whenever anyone is injured due to force or the level of force used exceeds a police lead. The on-shift supervisor should ensure that photos are taken of all inmates involved in a use of force incident, regardless of whether they are injured or not to document the presence (or lack of presence) of injuries. Use of Force reports are created, logged, and routed in the use of force reporting system. The form and report should be electronically routed to the appropriate on-shift lieutenant.

### **6D.3 INMATE CONTROL & MOVEMENT**

In order to ensure the safety and security of ACSO staff, the community in general, and inmates in our care and custody, deputies should make every effort to minimize the possibility of injury, escape, and endangerment. Deputies should be trained in regards to inmate control and inmate movement. Movement and control of inmates includes non-scheduled transports, count reconciliation, security checks, lockdown procedures, and mass arrest procedures.

### **6D.4 KEY, TOOL, RADIO, & WEAPON CONTROL**

Deputies should exercise control over keys, tools, radios and other weapons and equipment at all times. A consistent system for control should be maintained and is necessary for purposes of accountability and security reasons. Weapons should not be brought into the ACJ except during emergencies with the approval of the on-shift supervisor. (Idaho Jail Standards 7.23 – 7.25). Weapons include firearms, ammunition, knives, and batons. For purposes of this section, oleoresin capsicum and CEDs are not considered weapons. Security staff shall check weapons and ammunition into designated weapons lockers. Weapons will remain in the locker until the deputy leaves the secure portion of the ACJ. Officers who visit the ACJ shall secure all weapons in lock boxes or in their vehicle. Jail staff who possess personal items that would be contraband if possessed by an inmate must maintain strict control of the items.

### **6D.5 BOOKING**

The ACJ will accept all inmates presented by proper authority (I.C. § 20-612). Inmates must be charged with a specific crime for which an arrest may be made, committed to the custody of the Sheriff of Ada County on a valid court commitment or must be in custody on a legal hold. Juveniles will not be accepted into the ACJ unless they have been waived into adult court by the proper authority. Additionally, I.C. § 20-612 does not allow for the acceptance of mentally ill persons not charged with a crime.

Law enforcement officers delivering inmates to the ACJ may enter the intake area once it is verified that the inmate is handcuffed and has been preliminarily searched. If the arresting officer is unknown to ACJ security staff, the officer's identification should be verified with a valid law enforcement identification card prior to allowing access to the intake area.

For any person brought to the ACJ who displays evidence of injury, serious illness, or is semiconscious the arresting officer or law enforcement agency must present written evidence of a medical examination by a qualified health care professional, along with a statement indicating that an individual is medically suitable for incarceration. (I.C. §§ 20-601 and 67-2907). Medication services are to be clinically appropriate and provided in a timely, safe, and efficient manner. Inmates with prescription medications, prescribed by a community physician, and who make the medications available to ACJ staff, will receive those medications with approval from the HSU staff.

For the safety and security of staff and inmates, security staff members are required to conduct a thorough search of every inmate accepted into custody. All personal property should be removed from the inmate for safekeeping. (Idaho Jail Standards 15.10, 15.18 – 15.21).

I.C. § 39-604 requires that persons charged with certain offenses shall be tested for the diseases enumerated in I.C. § 39-601. In general, all persons (including juveniles) are to be tested when charged with any crime in which body fluid has likely been transmitted to another. See I.C. § 39-604 for the list of charges. A qualified health care professional from Health Services should obtain blood and urine samples for testing pursuant to I.C. § 39-604. The results of the tests are forwarded to the court by the ACSO Legal Advisor.

### **6D.6 ADMISSION /HOUSING OF INMATES**

The ACJ will hold all persons lawfully committed to the ACJ until such time as that person is lawfully released from custody. Security staff will make reasonable efforts to identify and appropriately manage the risks and needs of all inmates in custody. Inmates who are unable to post bond should be housed. (Idaho Jail Standards 10.10, 10.12, 15.11 – 15.14).

**6D.7 RELEASING INMATES**

Inmates should be released from the ACJ under the authority of a court order, after posting a valid bond, at the instruction of the Ada County Prosecuting Attorney, or released to the appropriate law enforcement agency having jurisdiction. In extraordinary circumstances, emergency procedures detail the process required to release inmates if necessary. Inmate Records Technicians are responsible for making sure that paperwork and the system correctly reflect information so the inmate is properly released and, if required, should notify victims prior to the release. Security staff is responsible for making sure that the correct inmate is released based on instructions and documentation provided by Inmate Records. (Idaho Jail Standards 5.18 – 15.21).

**6D.8a INMATE INTERACTIONS**

Staff should make an effort to treat and address inmates and each other with respect and dignity. ACJ staff members are required to keep associations professional. ACJ staff members shall not enter into relations with inmates/probationers or parolees that would violate federal or state law, any Ada county ordinance, or the ACSO Policy Manual. ACJ staff will address inmates and the public in a reasonable and dignified tone and not use derogatory or offensive language. Inmates will address staff members by rank or title and use only last names. Captain, Lieutenant, Sergeant, Deputy, Mr., Mrs., Miss, and Officer are appropriate titles. These titles may be used alone or coupled with the staff person's last name. Inmates may not address staff members by nicknames or first names. In addressing or discussing an arrestee or inmate who is transgender/intersex, staff will use pronouns appropriate for that person's gender identity. If the staff is uncertain which pronouns are appropriate, then staff will respectfully ask the arrestee or inmate for clarification. Staff will refrain from using any derogatory or offensive names when addressing or discussing a transgender arrestee or inmate. All ACJ staff and volunteers shall be held accountable to all parts of the Prison Rape Elimination Act (PREA) Policy adopted by the ACSO. The ACSO strives to ensure all staff and volunteers are well trained in PREA policy and procedure on a routine basis. ACJ staff must notify their supervisor if a friend or relative is incarcerated in the ACJ. ACJ staff must notify their supervisor if they must have contact not related to their immediate job assignment with a person currently on probation or parole.

