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Field Training Officer Program

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INTRODUCTION

This Field Training and Evaluation Program manual has been designed to give the Field Training Officer (F.T.O.) a reference guide to assist him in carrying out his duties and responsibilities in the program. The manual is divided into eight (8) sections plus appendices. Sections 1,2,6,7, and 8 will be of special assistance to the F.T.O. involved in the evaluation process. These guidelines have been developed over several years and result from the study of evaluation for over 1000 trainees. (Special thanks must be given to Dr. Mike Roberts, San Jose P.D. and Capt. Glenn Kaminsky, Boulder P.D., who have been in the F.T.O. business since 1972, for sharing the fruits of their labor with the Onondaga County Sheriff's Department.) Section 8 is of particular value to the F.T.O. involved in training on a one-to-one basis or a group remedial session. Section 7 outlines a recommended procedure to be followed whenever the need for Program reorganization and/or updating is seen.

The other sections will also be of interest to every member of the Program. It is not unlikely that you will be asked questions about Program operation by members of the Department, other agencies or the community. Familiarization with this manual should provide you will all the information you need to respond to these inquiries. If you desire clarification or a further explanation of any information or material contained herein, please contact the supervisory or command staff. It is the staff's belief that full utilization of this manual will insure quality training and a fair and impartial evaluation of every trainee processed through the Field Training and Evaluation Program.

ONONDAGA COUNTY SHERIFF'S DEPARTMENT
Syracuse, New York

FIELD TRAINING AND EVALUATION PROGRAM

PREFACE

The Onondaga County Sheriff's Department Field Training and Evaluation Program is a police selection process that combines pre-field training with objective evaluations to insure competence in a solo patrol officer.

Conventional methods for Police Officer candidate selection have come under sharp attack from the courts, affirmative action officers and community groups. In order to satisfy our mandates, concentrated examinations of the pre-employment selection process as well as the post-employment performance evaluations were called for.

Historically, law enforcement has responded to internal and external demands for professionalization by raising the standards for entry level Police Officers. From these raised standards there accrued to departments a candidate with more qualifications, but these same standards also disqualified a higher number of applicants. Legal challenges by disqualified candidates caused law enforcement to question the "validity" of their selection procedures. The end result of this process was the acceptance of the premise that a more stringent selection process must, at the same time, be valid and unbiased.

Currently, the probationary period is part of the selection process. In the past, however, little use was made of this phase to correct any pre-selection errors. The most common occurrence was the assignment of a trainee to a veteran police officer who was not necessarily qualified to be a trainer or evaluator. A constant problem was an officer's natural reluctance to negatively evaluate a brother or sister officer. A good part of this resistance was based on the Training Officer identifying with the trainee rather than with departmental goals and objectives. Further complicating the situation was the department's reluctance to "go along with" a training officer's recommendation in those rare instances when he felt termination of employment was in order. This set of circumstances has resulted in various agencies operating with some personnel who are unqualified as police officers.

These events led to the development of the Onondaga County Sheriff's Department Field Training and Evaluation Program in 1980. Functionally, the Field Training and Evaluation Program reports to the Office of the Sheriff.

As readers study this manual they will discover programs for both formal and informal field training as well as the operational formats for trainee evaluation. This integration of teaching and evaluation, coupled with a formalization of the Field Training Officers' duties and responsibilities, has the net result of placing accountability for trainee performance in the hands of the F.T.O. The institutionalization of Field Training Programs has resulted in the development of a higher number of well qualified police officers as well as a number of resignations from those less qualified.

It is the position of the Onondaga County Sheriff's Department that the demand for more professional police officers can best be answered by a formalized Field Training and Evaluation Program such as is outlined in this manual.

Research reveals that participating students learn more effectively than non-participating students. The more a person participates in an incident, the better he becomes in handling its demands, providing of course, that his responses are accompanied by effective critiques. If participation is to be effective, students should acquire basic knowledge prior to the formal training sessions. Homework assignments may assist in the acquisition of this foundation.

Because individuals learn at different speeds, standardized programs can hold some students back while others move ahead. Self-paced, individualized programs of instruction is a method for overcoming the learning rate problem. The individualized instructional technique must be goal-oriented; there must be a clear definition of what the student will be able to do after the training.

Field Training Officers should plan lectures, discussions and individualized programs carefully. Well thought out lesson plans, utilizing visual aids and demonstration, should be used as aids to teaching as well as for the promotion of standardized training. An acceptable standard in the field of vocational education is the Five Step Teaching Process. These five steps are:

1. Rehearsal - Testing the competency of the lesson plan through the F.T.O. Curriculum Committee evaluation.
2. Preparation - Preparing the student's mind to receive the information.
3. Presentation - Giving the student new knowledge or demonstrating the new operation, through an organized lesson plan.
4. Application - Giving the student an opportunity to apply his newly gained knowledge.
5. The Test - Checking the ability of the student to perform the operation or to apply the knowledge in a new situation.

SECTION 1 - OPERATIONAL CONCEPTS

Program Objectives

1. Train and develop police officers whose primary purpose is to serve the community and the Department at the maximum level of performance;
2. Transfer of knowledge and information received in the Police Academy to actual experiences;
3. Develop standardized procedures (field and training) enhancing uniformity of performance;
4. Provide remedial training;
5. Correct negative performance;
6. Give ample opportunity to develop skills, demonstrate high level of flexibility;
7. Maintain the highest level of professionalism during their careers in the Department;
8. Determine whether a trainee should remain a member of the Department or employment should be terminated.

SECTION 2 - DUTIES AND RESPONSIBILITIES OF THE FIELD TRAINING OFFICER

The Field Training Officer is the essential means by which the goal of the F.T.E.P. is achieved; specifically, the production of a Police Officer able to work a solo assignment in a safe, skillful, productive and professional manner.

The F.T.O. has two primary roles to fulfill; that of a police officer assuming full patrol responsibility, and that of a trainer and evaluator of trainee personnel.

His patrol responsibilities are defined in other Departmental publications.

In his role as trainer, he provides on-going instruction in the traditional sense, utilizing innovative and practical techniques. The F.T.O. must have the requisite skills necessary to become a reliable evaluator of a trainee's performance. He is required to write daily evaluations of this performance and submit additional documentation as required.

During the trainee's first week he will receive only verbal evaluations, orientation and suggestions from the F.T.O. This "Limbo Period" is designed to become familiar with his new surroundings without the stress of daily written critiques. The trainee's Daily Observation Reports (DOR) begin after the "Limbo Period."

On a tri-weekly basis the F.T.O. prepares a verbal-written report on the relative progress of the trainee, presenting this report to the Training Director, the F.T.E.P. Supervisors and the F.T.E.P. Commander.

During Phase III the trainee will operate in a quasi-solo capability. He will operate the police vehicle and carry on all police activities without the direct supervision of an F.T.O. The F.T.O. shall accompany the trainee during this time but will be in the car only as an observer. The F.T.O. shall avoid interfering with the trainee's police performance except in emergencies or in situations that develop which are beyond the trainee's ability to control. When an F.T.O. believes that a trainee has gained sufficient skill and knowledge to operate as a solo post officer, he shall make such recommendation to the Program Commander. The final decision for a trainee's release to Phase IV lies with the Phase III Board.