**6D.8b INMATE RECREATION**

It is the goal of the ACSO to provide inmates with an opportunity to exercise outside for five hours per week, when weather permits. (Idaho Jail Standards 17.09). No inmate should be placed in a recreation yard that has not undergone a security sweep.

**6D.8c INMATE EXCHANGES**

Inmates are required to exchange eating utensils, clothing and bedding on a regular basis. Exchanges are based on the current weekly exchange schedule, which is maintained by the inmate worker supervisor. (Idaho Jail Standards 10.12-10.13). Exchanges should be logged on the computer log system. If an exchange is not completed, the housing deputy is required to log an explanation. During the exchange of bedding, uniforms, and blankets the housing deputy will inspect items for disrepair and vandalism. Damaged items will be sent to sewing for repair. For inmate clothing exchange, a "laundry loop" will be issued to complete the exchange. A laundry loop will be distributed by tracking number on a housing unit's scheduled laundry day. When handing in dirty clothing, inmates will receive a laundry loop from the deputy who will log the specific loop number for later return. Dirty clothing will be secured on the laundry loop by the inmate and placed in the clothing bin for delivery to laundry. Inmates will have their clothing returned on the same laundry loop with that number confirmed by the deputy. Laundry loops will then be collected and stored in the designated secure area. Inmates shall not keep the loop at their bunk.

**6D.8d INMATE MAIL**

ACSO should provide and deliver mail for inmates, balancing their right to correspond with the safety of all persons, security of the facility and orderly operation of the jail. Commercial mail will not be accepted into the jail. (Idaho Jail Standards 14.01, 14.02, 14.04-14.10). Unlimited correspondence between inmates has been found to contribute to assaults between inmates, between inmates and staff, and to the formulation of escapes. ACJ should prohibit mail between inmates of this institution and inmates of any other jail, prison, or juvenile detention center without the prior approval of Classifications. (Idaho Jail Standards 14.03). Inmate-to-inmate correspondence may be approved when the inmates are immediate family members (spouse, parent, child, or sibling).

**6D.8e HAIRCUTS**

It is the intent of the ACJ to provide an opportunity for inmates to receive haircuts at least once per month. Inmates who provide haircuts should meet basic sanitation requirements. (Idaho Jail Standards 10.09). ACJ staff set times for haircutting where an inmate barber will perform haircuts while being supervised by the housing unit deputy. Hair may not be styled in a way that compromises security and safety. The inmate barber should be given a clean uniform at the conclusion of the haircuts for the day. The inmate barber will wash hands prior to cutting any other inmates hair. The inmate barber will ensure all combs, scissors, and removable clipper heads are sprayed with a sanitizing solution before the items are used on another inmate and that towels are laundered after each use. The inmate barber will rinse, dry, and store equipment, and sweep and mop the floor in the haircutting area.

**6D.8f CLEANLINESS OF JAIL / HOUSEKEEPING**

All JSB staff members should take appropriate action to ensure that the ACJ maintains a clean and healthy environment. (Idaho Jail Standards 10.04, 17.13 – 17.14). ACJ shall strive to provide a clean and well-maintained facility. Inmates should serve where

appropriate to clean the ACJ in designated areas on a daily basis. Inmates should follow procedures to keep their areas, personal items, and living quarters maintained so that jail staff may be able to view any portion of an inmate area as needed. Handwashing procedures, bio-hazard and decontamination processes and the use of eye-wash stations procedures should be strictly adhered to in order to provide a healthy and safe jail.

#### **6D.8g RAZORS DISTRIBUTION AND COLLECTION**

The ACJ will provide razors to post-arraignment inmates who are housed in general population. Inmates housed in pre-arraignment areas will generally not be provided with razors. High-risk inmates may not receive a standard razor with a blade as determined by Security and HSU staff. (Idaho Jail Standards 10.09). The ACJ recognizes that the Health Service Unit is a unique housing unit and that there may be a greater potential risk that inmates may attempt to harm themselves if they are provided a standard razor. To mitigate this risk of harm and provide inmates with the opportunity to shave on a daily basis, the ACJ will provide battery operated electrical razors. (Idaho Jail Standards 10.09).

#### **6D.9 CLASSIFICATIONS / PLACEMENT OF INMATES**

To maintain the highest level of safety, security, and inmate well-being, the Classification Unit will assign inmates to the appropriate least restrictive housing, consistent with the designated custody level and/or identified need(s). Inmates with suicidal ideation or suicidal history require special handling. (Idaho Jail Standards 16.02, 16.04). Inmate clothing is color coded to help staff members quickly identify custody levels, housing assignments, or inmate worker status. Inmates who meet established criteria and display a pattern of positive behavior are eligible to become inmate workers. (Idaho Jail Standards 4.11, 7.03, 7.12 – 7.15 and 9.16 – 9.18). Inmates should not be denied access to any inmate offered programs or work assignments based solely on their sex, race, religion, sexual orientation, gender identity, or national origin. To ensure male and female inmates are kept separate, some work assignments may be designated for male or female inmates only. (Idaho Jail Standards 17.12.01-17.12.02).

#### **6D.10 FEDERAL & STATE CONSTITUTIONAL RIGHTS & PRIVILEGES**

Every ACJ staff member should ensure that inmates' rights are respected. (Idaho Jail Standards 12.01). The ACJ should, whenever possible, make reasonable accommodations for persons with qualified disabilities, as defined by the American's with Disabilities Act (A.D.A). Privileges are extended to all inmates not serving disciplinary sanctions within this facility. Any or all of these privileges may be changed or denied by ACJ staff for cause.

#### **6D.11 INMATE REQUEST FORMS (IRF)**

Inmates will make their needs known directly to their housing deputy. If that deputy is unable to resolve a legitimate issue, the inmate can request and complete an Inmate Request Form (IRF). Generally, IRFs are internal to the ACJ and will not be sent to other agencies or bureaus. Exceptions to this rule may exist for inmates who need to contact external agency partners who have liaisons physically located at the Day Reporting / Work Release Centers. If the issue is not resolved through the IRF process, inmates can address grievances on a grievance form (Idaho Jail Standards 12.02).

#### **6D.12 GRIEVANCES**

It is the policy of the ACJ to address inmate concerns in a fair and timely manner. Inmates are required to make good faith efforts to solve issues through informal means prior to filing a grievance. Informal means includes talking to staff, completing a request form, or contacting customer service for the different service providers (i.e. phone vendor or commissary vendor). An inmate may use the grievance process when informal means do not resolve the issue. The inmate grievance process gives an inmate the opportunity to work out the grievance with the staff member involved. The inmate has the option to have the grievance reviewed through appeal to the staff member's supervisor. No reprisal or retaliation is permitted against an inmate who has filed or appealed a grievance. Grievances are to be used only for legitimate communications. Once a grievance is answered at the appeal level, the inmate may not repeatedly address the same issue. Such abuse of the grievance system may lead to disciplinary action and restriction of access to the grievance form. (Idaho Jail Standards 12.02).

#### **6D.13 INMATE TRUST ACCOUNT TRANSACTIONS**

The ACJ provides inmates the opportunity to purchase pharmaceuticals prescribed by HSU staff, visits with medical care providers, telephone time, commissary and other items for personal use. Money and accounting measures for the Inmate Trust Account shall be handled according to current practice and procedures. When funds are placed into an Inmate's Trust Account, \$15 will be reserved from the running balance to be used for outstanding medical co-pays and other ACJ administrative uses (such as restitution). If no outstanding fees exist at the time of release from the ACJ, all money will be returned to the inmate. The amount over \$15 is automatically available in the Inmate's Trust Account, which can be used for commissary purchases, phone time transfers, and will be charged for current medical visits and pharmaceuticals. Inmates must maintain a balance exceeding \$15 in order to purchase personal items. (Idaho Jail Standards 17.17).

**6D.14 MEALS**

ACJ staff will work to deliver a food service program that meets Idaho Jail Standards, ensures food does not become a safety or security threat, and is as cost effective as possible. Additionally, it is a goal to provide inmates with a nutritionally balanced diet. A certified dietician or nutritionist should review ACJ menus at least every six months. Inmates with special medical or religious diet needs will be accommodated to the best of the ACJ staff ability based on the physical plant limitations and available products. Food will not be withheld from inmates for disciplinary or other non-medical reasons. This policy and following procedures do not apply to commissary food items.

**6D.15 INMATE DISCIPLINE**

ACJ staff must have the ability to influence the behavior of inmates who do not willingly conform to established rules, regulations, and behavior expectations. (Refer to Idaho Jail Standards Chapter 13). ACJ staff members should strive to identify an inmate who presents a unique threat or security risk to him/herself or others. Any inmate who has not been successfully managed through the normal disciplinary or behavioral health protocols falls into this category. ACSO manages jail inmate population using sentence commutation as authorized by I.C. § 20-621.

**6D.16 INMATE DOCUMENTATION**

Deputies should document certain activities that occur in the ACJ. Reporting information can be accomplished using an incident report, use of force report, hot sheet, or log entry. Supplemental information can be in digital, audio, still images, and/or video. (Idaho Jail Standards 5.05, 5.08, 7.09 – 7.10, 7.25). Generally, incident reports are used to report significant situations or when the information will require more than a hot sheet entry or log entry.

Reports are required for the following situations:

- Discipline reports of any severity level;
- Contraband found during a strip search;
- Inmate resistance that requires a deputy response greater than a police lead;
- On duty discharge of any weapon (except for training/testing purposes) to include firearms, CED, Oleoresin Capsicum, or less lethal munitions;
- Injury to inmate, staff, or a member of the public;
- Situations involving any PREA reporting requirements (where staff is accused or involved, deputies should document per staff misconduct policy);
- Security information from outside agencies or sources;
- Medical situations requiring an immediate medical response;
- Inmate behavior that suggests mental or emotional issues requiring medical intervention;
- Suicidal ideation or suicide attempts;
- ACJ safety and security issues;
- SRT activations; and
- Security issue when transporting inmates.

**6D.17 VISITATION / ACCESS TO JAIL BY NON-ACSO EMPLOYEES**

The Sheriff via ACJ staff will determine who will be given access to the jail as a visitor. For the purposes of this section a "visitor" is defined as any non-ACSO employee who is visiting an inmate or otherwise is entering the jail for any personal, professional, or law enforcement reason or is a county employee who has a work related need to enter the jail. A visitor must first display a visitor's pass or law enforcement/court/state issued photo ID to enter the jail. All visitors must be approved by authorized staff prior to entering the ACJ. For security and safety, visitors may be asked to wait if there are on-going events within the jail or visits may be cancelled completely. Any visitation may be cancelled or terminated upon violation of any visiting policy or procedure or in the event of any emergency, incident or situation in which the on-shift supervisor deems it advisable. Inmates may refuse visitations. No weapons, firearms or contraband items can be brought into the jail by anyone unless specific approval is given by the Sheriff or his designee.