Finally, the F.T.O. is charged with the responsibility for recommending termination of a trainee when the prospects for retention no longer exists.

In that his performance is also subject to evaluation, the F.T.O.'s professional and personal conduct should be exemplary. An F.T.O. should possess and recognize the need for possessing a higher sense of idealism than generally found throughout the Sheriff's Department. The F.T.O. understands that the effectiveness, image, and future of the Department are substantially decided by the quality of our personnel.

METHOD

The Program requires dedicated personnel whose high ideals are transferred to every trainee and whose motivation is continued indefinitely.

The Field Training and Evaluation Program (F.T.E.P.) will succeed only if properly planned, implemented and maintained. This can be accomplished by the following:

1. The F.T.E.P. reports directly to the Office of the Sheriff;
2. The F.T.E.P. must receive the full support of the Sheriff. The Program must be given the latitude, decision-making authority and control over any matters that could impact and alter the activities of the trainee and F.T.O.;
3. The F.T.E.P. will forward its recommendations to the Sheriff for final determination of the trainee employment status;
4. Periodic review of the F.T.E.P. staff;
5. Upon the completion of each probation period, the entire Program will be reviewed, evaluated and a report forwarded to the Sheriff;
6. When practical, an F.T.O. Supervisor should be assigned to each shift that has trainees in Phase II or III;
7. Problems, as they evolve, are directed to the F.T.E.P. Supervisors;
8. The F.T.E.P. Supervisors' relationship to the Patrol Section is to coordinate assignments and insure internal harmony;
9. The F.T.E.P. staff should maintain an office within the Patrol Section;
10. The F.T.E.P. Supervisors report to the F.T.E.P. Commander;
11. The trainees' reports, actions and performance are under the direct management control of the F.T.O. and the F.T.E.P. Supervisor.
12. F.T.O.'s, while in the field, are assigned and supervised by the Patrol Section Supervisors.
13. The trainee and F.T.O. work as a team, cannot be separated, and will be utilized as a one person patrol unit;
14. During the Phase III period (evaluation only), the F.T.O. still observes, coordinates and oversees the trainees' methods and practices;
15. Until the trainee fully completes Phase III, he is to report to an F.T.O. who reports to an F.T.E.P. Supervisor. The trainee is required to attend roll calls, is given the same assignment as his F.T.O. and is subject to all the rules, regulations, orders and procedures pertaining to sworn members of the Department
16. Upon completion of PHase III, the F.T.O. and trainee are released to Patrol.

PRACTICAL APPLICATION

The Field Training and Evaluation Program is a four-phase operation:

- Phase I The trainee is in training at the Police Academy;
- Phase II The trainee is assigned by an F.T.E.P. Supervisor to a series of four different F.T.O.'s for 18 work days each. The first six days with the first F.T.O. are for observation and orientation only -- no evaluations are made. Upon recommendation and review, the trainee passes into Phase III.
- Phase III The trainee is reassigned to his original F.T.O. for 12 work days. The F.T.O. evaluates only, unless immediate intervention is necessary. Upon recommendation and review the trainee passes into Phase IV.
- Phase IV The trainee is released to the Patrol Section for solo patrol.

Routine field supervision remains the responsibility of the Patrol Section but F.T.E.P. Supervisors are expected to meet and evaluate F.T.O.'s and trainees in the field.

CHAIN OF COMMAND

All activities directly related to the Field Training and Evaluation Program move upward from the trainee level through the F.T.O. and F.T.E.P. Supervisor to the Program Commander. The Commander reports to the F.T.E.P. Board.

SHERIFF

F.T.E.P. BOARD

F.T.E.P. COMMANDER

F.T.E.P. SUPERVISOR

FIELD TRAINING OFFICER

TRAINEE

SECTION 3 - DUTIES AND RESPONSIBILITIES OF THE F.T.E.P. SUPERVISOR

The F.T.E.P. Supervisor has the dual responsibility of Patrol Supervision, and the training and evaluation of probationary personnel through the F.T.O.

His role as Patrol Supervisor is the same as other Supervisors assigned to the Patrol Section. His duties include scheduling, distributing and supervising personnel; awareness of police problems and the development of possible solutions; and the accomplishment of the overall police mission on his Watch.

As trainees are assigned to the Field Training and Evaluation Program, the duties of the F.T.E.P. Supervisor become more complex. In addition to his other responsibilities, the F.T.E.P. Supervisor must insure that the training and evaluation processes are accomplished. Various sources of information should be utilized to achieve these goals. Daily observation reports, oral communications with the F.T.O.'s and with the Program Commander, tests, and personal observations of the trainees' performance are all used to summarize the trainees' weekly progress. If the F.T.E.P. Supervisor detects problems in the performance of a trainee, he shall bring that problem to the attention of the F.T.E.P. Commander.

The F.T.E.P. Supervisor is also responsible for the weekly review of the trainees' training manuals to determine if they are up to date and properly filled out. If one is not current, the F.T.E.P. Supervisor should determine why not, giving special attention to the possible need for remedial training.

Reports written by the trainees also serve to identify deficiencies, especially in spelling, grammar, neatness, attention to detail and organization of thought, and should be routinely reviewed.

The F.T.E.P. Supervisors and the F.T.O.'s share the responsibility of documenting the trainees' training. Documentation addresses both deficient and acceptable performance and provides a ready reference in the event of a need for response to questions concerning the Program and/or the trainees' performance in the Program. Should the question of termination for one or more trainee officers arise, it is the responsibility of the F.T.E.P. Supervisor presently supervising that trainee to call for memorandums and other supportive data from the F.T.O.'s working for him and from each of the F.T.O.'s with whom the trainee had previously been assigned. Should there be disagreement concerning the decision it then becomes the role of the F.T.E.P. Supervisor to call together those F.T.O.'s who have been involved with the trainee and mediate the disagreement. Further, he has the responsibility of keeping the F.T.E.P. Commander informed of the progress of any trainee personnel who are probabilities for termination.

Whenever possible, the F.T.E.P. Supervisor should attend the various training sessions. This will provide him with additional first-hand information concerning trainee performance and will allow him the opportunity to evaluate the instructional techniques of the F.T.O. This latter evaluation must occur to insure that the topic areas are covered properly and that they follow the current Departmental guidelines.

The F.T.E.P. Supervisor must monitor the overall training and evaluation of trainees to insure that a personality conflict between an F.T.O. and trainee does not arise and that the F.T.O. maintains objectivity throughout his contact with the trainee. If a personality conflict or a loss of objectivity is observed, the

F.T.E.P. Supervisor shall immediately counsel the F.T.O. If necessary, the F.T.E.P. Supervisor should make appropriate changes in assignment rotating the trainee to another F.T.O. The decision to rotate the trainee to another F.T.O. must be fully documented and both parties must be informed of the reasons for the decision in order to minimize the misunderstandings and possible ill feelings.

The F.T.E.P. Supervisor, along with the Training Director and the Program Commander, attends the alternate week evaluation sessions. These sessions provide further oral and written data to assist the F.T.E.P. Supervisor and Program staff in arriving at an overall evaluation of the trainee's performance. It is, at this time, that decisions are made concerning the administration of any remedial training should a trainee exhibit performance deficiencies. The F.T.E.P. Supervisor will also use this time to evaluate the performance of his F.T.O.'s. An F.T.O. will receive an evaluation on the F.T.E.P. Training Officer Performance Appraisal form upon the completion of each trainee class cycle.

The need for discipline within the F.T.E.P. is more acute than perhaps anywhere else in the Sheriff's Department. The F.T.O. selection process itself had led to the employment of personnel who seldom pose disciplinary problems, but, if problems of this nature arise, action must be swift and sure. The failure to effectively discipline personnel leads to interference with the primary goals of the Program and the expenditure of time and effort that would be better utilized elsewhere.

The F.T.E.P. Supervisor's training role is an on-going one extending naturally into those periods when no trainees are assigned to his supervision. In that the F.T.O.'s are charged with preparation and presentation of both roll call and in-service training classes, the F.T.E.P. Supervisor must be capable of providing assistance and advice to the F.T.O.'s in these areas. He must also be aware of the possible need for occasional Program revision, reorganization and evaluation.

A fully effective F.T.E.P. Supervisor will constantly strive to improve the overall operation of the Program and will work with all other Program participants towards the goal of organizational excellence.

SECTION 4 - DUTIES AND RESPONSIBILITIES OF THE F.T.E.P. COMMANDER

The F.T.E.P. Commander has the command responsibility for the Field Training and Evaluation Program. He has the responsibility for the direct supervision of all F.T.E.P. Supervisors.

The F.T.E.P. Commander maintains all records relating to the trainees' development. The daily evaluations, test scores, tri-weekly cycle assessment reports, report exemplars and other memoranda pertaining to the trainees' performance are kept in a trainee development file during the entire probationary period.

The F.T.E.P. Commander conducts the Phase II and Phase III Board actions. The Board Actions are conducted formally and establish whether or not the trainee should be passed to Phase III and IV respectively.

After the trainee leaves Phase III, the F.T.E.P. Commander has the staff responsibility of seeing to it that the Patrol Supervisors, who then have the direct supervision of the trainees, complete evaluation reports on the trainees. These reports are completed during the probationary period.

The F.T.E.P. Commander is also responsible for convening the Phase IV Board. This Board Action is conducted in the 44th week of the trainees' career. It is intended to provide a final review of each trainee's performance prior to the completion of probationary status. It is conducted during probation so that major deficiencies, if discovered, can be corrected in the remaining two months of probation. This Board shall include the Uniform Bureau Chief and Patrol Commander as observers.

The F.T.E.P. Commander is responsible for keeping informed of the status of all trainees. If a trainee is not performing at the minimum standard of the Department, the F.T.E.P. Commander has the responsibility for the compilation of all memoranda and appropriate reports for review. If, upon review, recommendations are made for termination, corrective action or remedial training, these recommendations are directed to the Sheriff with an explanation of the reasons for the action.

The F.T.E.P. Commander works closely with the F.T.E.P. Supervisors on roll call training and in-service training. Training lesson plans, tests and other records are prepared by the F.T.O.'s and F.T.E.P. Supervisors and are retained in a central file for current and future use. These files are maintained by the F.T.E.P. Commander.

The F.T.E.P. Commander is responsible for calling staff meetings of the Field Training and Evaluation Program. A general staff meeting is conducted every time a new group of trainees is assigned to the Program. In addition, tri-weekly evaluation sessions are held and teams utilize the time for staff meetings.

During the period when no trainees are assigned to the Field Training and Evaluation Program, it is the F.T.E.P. Commander's responsibility to oversee a review and evaluation of the Program itself and to implement any organizational changes.

This overview of the duties and responsibilities of the F.T.E.P. Commander has been written as a general summary so that future F.T.E.P. Commanders may assume the responsibility of the F.T.E.P. Commander with a minimum of difficulty. The

actual assumption of the job of Commander should include some training and guidance by the outgoing Commander. This section was not written, however, to infer that the F.T.E.P. Commander is the Program, but rather that he is no more or less a part of the Program than the newest F.T.O. The F.T.E.P. concept lends itself superbly to the Participative Management approach. It can survive and grow only in a truly participative climate where all are seen as Program resources and possessive of valuable input.

SECTION 5 - FIELD TRAINING AND EVALUATION PROGRAM PERSONNEL SELECTION

The prospective F.T.O. is required to submit an application form if he has a definite desire to become a participant in the Program. All applicants are contacted and interviewed for the position regardless of perceptions of their abilities and experience as a police officer. The interview is conducted by a board consisting of the F.T.E.P. Commander, the Training Director, and such F.T.E.P. Supervisors and F.T.O.'s as directed by the F.T.E.P. Commander. The F.T.E.P. supervisory position is an assignment from the F.T.E.P. Commander and the Patrol Commander. They do not participate in the following prescribed procedure.

Each applicant is interviewed for approximately thirty to forty-five minutes and is asked questions to determine his suitability for the position of Field Training Officer or F.T.E.P. Supervisor.

The applicant's interest and desire are examined, as are his education, maturity, teaching prowess, law enforcement experience, and his interpersonal relationships. The attempt is made to establish his ability to train on a one-to-one basis and to determine whether or not he is capable of establishing the kind of rapport necessary for a successful teaching/learning process.

At the start of each interview, the members of the interview board are given an F.T.O. Applicant Evaluation Form. This evaluation form is used to rate the applicant's motivation, self-expression, training experience, requisite knowledge, personality as it pertains to training a trainee, appearance, and his perceived effectiveness in the Field Training and Evaluation Program.

A list of questions are given to each rater. These questions serve only as suggestions and the rater may ask any question he deems appropriate in order to measure the applicant's suitability for the position.

To augment the interview process, each applicant's former and current supervisors are interviewed regarding his performance in field activities. The applicant's personnel file and his record with the Professional Standards Unit are also checked. This and other pertinent information is studied before the decision for selection is made. The recommendations of the interview panel are normally followed, although the overall F.T.E.P. Board has the prerogative to override the decision of the panel for cause. As an example, this cause might be based on their perception of excessive complaints in Professional Standards.

Finally, applicants not selected for the Program are encouraged to seek a private interview with the F.T.E.P. Commander to learn why they were not selected and what they might do to insure a more favorable consideration in the future. Unsuccessful candidates should be encouraged to resubmit applications as future openings in the Program occur.

SECTION 5.1 - F.T.E.P. BOARD

The F.T.E.P. Board shall consist of ten members and two alternates: The F.T.E.P. Commander, the primary F.T.E.P. Supervisor, the Training Director, at least three F.T.O.'s and those other members of the Criminal Division selected by the Sheriff. Each Board member has one vote regardless of rank or position and may vote only when present at Board meetings. Board meetings may be requested by any member notifying the Commander, who chairs all meetings.

The F.T.E.P. Board shall oversee and direct the actions of the F.T.E.P. Commander and his subordinates. The Board also oversees and directs the Training Director relative to the training of the trainees.

The Board shall, as a normal course of action, make regular recommendations and/or reports to the Sheriff on Board membership, F.T.E.P. Commander, Training Director, Program progress and budgetary needs and recommendations for retention, termination or additional training of trainees.

SECTION 6 - THE EVALUATION PROCESS

The evaluation procedures employed in the Field Training and Evaluation Program are multifaceted in that they utilize input from a variety of verbal and written sources.