Additionally, the use or possession of any phone, camera, video camera, or other device capable of making any digital record of the inside of the jail facility by any person without the express approval of the Sheriff or his designee is prohibited. Pursuant to this policy, ACSO commissioned deputies and approved professional staff may be allowed to use their cell phones inside the jail for work purposes and for limited personal use while on duty. The Sheriff may allow attorneys, clergy, or other specific professional visitors as listed in the policy to use their cell phones or recording devices to assist them in the completion of their task while in the jail if the use of such device occurs only when the person is alone with their specific client(s) and is in an area where conducting a recording would not threaten jail security. Anyone failing to comply with this policy shall not be allowed to enter or remain in the jail.

No visitor is allowed to photograph or film inside the jail using any personal device without express permission of the Sheriff or his designee. Strict compliance with this is necessary to ensure the jail's configuration, design, and layout remain protected at all times in order to prevent escape attempts and/or any other criminal act that could put inmates or ACSO staff in danger.

The ACSO will maintain a lobby security post and screen all visitors to the jail. To maintain security and safety and prevent violations of I.C. § 20-627 the ACJ reserves the right to search any visitor at any time, including prior to entering the jail. For visitors to have access to the jail they must be approved and voluntarily submit to the screening process. Staff will balance safety and security with a visitor's Fourth Amendment rights and screenings will be done in a manner to minimize intrusion but to ensure weapons, drugs, electronic devices or other contraband are not introduced into the jail. Persons not wishing to submit to a search will not be permitted to enter and may be asked to leave. An administrative search differs from a criminal search in that the person to be searched should be allowed to leave if the search is declined. To prevent visitors from introducing weapons or contraband into the ACJ, security staff should conduct random, periodic administrative searches of visitors. Such searches can also be prompted by information or intelligence received. No weapons are allowed in the ACJ; therefore, before entering the ACJ, all weapons should be secured in lock boxes or in the officer's vehicle.

#### **6D.18 CIVILIAN VOLUNTEERS**

ACJ may utilize volunteers (civilian volunteers or student interns) to assist staff with daily functions. Volunteer duties include, but are not limited to, administrative, clerical, data entry, inmate programs, and other general duties. (Idaho Jail Standards 17.03). All ACJ policy and procedures are applicable to volunteers who teach or facilitate programs and to those who work under the authority of the ACSO. Volunteers must abide by all rules and regulations adopted by the Ada County Sheriff and ACJ administration. Volunteers are required to follow verbal orders and instructions given by security staff. Volunteers assigned to the ACJ will first complete the appropriate screening and processing as indicated in the procedures listed below.

#### **6D.19 JAIL TOURS**

Members of the public may tour the ACJ with approval from the bureau captain, division lieutenants or their designee. Reasonable attempts will be made to accommodate interested persons; however, any request may be denied without cause.

#### **6D.20 SPECIAL RESPONSE TEAM – SRT**

The mission of the JSB Special Response Team (SRT) is to provide immediate tactical response to resolve situations that are beyond the ordinary capability, tactics, or equipment of on-shift personnel. SRT activation and deployment will consist of a full element of on-duty SRT members in full SRT uniform, fully equipped with SRT tools required for the deployment. SRT will train in the use of tactics, equipment, weapons, and control techniques necessary for safety and security when routine practices fail to bring a situation under control in a detention setting. SRT will maintain a selection of tactical equipment such as less-lethal munitions and crowd control tools. SRT members may be authorized by the Sheriff or his designee to carry special equipment as necessary to perform special emergency operations, including any lethal or non-lethal use of force options. Participation in SRT is voluntary, may require shift adjustments outside normal shift selections, and members can be dismissed without cause.

#### **6D.21 INMATE RECORDS PROCESSING**

ACSO strives to create, process, and maintain the most accurate records possible; including but not limited to, personal identification information and related law enforcement information such as arrest, hold and sentence information. Law Enforcement Records Technicians (herein LERTs) will gather all required information for every individual who is received as a prisoner by the ACJ. All information will be entered into the appropriate database(s) to ensure proper record keeping. All persons received by the ACJ as prisoners must have an record, at a minimum, a complete (formal) name and date of birth. Any prisoner found to have multiple arrest histories will have all files merged to reflect the most current information but using the oldest law enforcement number. All arrest and warrant stay entries must have a stay date and time (the date and time of arrival), an arrest date and time, an arresting officer, location of arrest, charge or warrant information and entering deputy information. Arrest stays must also include the correct next court date information. It is the responsibility of LERTs to ensure that all information has been properly entered and routed correctly for each type of arrest, hold and detainer. LERTs will ensure inmate hard files have the appropriate information for each type of stay activity and that the file cover sheet accurately reflects the inmate's current status. LERTs are responsible for documenting anomalies with records and stays and for thoroughly documenting the steps taken to resolve or correct. Any auditing activity on a file must be documented with the date, time and who completed the audit.