Detailed descriptions and examples of the actual evaluative instruments are found in this manual. The purpose of Section 6 and its subsections is to provide an explanation of the scheduled distribution of evaluation including the "whens" and "whys" of the various steps. The reader will find line and staff responsibility for the completion of each step clearly defined. Further, this section provides an explanation of the various boards and their specific purposes.

Additionally, the suggested procedure leading to the recommendation for termination of employment is outlined.

SECTION 6.1 - EVALUATION SCHEDULE

Daily: The Field Training Officer completes a Daily Observation Report (DOR) beginning in the second week of the trainee's stay in the Program and through the remaining weeks in Phase II and III.

Weekly: The Field Training and Evaluation Program Supervisor completes a weekly summary, using a DOR or similar format, for each week of the trainee's training in Phases II and III, beginning the second week. After passing into Phase IV the trainee's Patrol Section supervisors will continue to complete these weekly reports for the next several months. Objective tests are given weekly during the whole of Phase II and the Trainee Deputy Weekly Checklist shall be examined frequently for currency and compliance with the training schedule.

Tri-Weekly: Cycle Assessment forms are completed to provide an overview of the trainee's progress and a guide to what his problems are and the effect of efforts for solution.

Board Actions: Phase II - The F.T.E.P. Commander, the F.T.E.P. Supervisors and Training Director review the progress of the trainee. Each of the trainee's F.T.O.'s are interviewed and a recommendation is made on whether the trainee is passed into Phase III, retained in Phase II or terminated.

Phase III - the F.T.E.P. Commander, the F.T.E.P. Supervisors and Training Director review the trainee's performance in Phase III. The final F.T.O. is again interviewed and a recommendation is made on whether the trainee is passed into Phase IV or terminated. Any major problems developing during Phase III should result in immediate reinstatement of the trainee to Phase II where training can be accomplished.

Phase IV - This Board is outlined in Section 4. F.T.O.'s, Patrol Section supervisors and F.T.E.P. Supervisors should be interviewed as needed.

Any decision to hold a trainee back in Phase II must be based on: a specific problem having been identified; specific solutions formulated for the deficiency; a high likelihood of that solution being successful; and significant progress on the part of the trainee up to that time.

SECTION 6.2 - DISTRIBUTION OF REPORTS AND EVALUATIONS

Phase I

Weeks 1-16 Municipal Police Training Council Academy, Training and In-House Orientation

Phase II

DOR

OS

BOARD

Week 17 One week observation
No evaluation, "Limbo"

Weeks 18-19 DORs by 1st F.T.O. and weekly OSs by F.T.E.P. Supervisor 12 2

Weeks 20-22 DORs by 2d F.T.O. and weekly OSs by F.T.E.P. Supervisor 18 3

Weeks 23-25 DORs by 3d F.T.O. and weekly OSs by F.T.E.P. Supervisor 18 3

Weeks 26-28 DORs by 4th F.T.O. and weekly OSs by F.T.E.P. Supervisor 18 3 1

Phase III

Weeks 29-30 DORs by 1st F.T.O. and weekly OSs by F.T.E.P. Supervisor 12 2 1

Phase IV

Weeks 30-52 Weekly OSs by Patrol Supervisor 21 1

TERMS: LOR - Daily Observation Report by F.T.O.
OS - Weekly Observation Summary by Supervisor

SECTION 6.3 - GROUP ASSESSMENT

On a tri-weekly basis, a group assessment of the relative progress made by each trainee is conducted. These sessions are conducted by the F.T.E.P. Commander, Supervisors and the F.T.O.'s. When appropriate, the Training Director, Patrol Commander, Department Psychologist and Affirmative Action representatives are also invited to monitor the sessions.

Variously stated, the principal goal of the Field Training and Evaluation Program is to provide the Sheriff's Department and Onondaga County with a Police Officer who can competently and safely perform the duties of a solo patrol post officer. It is within this general context that the group assessment session functions. The session proceeds as each F.T.O. presents his evaluation of the trainee to the group. The F.T.O.'s attention is focused on the major strengths and weaknesses possessed by the trainee.

An additional requirement of the F.T.O. includes "Pairing" the relative degree to which the trainee has benefited from the experience and/or training to the actual time the trainee has been assigned to the Program. For example, in a particular case an F.T.O. might conclude that while his trainee is in his sixth week of training, his actual performance level is approximately equivalent to the third week. The statement made by the F.T.O.'s of assigned trainees are recorded on a standardized form and become part of the trainee's folder.

Built into the structure of the assessment group is an atmosphere of candid criticism. Most often the examples used by an F.T.O., in anchoring his verbal-written judgements of a trainee, are based on field situations. These field situations, of course, vary in basic nature and in degree to which stress is present. Further, these field situations often require the participation of another F.T.O. and his trainee as a "back-up unit." Given this quite common occurrence, an opportunity for a different perception of another F.T.O.'s trainee's performance is afforded. On a group-interaction basis, these different perceptions and subsequent debate provide a catalyst for the internal health and on-going objectivity of judgements rendered on trainees. As any one particular trainee progresses through the Program, the decision of retention with or separation from the Department is a direct by-product of the assessment sessions.

The roles played by the F.T.E.P. Commander and Supervisors vary as a function of their levels of responsibility. Briefly outlined, some of the contributions of these individuals at the group assessment level include:

1. Assuring on-going continuity in quality of training.
2. Maintaining a keen sensitivity to the compatibility of the trainer/trainee relationship. Specifically, each F.T.O. represents a composite of background, training, technical specialties and work/life experiences. This composite is intentionally and systematically matched with the trainee's profile in order to maximize the conditions which would lead to optimum learning. Part of this procedure is the capability to reassign trainees should original assignment decisions prove faulty.
3. To innovate remedial programs tailored to the individual needs of the trainee.

SECTION 6.4 - PROCEDURE FOR RECOMMENDING TERMINATION OF EMPLOYMENT

If, during Phases II or III of the Field Training and Evaluation Program, it is concluded by consensus that a trainee should be recommended for termination, it then becomes necessary that all memoranda having a bearing on the eventual decision be gathered. These memoranda, summarizing the trainee's performance shall be directed to the F.T.E.P. Commander and shall include conclusions concerning retention or dismissal. Each memorandum should reflect only the writer's point of view and should not be unduly influenced by other opinions of the trainee's performance. The memoranda shall reflect the positive, as well as the negative aspects of the trainee's work. All such memoranda are to be held in strict confidence.

Although the F.T.O. is encouraged to continually keep the trainee apprised of his level of performance, it is not the F.T.O.'s role to notify the trainee of his impending termination even though the F.T.O. decides such action should be taken. At no time should an F.T.O. imply or suggest to a trainee that termination is imminent or the reasons therefore. The decision to recommend termination will be made only after all reports on file are reviewed by the supervisors involved and by the F.T.E.P. Commander.

Once the F.T.E.P. Board has analyzed the pertinent data and supports a recommendation to terminate a trainee's employment, this matter will be discussed with the Department's Personnel Commander.

Acting in conjunction with the Personnel Commander and/or legal advisor, the F.T.E.P. Commander will again review all pertinent materials and they will make the recommendation to terminate service to the Sheriff.

Consistent with this Department's personnel policy and Article XIV of the Onondaga County Rules for Classified Service, should the Sheriff concur with this recommendation, the Sheriff shall delegate the sole responsibility for effecting this termination to the Personnel Commander.

The trainee, after being informed of his/her pending dismissal, shall be informed of his/her right to resign before termination. Even though a trainee may elect to resign, all memoranda and other reports shall be completed and maintained in his file for future reference.

Each trainee's training file is confidential and shall be reviewed only by Personnel connected with the Program or having a valid "need to know." Non-F.T.E.P. personnel requesting a review of any file shall first secure the approval of the F.T.E.P. Commander in writing and then said request should be approved and endorsed by the Sheriff. Law Enforcement agencies providing a signed release from a trainee's file are subject to the applicable statutory restrictions.

Non-law enforcement agencies shall not be granted access to any information except confirmation of employment dates.

SECTION 7 - PROGRAM REORGANIZATION AND UPDATING

No program can expect to retain its viability without an internal procedure for updating and revision. The Field Training and Evaluation Program should have two committees to accomplish these objectives.

1. An on-going review of the concerns of the Program, as well as the manual, training guide and lesson plans must be accomplished to insure that they are relevant and up-to-date, prior to the beginning of each new F.T.O. class.
2. An established procedure for the development of lesson plans in new subject areas must be developed.
3. Standardized teaching methods, remedial strategies, and evaluative procedures should be frequently reviewed and updated for adherence to prescribed guidelines.
4. The Trainee Officer Checklist should also be reviewed and updated as the need occurs. Written examinations should also be reviewed and updated as necessary. Suggestions for updating should be solicited from past and present F.T.O.'s and trainee personnel.
5. An F.T.O. training as well as a refresher course should be developed for the purpose of Program review and to insure that all personnel are familiar with the standardized methods of instruction and evaluation.

The Curriculum Committee (C.C.) shall consist of an F.T.E.P. Supervisor, four F.T.O.'s and the Training Director. The Supervisor shall appoint a chairman, assistant, recording secretary and liaison officer. The Training Director shall serve to coordinate the C.C.'s actions with the overall Departmental training efforts.

The primary purpose of this committee is the providing of technical assistance necessary for the meeting of the objectives listed above. This technical assistance shall include lesson plan development, instructor procurement and assignment, examination review and subject matter identification. From time to time the staff of the C.C. may be augmented with additional F.T.O.'s in a number sufficient to allow the completion of committee tasks.

The Field Training and Evaluation Program Review Committee (R.C.) is also charged with the supervision of the F.T.O. refresher class which is administered by the C.C. The R.C. has four regular members: the F.T.E.P. Commander, Chairman; the primary F.T.E.P. Supervisor, Assistant Chairman; an F.T.O. from the C.C., Recording Secretary; and an F.T.O., not on the C.C., who serves as Liaison Officer. The Chairman and Assistant Chairman are responsible for the accomplishment of the committee objectives. The Recording Secretary is responsible for the transcription and distribution (upon the Chairman's approval) of all minutes of committee meetings. The distribution shall include copies to the C.C. and all F.T.E.P. Supervisors as well as the Program file and F.T.O. Bulletin Board. He is also charged with the handling of administrative tasks in support of committee projects. The Liaison Officer is responsible for maintaining liaison between the individual F.T.O.'s, the C.C. and the committee. He shall solicit feedback from

various individuals and shall serve as a vehicle for the transmittal of information from the committee and individual F.T.O.'s.

SECTION 8 -FIELD TRAINING OFFICER INSTRUCTIONAL TECHNIQUES

Field Training Officers interested in transmitting skill and knowledge to others must answer three important questions. What should be taught? What materials and procedures will work best to teach what we wish the student to learn? How will we know when we have taught it? Not only must these questions be answered to instruct effectively, they must also be answered in the order they are listed.

Once course objectives are developed, lesson plans and the duration of the lessons must be established. Instructional methods that enable police candidates to progress more rapidly toward the course objectives should be used. Moreover, procedures to evaluate the trainee's progress toward the objectives should be implemented.

The course objectives must be communicated to the learner. He must fully understand them, recognizing that a clearly stated objective succeeds in communicating to the learner a visual conception of a successful trainee's skills at the end of the course or at the end of part of a course. Objectives are fully realized only when the trainee can demonstrate competence. A statement of specific course objectives is not sufficiently explicit unless it indicates how the instructor intends to sample understanding. The teacher must describe what the learner will be asked to do to demonstrate his understanding. Thus, the statement that communicates best will be one that describes the expected terminal behavior of the trainee. Such a statement should identify and define the desired behavior as well as specify the criteria of acceptable performance.

Specifying the minimum acceptable level of ability for each objective creates a performance standard against which instructional programs can be assessed; it can be assessed; it can then be readily ascertained whether or not a program has been successful in achieving the instructional intent.

One of the most successful ways to indicate a lower limit of acceptable performance is to specify a time limit for completion of an activity. For example, the evaluation of rapid fire on a pistol course is directly contingent upon completion within a specified period of time. Time limits often are imposed upon trainees more informally when they are told how much time will be allowed to complete a written examination.

Time limits and minimum numerical scores are not necessarily essential. What is essential is there be a reliable, accurate method to measure trainee performance according to the stated course objective.

There is no magic formula to determine the most effective teaching technique for a specific subject. The Los Angeles Police Department has found that video-tape, audio-tape, and programmed tests, supplemented by lecture, may be the most effective teaching techniques to employ.

Research reveals that participating students learn more effectively than non-participating students. The more a person participates in an incident, the better he becomes in handling its demands, providing of course, that his responses are accompanied by effective critiques. If participation is to be effective, students should acquire basic knowledge prior to the formal training sessions. Homework assignments may assist in the acquisition of this foundation.

Because individuals learn at different speeds, standardized programs can hold some students back while others move ahead. Self-paced, individualized programs of instruction is a method for overcoming the learning rate problem. The individualized instructional technique must be goal-oriented; there must be a clear definition of what the student will be able to do after the training.

Field Training Officers should plan lectures, discussions and individualized program carefully. Well thought out lesson plans, utilizing visual aids and demonstration, should be used as aids to teaching as well as for the promotion of standardized training. An acceptable standard in the field of vocational education is the Five Step Teaching Process. These five steps are (1) Rehearsal...testing the competency of the lesson plan through the F.T.O. Curriculum Committee evaluation. (2) Preparation...preparing the student's mind to receive the information. (3) Presentation...giving the student new knowledge or demonstrating the new operation, through an organized lesson plan. (4) Application...giving the student an opportunity to apply his newly gained knowledge. (5) The Test...checking the ability of the student to perform the operation or to apply the knowledge in a new situation.

ACKNOWLEDGEMENT

It is appropriate to acknowledge the contribution of the individuals and agencies who participated in the Field Training Experience. In particular, I must recognize Sheriff John C. Dillon for his encouragement, support, and direction without which this effort could not have been accomplished. To the San Jose Police Department, Glenn Kaminsky, Dr. Mike Roberts and their staff of personnel for the national exposure this concept has received.

In putting together this manual, I have adopted parts of manuals from San Jose, California and Boulder, Colorado. This program is no longer simply the "San Jose" program. It is a compilation of innovations and modifications and it is that variety which is its strength.