#### **6D.22 WARRANT PROCESSING**

Law Enforcement Records Technicians (LERTs) will process warrants as timely and as accurately as possible to provide adequate information to correctly identify and arrest the precise person wanted by the courts. Warrants in active wanted status should be made available to authorized personnel for confirmation and service on a 24-hour basis. In accordance with Sheriff's policy and applicable NCIC regulations, all warrants should be verified and must go through the proper validation process. Every warrant entered into NCIC or ILETS must be validated three months after entry and then every year thereafter until the warrant is removed

from the system.

### **6D.23 INMATE RECORDS RELEASE OF INFORMATION**

It is the policy of the ACSO to provide information to the public relating to jail activities. LERTs should be aware of the following procedures in regard to the proper release of information to the public and also to an inmate's family members, inmate's acquaintances, and professional visitors. Records releases and media information releases are dictated by federal and state law on public record releases and our public information request and media release policies and procedures found herein. Procedures for obtaining information are designed to comply with all applicable laws while safeguarding victims, staff and inmates, protecting personal information, and upholding ACSO mission and values. ACSO should strive to put as much content online as possible to aid in the transparency of our operation and to assist interested members of the public to find what they are looking for. ACSO staff will work to educate the public to the availability of what they are searching for online when the opportunity is presented. When referencing the "public", that includes bond agents, military police, and any other individuals who do not have law enforcement privileges.

## **6E – ACJ INMATE HANDBOOK**

### **6E.01 ACJ Inmate Handbook**

*Chapter 6, Section E is designated the ACJ Inmate Handbook.*

The ACJ Inmate Handbook is hereby incorporated by reference and is designed to introduce an inmate to the Ada County Jail, by explaining the rules and expectations for inmates while in custody. Inmates are expected to follow the rules contained in the handbook at all times.

The Inmate Handbook may be printed and delivered to inmates or may be provided electronically. Any policy, procedure or rules added or revised after the date of publication of the Inmate Handbook supersede any rules contained herein. Rule changes and updates, if any, should be posted in each housing area.

The ACJ Inmate Handbook is found online at ACES here:

## **CHAPTER 7 – POLICE SERVICES BUREAU POLICY**

### **7.1 POLICE SERVICES BUREAU**

The Police Services Bureau is the patrol and investigative arm of the Sheriff's Office. The deputies of this bureau fall under the command of the Sheriff, Chief Deputy, and the Police Services Captain. The bureau's mission is to perform important functions: patrol and investigations.

#### **7.1a PATROL FUNCTION**

Patrol deputies will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Ada County, Eagle, Kuna, and Star, respond to citizen calls for assistance, act as a deterrent to crime, enforce local ordinances, as well as state laws, and respond to emergencies. Patrol deputies will generally provide the following services:

- Patrol the county and cities in an effort to prevent criminal acts and traffic violations, maintain public order, apprehend criminal offenders, and assist with any hazardous situation or concern.
- Solve issues between citizens in a positive nature, applying when needed the resources of the ACSO.
- Take routine and emergency calls for service to investigate criminal and non-criminal acts.
- Conduct crime prevention activities such as residence and business inspections, make community presentations, etc.
- Share information between patrol and other bureaus of this office and other government entities.

#### **7.1b CRIMINAL INVESTIGATION FUNCTION**

The primary purpose of the criminal investigation division is to investigate and solve felony crimes in Ada County. Detectives shall effectively manage an investigative response to major crimes such as homicides, kidnappings, rapes, burglaries, robbery, etc. Detectives will work with surrounding police agencies as well as the public to accomplish their mission. To accomplish these tasks,

the following Specialized Investigative Units have been established:

- **Major Crimes Unit** - investigate crimes against persons, crimes against children, domestic violence, polygraph examinations, Idaho Attorney General's Internet Crimes Against Children Task Force
- **Property Crimes Unit** – investigate property crimes and fraud investigations
- **Narcotics Unit** - investigate narcotics trafficking, DEA Task Force, DEA Pharmaceutical Task Force, FBI JTTF Task Force, FBI Metro Violent Crimes Task Force, FBI Computer Forensic Task Force and HIDTA (High Intensity Drug Trafficking Area)
- **Student Resource Officer Unit** - SRO's assigned to various schools in the West Ada and Kuna School Districts, general assignment juvenile cases
- **ACTION Team** – Anti-Crime Team In Our Neighborhood (ACTION) focuses on problem oriented policing and works with the US Marshal's Greater Idaho Fugitive Task Force

### 7.1c SPECIFIC CRIMINAL INVESTIGATIONS

ACSO detectives, while responding to any report of rape, sexual assault, or sexual or physical abuse of an adult or child, to include kidnapping, robbery, or serious felonies occurring at Idaho Department of Correction facilities will strive to minimize the trauma experienced by the victims, and will aggressively investigate these matters to pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community. Given the sensitivity and impact to victims of the cases listed above the ACSO has developed specific procedures to ensure proper investigations occur related to these types of incidents.