The duties, responsibilities and procedures contained herein are based upon the Onondaga County Sheriff's Department Duty Manual, General Orders and other written directives published through the years. They represent traditional policies and practices accepted over time. They were compiled and edited for both formal and informal field training as well as operational formats.

A special thanks to Carol Lombard for the endless hours she put into typing this manual.

The Field Training and Evaluation Manual was implemented in the Spring of 1982.


THOMAS J. PAGLIA
1st Sergeant - O.C.S.D.
F.T.O. Commander

THE LAW ENFORCEMENT CODE OF ETHICS

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

PROBATIONARY PERIOD

- One Year -

PHASE I

Academy

PHASE II
14 Weeks

Field Training
& Evaluation

PHASE III

Field
(Close Supervision)

PHASE IV
8 Weeks

Field
(Normal Supervision)

FIELD TRAINING AND EVALUATION PROGRAM
IN-SERVICE TRAINING PROGRAM

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TRAINEE RECORD OF CASE NUMBERS
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III. THE EVALUATION PROCESS AND FORMS

DAILY OBSERVATION REPORT
SUPERVISOR'S WEEKLY TRAINING REPORT
REPORT EVALUATION COVER SHEET
STANDARDIZED EVALUATION GUIDELINES
TRAINEE'S EVALUATION OF F.T.O.

TRAINEE TRAINING MANAGEMENT PROGRAM

The Department continues to grow and each new Trainee offers fresh challenges in training management. The challenges of the times require that we formalize our administrative control of training. This program basically expands and formalizes the existing system.

The training program is divided into several phases. Phase I is the Regional Academy training. Successful completion of the Academy training program automatically passes the Trainee into Phase II. Phase II covers the three (3) months after the Academy during which the Trainee accompanies a training officer and always works in a two (2) person car. Each Trainee's checklist is completed and each receives daily evaluations with weekly summaries. An informal board measures the Trainee's level of competency. If the Trainee reaches an acceptable level of competency, the Trainee is advanced to Phase III and is now prepared for any assignment on any watch. If the Trainee fails to reach this acceptable level of competency, Phase II training time may be extended. If phase II training is interrupted for any reason Phase II requirement must still be completed to the satisfaction of the first board before the Trainee can be certified as a competent patrol officer. Phase III provides for eight weekly observation summaries for the next two months. One regular performance report is completed at the end of the seventh month in the Department.

Phase IV denotes a status which requires a minimum of individual attention. After twelve 12 months, the recruits receive their final performance report and permanent status with the Department.

All documents required by this program along with the Trainee checklist, etc., will be bound together in a booklet. This booklet will remain in the possession of the Trainee and be made available to the training officer, District Supervisor, etc., as required. Required reports will be numbered sequentially to insure completeness and facilitate administrative control. All evaluations and documents pertinent to each Trainee will be routed through the chain of command to the F.T.O. Commander.

All reports on each Trainee will be kept in a central file. The reports will be available to all Field Training Officers, other supervisors and command personnel, after receiving approval from the training coordinator.

FIELD TRAINING OFFICERS (FTO)

Field Training Officers will be selected after a Departmental background check of the officer's personnel folder, internal affairs record, recommendation by supervisor(s), and interview by an oral board. Members of the oral board will be designated by the F.T.O. Commander. The number of FTO's will depend on Departmental needs. However, we will attempt to have the necessary officers trained and ready to assume the duties and responsibilities of this position. Training for FTO's will consist of attending the Training Officer Seminar and any other schools which are considered of value to the program. These officers shall have exemplary reputations, demonstrate maturity, have a good knowledge of the penal code, vehicle code and Departmental policies and procedures, be recommended by their former supervisors, and above all exhibit a self-initiated interest in the assignment. Once FTO's are selected for the assignment, they will be required to study the Onondaga County Sheriff's Department FTO Manual and demonstrate a working knowledge of the principles as outlined.

FIELD TRAINING AND EVALUATION PROGRAM
IN-SERVICE TRAINING GUIDE

Date Issued

Officer Issued To

Date Completed

Issued By

INTRODUCTION TO THE FIELD TRAINING GUIDES

The Training Guides are an outline or a starting point of discussion between FTO and Trainee for a review of laws and procedures which provide a good foundation of job knowledge.

The guides are presented as weekly blocks of instructional material which range from simple to progressively more complex tasks.

The material will be the subject of weekly written tests and a final exam. A 70% passing grade will be required on each test. A re-test will be given until a passing grade is obtained.

The guides, list their sources, which provide a more complete treatment of the material.

Trainee's are expected to do home study. The broad background of knowledge needed cannot be gained entirely on the job or at the Academy.

As the FTO's review each part of the material with the Trainee, they will place their initials, badge number, and date on the line provided to indicate that the training has taken place. Trainee performance will be indicated on the daily observation report (DOR).

Field Training Sergeants are to initial the last page of each week's block of instructions to indicate the training has taken place. Remarks regarding the training may also be entered on that page by the FTO Sergeant, by the FTO, or by the Trainee.

The Trainee officer is expected to carry the in-service training guide at all times and be prepared at any time to display it on request.

FIELD TRAINING AND EVALUATION PROGRAM

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RECRUIT OFFICER CHECKLIST

The following reports/forms should be completed by the Trainee during the next fourteen weeks. If at all possible, the FTO should list the date, case number, and initials when the Trainee has performed all tasks required to complete the report/form in an accurate, concise, and professional manner. Extra space is allotted for forms or reports which the FTO feels are necessary but were not included.

<u>REPORTS</u>	<u>DATE</u>	<u>CASE NO.</u>	<u>FTO</u>
Assault	_____	_____	_____
Bomb Threats	_____	_____	_____
Burglary	_____	_____	_____
Grand Larceny	_____	_____	_____
Homicide or Death	_____	_____	_____
Juvenile/Runaway--Found	_____	_____	_____
Criminal Mischief	_____	_____	_____
Narcotics Report	_____	_____	_____
Petty Larceny	_____	_____	_____
Property Lost/Found	_____	_____	_____
Rape	_____	_____	_____
Recovered Auto Report	_____	_____	_____
Robbery	_____	_____	_____
Stolen Auto Report	_____	_____	_____
Suspicious Occurrence	_____	_____	_____
Strongarm Robbery/Pursesnatch	_____	_____	_____
Supplementary Report	_____	_____	_____
Warrant Arrest(non-traffic)	_____	_____	_____
Warrant Criminal	_____	_____	_____
Warrant Information Form	_____	_____	_____
Damage to Department Property	_____	_____	_____

RECRUIT OFFICER CHECKLIST (Cont'd)

<u>REPORTS</u>	<u>DATE</u>	<u>CASE NO.</u>	<u>FTO</u>
DWI Arrest			
1. Alco-Senso	_____	_____	_____
2. Breathalyzer	_____	_____	_____
3. Refusal Form	_____	_____	_____
4. D.W.I. Deposition	_____	_____	_____
Juvenile Arrest	_____	_____	_____
Property Receipt	_____	_____	_____
Request for Lab Analysis Form	_____	_____	_____
Traffic Accident Form	_____	_____	_____
Additional Forms and Reports	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

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ONONDAGA COUNTY SHERIFF'S DEPARTMENT INFORMATION

A. Sheriff's Department Tower Sites

Alarmed Tower Sites

1. Dutch Hill - Town of Otisco access from Dutch Hill Rd. off Otisco Rd., - Tower is one (1) mile off road.
2. Onondaga Hill - Town of Onondaga, OCC Campus, located in wood east of Maintenance Bldg.
3. Pompey - Town of Pompey off Seiver Rd., west off Sweet Rd.
4. Stump - Town of Marcellus, dirt road to the right and behind Saunders Ready Mix, Limeledge Rd., Tower approximately 3/4 mile in.

Unalarmed Tower Sites

1. Baldwinsville - Town of Van Buren off W. Sorrell Hill Rd., just north of Hoag Rd.
2. Cicero - Town of Cicero, located in front of Police Department, Rt. 11.
3. East Syracuse - Village of East Syracuse atop the Municipal Bldg.
4. Public Safety Bldg. - City of Syracuse atop P.S.B.

B. Important Telephone Numbers - O.C.S.D.

Emergency Number 425-2111

Sheriff Dillon	425-3044
Abused Persons Unit	425-3092
Civil Division	425-3060
Criminal Investigation Sect.	425-3081
Criminalistics	425-3556
Comm/Info (Administration)	425-3023
(Control Center)	425-2961
(Data)	425-2353
(Paging)	425-2354
Fire Investigation	425-2776
Garage	425-2246
Hancock Station	458-5481
Jail (Administration)	425-3100
(Transport)	425-3108
(Booking)	425-3110
(Lobby)	425-3114
Motor Pool (Fleet Operations)	425-5293
Onondaga Hill Station	425-8217
Personnel	425-3025
Records	425-3010
Road Patrol	425-3036
Services	425-3021
Warrants	425-3032

Fire and Ambulance Information

A. Ambulance Corp Telephone Numbers

Greater Baldwinsville Ambulance	638-4359
Cazenovia Ambulance	655-2234
Eastern Ambulance	471-4141
E.A.V.E.S. Ambulance	437-4476
N.A.V.A.C. Ambulance	458-7514
North Shore Ambulance	675-8611
Onondaga County Fire Control	425-3333
S.A.V.E.S. Ambulance	685-5217
S.O.V.A.C. Ambulance	676-5071
W.A.V.E.S. Ambulance	487-1212
Watson Ambulance	668-2654

B. County Fire Department Telephone Numbers - Fire Control 425-3333

Amber	636-7741
Apulia	696-5636
Baldwinsville	635-6611
Belgium Cold Springs	635-5136
Borodino	673-3735
Brewerton	676-7724
Bridgeport	633-9048
Camillus	672-3484
Caughdenoy	668-3551
Chittenango	687-6424
Cicero	699-7721
Clay	699-2844
Dewitt	446-3120
East Syracuse	437-5141
Elbridge	689-3021
Fabius	683-5215
Fairmount	487-5252
Fayetteville	637-6101
Hinsdale	455-2511
Howlett Hill	673-1817
Jamesville	492-2872
Jordan	689-3000
Kirkville	656-3093
Lafayette	677-3400
Lakeside	487-7218
Liverpool	457-0370
Lyncourt	454-9012
Lysander	678-1468
Manlius	682-2244
Mattydale	454-0090
Memphis	689-3359
Minoa	656-9204
Mottville	685-3832

County Fire Department Telephone Numbers (cont'd)

Moyers Corners	652-8511
Navarino	673-3260
Nedrow	469-0053
North Chittenango	687-9620
Onondaga Hill	492-9191
Onondaga Reservation	492-9892
Otisco	696-8226
Phoenix	695-3436
Plainville	638-2994
Pompey Hill	677-3162
Seneca River	635-3369
Sentinel Heights	469-3653
Skaneateles	685-5222
Solvay	468-2521
South Bay	699-2893
South Onondaga	492-1147
Southwood	469-5171
Spafford	1-607- 749-3610
Taunton	468-4220
Tully	696-5041
Warners	672-8894
City of Syracuse	471-1161

Area Medical Facilities and Their Telephone Numbers

- | | | |
|-----|---|----------------------|
| 1. | Benjamin Rush Center (Mental)
666 S. Salina St., Syracuse | 476-2121 |
| 2. | Central New York Eye Bank
State Tower Bldg., Warren St., Syracuse | 471-6060 |
| 3. | Community General Hospital
Broad Rd. & Seneca Turnpike, Syracuse | 492-5535* |
| 4. | Crouse-Irving Memorial Hospital
736 Irving Ave., Syracuse | 470-7411* |
| 5. | Hutchings Psychiatric Center
660 Madison St., Syracuse
Special Evaluation Service (9-41 Intake) | 473-4980
473-6594 |
| 6. | Onondaga County Medical Examiner
W. Onondaga St., Syracuse | 425-3163 |
| 7. | Poison Control | 476-7529 |
| 8. | Red Cross Blood Bank
636 S. Warren St., Syracuse | 425-1672 |
| 9. | St. Joseph's Hospital & Health Center
301 Prospect Ave., Syracuse | 474-9454* |
| 10. | Upstate Medical Center
750 E. Adams St., Syracuse | 473-5611* |
| 11. | Veterans Administration Hospital
University & Irving Ave., Syracuse | 476-7461 |

* Direct line from Comm/Info to Emergency Rooms

JUDGE/COURT INFORMATION

V/Baldwinsville

Judge Farnoltz

Court Day/Time Wednesday at 7:00 P.M.
Court Location 16 W. Genesee St.
Court Phone # 635-6355
Home Phone # 638-4008
Home Address 13 Sunset Terrace
Business # 635-7119
Business Address 50 Oswego St.
Court Clerk June Lockwood - 635-6355

V/Baldwinsville

Judge Brown

****To Be Called if Judge Farnholtz Cannot be Reached****
Home # 638-0749
Home Address 53 Carousel Lane
Other Info same as above

T/Camillus

Judge Andrew Mecca

Court Day/Time First 2 Mondays of month 3 P.M. to 7 P.M.
Court Location 4600 W. Genesee St.
Court Phone # 487-7066
Home Phone # 468-4149
Home Address 116 Terrytown Hgts Dr., Syracuse 13219
Business # 472-8380
Business Address 1215 S. Geddes St., Syracuse
Court Clerk Barbara Rinaldo - 468-5957 107 Chapel Dr.

T/Camillus

Judge Robert Powers

Court Day/Time Last 2 Mondays of month 5:30 P.M.
Court Location 4600 W. Genesee St.
Court Phone # 487-7066
Home Phone # 487-0151
Home Address 101 Berwyn Dr., Camillus 13031
Court Clerk Barbara Rinaldo 469-5957 107 Chapel Dr.