### 7.2 RESPONSE TO CALLS FOR SERVICE

The public relies on ACSO 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 office 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, deputies should refer members of the public to available resources through other public agencies or charitable organizations. Additionally, as ACSO understands that person's in crisis may need intervention the ACSO will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its employees' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

### 7.3 COMMUNITY POLICING PHILOSOPHY

ACSO recognizes a responsibility to work with our citizens to make Ada County a safer place to live, work and play. We encourage a problem-solving partnership between citizens, businesses, other public agencies and the ACSO. This partnership identifies community safety issues, determines resource needs, and applies innovative strategies designed to create and sustain healthy and vital neighborhoods. ACSO deputies should be involved in the problem-solving process - giving them the ability to personalize our services and become a powerful equation in the solution. Our commitment to each of our communities is to work with them as a team to recognize issues and provide solutions to problems before they escalate. Our guiding principles include the following:

- **Educate Your Community** - Communicate with your community. Engage with Neighborhood Associations, HOA's, school staff and students, and civic groups. Provide classes, presentations, demonstrations, lockdown drills, etc.
- **Assist a Community in Crisis** - Exercise compassion. Recognize that veterans, individuals with mental health issues or delayed development, refugees, and anyone experiencing trauma may not respond as you might expect. Utilize resources such as community paramedics and mental health assistance for community members in crisis.
- **Respond to Victims** - Provide safety, compassionate response, and follow-up with crime victims.
- **Solve Neighborhood Problems** - Create partnerships and address problems at their core such as party/drug houses, and traffic, property crime and safety issues.
- **Support ACSO Teams & Partner Agencies** - Exercise teamwork with any ACSO team (e.g. CID, narcs, jail, civil or patrol) or partner agency who needs assistance on special projects.
- **Be available for other requests and needs** - Be flexible. Engage with your community on special projects like Eagle Fun Days, Kuna Days, Western Idaho Fair, Star Days, and Music Festival.

### 7.4 SEARCH AND SEIZURE

ACSO respects the fundamental privacy rights of individuals. Deputies will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures will comply with federal and state law governing the seizure of persons and property. To ensure the constitutional rights of citizens are being upheld, deputies will be trained on how to apply the Fourth Amendment's Warrant Requirement and its exceptions to search and seizure situations. Deputies will be specifically instructed on the application of current federal and state law, local community standards, and prosecutorial considerations regarding searches and seizures. Deputies will be regularly trained on what federal or state law requires for a search or seizure of a person, their property, or their vehicle to be valid. Such training shall also include instruction on when a deputy may use the lawful exceptions that permit a warrantless search, specifically obtaining valid consent, searches conducted incident to lawful arrest, searches involving exigent circumstances, searches of property and vehicles, and searches conducted pursuant to a legitimate community caretaking interest. Such training will also include when a deputy may lawfully seize and search someone based on reasonable articulable suspicion and

any other limitation or exception affecting the search and seizure of any person. Additionally, deputies will be trained on legitimate law enforcement activities that do not require a warrant, such as seizure and examination of abandoned property, and observations of activities and property located on open public areas. Since the law regarding search and seizure is constantly changing and subject to interpretation by the courts, every ACSO deputy is expected to act according to current training and his/her familiarity with clearly established rights as determined by case law. Whenever practicable, deputies are encouraged to contact a supervisor or the Sheriff's Legal Advisor to resolve questions regarding search and seizure issues prior to electing a course of action.

Deputies are responsible to document any search by either submitting a written report or by audio or video recording the encounter. In instances where a search yields the seizure of any property, evidence, or contraband, a written report shall accompany any such audio or video recording and shall include documentation of the following:

- Reason for the search;
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys);
- What, if any, injuries, or damage occurred;
- All steps taken to secure property;
- The results of the search, including a description of any property or contraband seized.

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

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:

- a) Employees will strive to conduct searches with dignity and courtesy.
- b) Deputies should explain to the person being searched the reason for the search and how the search will be conducted.
- c) 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.
- d) 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.
- e) When the person to be searched is of the opposite sex as the searching deputy, a reasonable effort should be made to summon a deputy of the same sex as the subject to conduct the search. When it is not practicable to summon a deputy of the same sex as the subject, the following guidelines should be followed:
  - 1) Another deputy or a supervisor should witness the search. If another deputy or supervisor is unavailable to witness the search, the deputy shall state that fact, the reason why, and the solution to completing the search in a report.
  - 2) The deputy should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

Seizures made by an ACSO deputy pursuant to an arrest warrant, or any other court order, is an extremely important function of the ACSO. ACSO personnel with peace officer powers and/or who have been granted appropriate authority by the court shall remain dedicated to ensuring that proper service of every warrant is accurate and complies with Idaho Code. Every reasonable precaution and effort shall be taken to serve each valid warrant only once and that the correct individual intended by the court is the individual served. Deputies shall confirm all available information when serving warrants, read the warrant to the individual, and see if the suspect has any questions in regards to the warrant. Deputies may be excused from the above requirement to read the warrant in cases where the person is unable to communicate due to being heavily intoxicated or due to a medical condition, however any reason why a warrant was not read to the arrested person shall be documented by the deputy.

Before transporting any suspect in a patrol vehicle, a deputy should first search the suspect incident to arrest in order to ensure they do not possess any weapons or contraband that could be introduced into the jail or be used to harm the deputy or anyone else during transport.

## **7.5 NARCOTIC/APPREHENSION SERVICE DOG PROGRAM**

The Narcotics/Apprehension Service Dog Program was established to augment Sheriff's services to the community. Highly skilled and trained teams of handlers and K9s are used to supplement Sheriff's service operations to locate individuals and contraband and apprehend criminal offenders. ACSO handlers and K9s meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives. Handler and K9 teams should only be utilized to perform functions for which they have been trained. The decision to deploy any dog team rests with the handler, but a field supervisor may have authority to order the dog not to be used. Deputies are encouraged to freely solicit the use of the K9s. Requests for a K9s team from outside of the Patrol Division should go through the unit coordinator or the shift supervisor.

## **7.6 DEATH INVESTIGATION**

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. At a minimum, the acting Field Supervisor shall respond and ensure the Major Crimes Unit shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation. At the conclusion of any death investigation, the ACSO shall follow all applicable state and federal reporting requirements, not otherwise handled by a medical facility or coroner's office, to include any death which happens while a suspect is being contacted, detained, is under arrest, or is otherwise in police custody.

## **7.7 CRIME AND DISASTER SCENE INTEGRITY**

The first deputy at the scene of a crime or major incident is generally responsible for the preservation of the scene. Deputies shall also consider officer safety and public safety issues including rendering medical aid for any injured parties. Once a deputy has assumed or been assigned to maintain the integrity of the crime/disaster scene, it shall be maintained until the deputy is relieved by a supervisor. Deputies arriving at scenes with possible exigent circumstances should assess the immediate need to search for and render aid to victims and determine if suspects are present and continue to pose a threat. Once deputies are satisfied that no additional suspects are present and/or there are no injured persons to be treated, deputies should secure the scene and conduct no further search until proper authority for the search is obtained.

In addition to ensuring victim safety, rendering aid, and searching for suspects as required above, a first responder's function at a crime or disaster scene includes all of the following:

- Broadcast emergency information including all requests for additional assistance.
- Providing first aid to injured parties if it can be done safely.
- Securing the inner perimeter with crime scene tape.
- Protecting items of apparent evidentiary value.
- Starting a chronological log noting critical times and personnel allowed access to such a scene.

## **7.8 ADA COUNTY SPECIALTY UNITS**

ACSO employees make up several specialty units to accomplish the unique tasks the Sheriff's Office must handle. These units include the Ada County Metro SWAT Team, the Ada County Recreational Enforcement Unit and the Ada County Dive Team. Additionally, ACSO believes in working with our other local, state and federal law enforcement partners to apprehend criminals and provide a safe county for our citizens. Employees may be assigned to a local, state, and federal multi-jurisdictional task force to accomplish ACSO's overall mission to the citizens of Ada County. Those multi-jurisdictional task forces are the Ada County Critical Incident Task Force (CITF), the D.E.A. Task Force, the FBI Intermountain West Regional Computer Forensic Laboratory, and Training Center (IWRCL), the Internet Crimes Against Children Task Force (ICAC), the US Marshal's Greater Idaho Fugitive Task Force (GIFT), the Metro Violent Crimes Unit (METRO) and the FBI's Southern Idaho Joint Terrorism Task Force (JTTF). Any ACSO deputy needing assistance from any federal agency task force listed above should, with the approval of their supervisor, contact a deputy assigned to the respective task force.

## **7.9 HOSTAGES AND BARRICADED SUBJECT INCIDENTS**

ACSO shall address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence. A barricade situation is an incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon. A hostage situation is an incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

## **7.10 EXPLOSIVE DEVICES, BOMB THREATS, AND HAZMAT RESPONSE**

When confronted with an incident involving any type of explosives or hazardous material (a.k.a. hazmat), safety shall always be the primary consideration. ACSO deputies are trained to handle these situations in a manner that provides the greatest chance of reducing injury or death. An explosive device is any device that bursts with sudden violence from internal energy and is designed to or may cause injury to persons or property. 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. ACSO's procedures should be followed to prepare and assist deputies in their initial response to incidents involving explosives, explosive devices, or explosion/bombing incidents. Under no circumstances should these procedures and guidelines be interpreted as compromising the safety of first responders or the public.

## **7.11 RESPONSE TO POSSIBLE MASS CASUALTY EVENTS**

Violence in schools, workplaces, and other locations by any individual or group of individuals presents a difficult situation for law enforcement. ACSO has identified guidelines and factors that will assist responding deputies as they make decisions in these rapidly unfolding and tense situations. As in all calls for service, deputies shall use necessary force, deadly or otherwise to protect members of the public, themselves, and their fellow law enforcement officers from death or serious injury. If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding deputies should consider reasonable options to immediately eliminate the threat. Deputies must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

When deciding on a course of action deputies should consider:

- Whether sufficient personnel are available on-scene to advance on the suspect. Any advance on a suspect should be made using teams of two or more deputies whenever reasonably possible.
- Whether individuals who are under imminent threat can be moved out of danger with reasonable safety.
- Whether the deputies can effectively communicate with others in the field.
- Whether planned tactics can be effectively deployed.
- The availability of rifles, shotguns, shields, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.
- In a case of a barricaded suspect with no hostages and no immediate threat to others, deputies should consider summoning and waiting for additional assistance (special tactics and/or hostage negotiation team response).
- If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, the deputy should take immediate action, if reasonably possible, to stop the threat presented by the suspect while calling for additional assistance.

The policy of this office in dealing with the crisis shall be:

- Attempt to obtain and maintain operative control of the incident.
- Explore reasonably available sources of intelligence regarding the circumstances, location, and suspect(s) in the incident.
- Attempt to attain any tactical advantage over the responsible individual(s).
- Attempt, whenever feasible, a negotiated surrender of the suspect(s) and release of the hostages.
- When an emergency exists, neutralize the threat as rapidly as reasonably possible to minimize injury and loss of life.

#### **7.12 MEDICAL AID AND RESPONSE**

It is the policy of the ACSO that all ACSO deputies and other designated employees shall be trained to provide emergency medical aid and to facilitate an emergency medical response. Whenever practicable, employees should take appropriate steps to provide initial medical aid (e.g., first aid, CPR) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the deputy can safely do so.

#### **7.13 ASSET FORFEITURE AND NARCOTIC UNIT EXPENDITURES**

Forfeiture is the process by which legal ownership of an asset is transferred to a government or other authority. ACSO follows federal and state law which gives the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses. ACSO recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime, and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety, or any person's due process rights. It is the policy of the ACSO that all employees, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

#### **7.14 INFORMANTS**

ACSO employees may engage in the use of criminal informants as a strategy to solve crimes. An informant is a person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the ACSO for law enforcement purposes. This also includes a person agreeing to supply information to the ACSO for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money). ACSO recognizes the value of informants and their information to thwart crime and assist in law enforcement efforts and will strive to protect the integrity of the informant process.

#### **7.15 VEHICLE PURSUITS**

A vehicle pursuit is an event involving one or more law enforcement officers attempting to apprehend a suspect who is attempting to avoid apprehension while operating a motor 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 a deputy's signal to stop. Vehicle pursuits expose innocent citizens, law enforcement officers, and fleeing violators to the risk of serious injury or death. ACSO deputies shall balance the safety of the public and themselves against ACSO's duty to apprehend violators. Deputies shall conduct themselves in a manner that minimizes the potential for pursuit-related collisions. Deputies must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and other pursuing deputies. Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing

the potential risk to public safety created by vehicular pursuits, no deputy or supervisor shall be criticized or disciplined for deciding not to engage in a vehicular pursuit because of the risk involved, including those circumstances where the procedures would permit the initiation/continuation of the pursuit.

It is recognized that vehicular pursuit situations are not always predictable and decisions made pursuant to this policy will be evaluated per the totality of the circumstances reasonably available at the time of the pursuit. Deputies must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline, common sense, and sound professional judgment. A deputy's conduct during a pursuit must be objectively reasonable under the circumstances. Available supervisory and management control will be exercised over all vehicle pursuits involving deputies from this office. In addition to initial and supplementary Idaho P.O.S.T. training on pursuits, all sworn employees will participate in regular and periodic training by this office addressing this policy and the importance of vehicle safety and protecting the public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to deputies and others.

#### **7.16 TRAFFIC FUNCTION AND TRAFFIC CITATIONS**

The goal of traffic law enforcement is to reduce traffic collisions. Geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior assist in that goal. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This office provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs. The issuance of traffic citations in response to violation of the rules of the road is an important function to encourage traffic safety.

#### **7.17 IMPAIRED DRIVING**

ACSO is committed to the safety of the roadways and the community and will pursue fair, but aggressive enforcement of Idaho's impaired driving laws. ACSO deputies play a vital role in the detection and investigation of driving under the influence of alcohol and legal and illegal drugs and will use all approved and lawful tools at their disposal to interdict impaired drivers. Deputies shall regularly train on the standards of impaired driving investigation and enforcement and shall work with the on-call prosecutor and judges to obtain samples for evidentiary testing when probable cause for the offense allows such a pursuit.

#### **7.18 RESERVE DEPUTY PROGRAM**

The ACSO Reserve Unit was established to supplement and assist regular sworn sheriff's deputies in their duties. This unit provides professional, sworn volunteer reserve deputies who can augment regular staffing levels. ACSO shall endeavor to recruit and appoint to the Reserve Unit only those applicants who meet the high ethical, moral, and professional standards set forth by this office. All applicants for the Sheriff's Reserve Unit shall be required to meet and pass the same pre-employment procedures as regular Sheriff's deputies before appointment. Before appointment to the Sheriff's Reserve Unit, an applicant must have completed, or be in the process of completing, a POST reserve academy providing over 180 hours of training. The position of reserve deputy is volunteer. Applicants who are selected for appointment to the Sheriff's Reserve Unit shall, on the recommendation of the Sheriff, be sworn in by the Sheriff and take a loyalty oath to observe and obey all the laws of the land and to carry out their duties to the best of their ability.

#### **7.19 TEMPORARY CUSTODY OF JUVENILES FOR PSB**

The ACSO is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody of PSB Deputies. To do that, fair and consistent treatment of juveniles will be accomplished by meeting the standards set in Juvenile Justice and Delinquency Prevention Act (42 USC § 5633). Juveniles should be held in temporary custody by PSB deputies only for as long as reasonably necessary for processing, transfer, or release. PSB Deputies should take custody of a juvenile and temporarily hold the juvenile when there is no other lawful and practicable alternative to temporary custody. 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 ACSO (42 USC § 5633).

Juveniles who exhibit any of the following conditions should not be held at the ACSO:

- Unconscious;
- Seriously injured;
- A known suicide risk or obviously severely emotionally disturbed;
- Significantly intoxicated; or
- Extremely violent or continuously violent.

Deputies 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 ACSO unless

a qualified medical and/or mental health professional has evaluated them. If the deputy 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.

Non-offenders taken into protective custody should generally not be held at the ACSO. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (42 USC § 5633). Additionally, status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, deputies may take custody of a status offender if requested to do so by a parent or legal guardian 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 (42 USC § 5633).

## **7.20 EVIDENCE COLLECTION**

The collection and safe storage of evidence is an essential part of the ACSO's ability to investigate crimes and provide proof to the prosecutor's office which supplements written reports. Procedures for physical and digital evidence collection, safeguarding, and storage shall be regularly trained to all employees who participate in evidence collection to ensure the highest standards are met when preserving the chain of evidence. When appropriate, property and evidence can be released to the legal owner. If ownership of the property is in dispute, the property can only be released upon order from a magistrate through a disposition hearing as controlled by Idaho State Code. After reasonable attempts to contact the legal owner, unclaimed, or abandoned property shall be marked for public auction pursuant to Idaho State Code. Under no circumstances may any county-owned or seized property be transferred to personal use by ACSO staff.