T/Cicero

Judge Chase

Court Day/Time Wednesday at 7:00P.M.
Court Location Cicero Town Hall, Rt. 11
Court Phone # 699-2756
Home Phone # 633-2734
Home Address 7902 St. Francis Dr.
Business # 422-6966
Business Address 625 Hiawatha Blvd.
Court Clerk Mary Cole 699-2756

T/Cicero

Judge Stewart E. DeVaul

Court Day/Time Tuesdays at 7:30 P.M.
Court Location Rt. 11 Cicero Town Hall
Court Phone # 699-4898
Home Phone # 676-7727
Home Address 5571 Bartell Rd.
Business # 428-4454
Business Address State Office Building - Workman's Compensation
Court Clerk Dawn Nass 699-4898

T/Clay

Judge Wittenburg

Court Day/Time Thursday at 7:30 P.M.
Court Location 4483 Rt. 31
Court Phone # 652-3826
Home Phone #458-8985
Home Address 5093 Audrey Dr.
Business # 474-4657
Business Address University Bldg.
Court Clerk Pamela Martin 652-3826 or 678-2222

T/Clay

Judge John M. Hall

Court Day/Time Tuesdays at 7:30 P.M.
Court Location 4483 Rt. 31
Court Phone # 652-3800
Home Phone # * 458-1871 Unlisted
Business # 458-5220
Business Address 111 Church St., N. Syracuse 13212
Court Clerk Janet Haskell 652-3800

T/Dewitt

Judge Edward C. Schepp

Court Day/Time Tuesdays at 7:30 P.M.
Court Location 6565½ Kinne Rd., Dewitt 13214
Court Phone # 446-9180
Home Phone # 446-2933
Home Address 140 Cedar Heights Rd.
Business # 422-4452
Business Address State Tower Bldg.
Court Clerk Carole Anderalli 437-8290

T/Dewitt

Judge Schultz

Court Day/Time Wednesday at 7:30 P.M.
Court Location 6565½ Kinne Rd., Dewitt 13214
Court Phone # 446-7136
Home Phone # 446-3557
Home Address 219 Ridgecrest Rd.
Business # 476-1600
Business Address 1020 State Tower Bldg.
Court Clerk Renie Goldberg 446-3163

V/E. Syracuse

Judge Domres

Court Day/Time Thursdays at 7:30 P.M.
Court Location 204 N. Center St.
Court Phone # 437-6456
Home Phone # 437-8221
Home Address 202 East Ave., E. Syracuse 13057
Court Clerk Margaret Ray 437-6456

V/E.Syracuse

Judge Harrison

Court Day/Time Thursdays at 7:30 P.M.
Court Location 204 N. Center St.
Court Phone # 437-6456
Home Phone # 437-5760
Home Address 208 E. Heman St.
Court Clerk Margaret Ray 437-6456

T/Elbridge

Judge Paul

Court Day/Time Every other Monday at 6:00 P.M.
Court Location 2nd Friday of month D.A. Court at 3:00 P.M.
Court Phone # Rt. 31, Elbridge Town Hall, Jordan 13080
Home Phone # 689-7380
Home Address 689-9834
Home Address 112 MacCollum Rd., Elbridge 13060
Court Clerk Linda Faulkner Work # 689-7380

T/Elbridge

Judge Gorham

Court Day/Time Mondays at 6:00 P.M.
Court Location 2nd Thursday of month D.A. Court 3:00 P.M.
Court Phone # Rt. 31, Elbridge Town Hall, Jordan 13080
Home Phone # 689-7380
Home Address 689-9790
Business # 106 E. Main St.
Business Address 689-3517
Business Address 106 E. Main St.
Court Clerk Linda Faulkner 689-6624

T/Fabius

Judge Garrett

Court Day/Time Wednesdays at 7:15 P.M.
Court Location Apulia Station Fire House (Rt. 80)
Court Phone # 696-5636
Home Phone # 696-8725
Home Address 1261 Apulia Rd.
Business # 677-9700
Business Address LaFayette Central School
Court Clerk -----

T/FabiusJudge Demore

Court Day/Time Every Monday at 7:00 P.M.
Court Location Fire Barn, Main St., Fabius
Home Phone # 683-5673
Home Address 7833 Main St.
Business # 683-5655
Business Address Main St.

V/FayettevilleJudge Esce

Court Day/Time Tuesdays at 7:30 P.M.
Court Location 425 E. Genesee St., Municipal Bldg.
Court Phone # 637-8070
Home Phone # 637-3617
Home Address 183 Brookside Lane
Business # 637-9866
Business Address Limestone Plaza
Court Clerk Mary Garofalo 469-3015 Work #637-8070

V/FayettevilleJudge Read

**** To Be Called If Judge Esce Cannot be Reached ****
Court Day/Time Tuesdays at 7:30 P.M.
Court Location 425 E. Genesee St., Municipal Bldg.
Court Phone # 637-8070
Home Phone # 637-8343
Home Address 108 Walnut St.
Court Clerk Mary Garofalo 469-3015 Work #637-8070

T/GeddesJudge William Walsh

Court Day/Time Monday at 7:00 P.M.
Court Location 1000 Woods Rd.
Court Phone # 468-3613
Home Phone # 487-3909
Home Address 215 Parsons Dr., Syracuse 13219
Business # 476-2113
Business Address 121 E. Water St., Syracuse 13202
Court Clerk TBA

T/GeddesJudge Mathews

Court Day/Time Mondays at 7:00 P.M.
Court Location 1000 Woods Rd.
Court Phone # 468-3613
Home Phone # 471-2188
Home Address 522 N. Orchard Rd.
Business # 471-2188
Business Address University Bldg.
Court Clerk TBA

V/JordanJudge Hart

Court Day/Time Wednesdays at 7:00 P.M.
 Court Location 5 Mechanic St., Village Hall
 Court Phone # 689-7350
 Home Phone # 689-3760
 Home Address 21 Elbridge St.
 Business Address Fisher Body
 Court Clerk Sean Trainor 689-7720

V/JordanJudge Sean Trainor

****To Be Called If Judge Hart Cannot be Reached****

Court Day/Time Wednesdays at 7:00 P.M.
 Court Location 5 Mechanic St., Village Hall
 Court Phone # 689-7350
 Home Phone # 689-7720
 Home Address 49 S. Hamilton St.
 Business # 472-6315
 Business Address 300 Monroe Bldg., 333 E. Onondaga St.
 Court Clerk -----

T/LaFayetteJudge Knapp

Court Day/Time Wednesdays at 7:30 P.M.
 Court Location LaFayette Town Hall, Rt. 20 E.
 Court Phone # 677-9350
 Home Phone # 677-9432 (nights) 677-3806 (days)
 Home Address Rt. 20 East
 Court Clerk Marilyn Shute 677-3622

T/LaFayetteJudge Keough

Court Day/Time Tuesdays at 7:30 P.M.
 Court Location LaFayette Town Office
 Court Phone # 677-9350
 Home Phone # 469-3661
 Home Address 4170 Pompey Rd.
 Business # 437-3953
 Business Address 6743 Kinne St., E. Syracuse
 Court Clerk Linda Pinkerton 677-3442

V/LiverpoolJudge Herman Harding

Court Day/Time Tuesday at 6:30 P.M.
 Court Location 314 Second St., Village Court House
 Court Phone # 457-5379
 Home Phone # 457-0506
 Home Address 302 Bass St.
 Business Phone 422-6191
 Business Address 217 S. Salina St.
 Court Clerk Alice Esce 457-5379

V/Liverpool

****To Be Called If Judge Harding Cannot Be Reached ****

Court Day/Time Judge Kathleen Melvin
Tuesday at 6:30 P.M.
Court Location 314 Second St., Village Court House
Court Phone # 457-5379
Home Phone # 457-9672
Home Address 122 Hiawatha Trail
Business # 422-8203
Business Address 906 State Tower Bldg.
Court Clerk Alice Esce 457-5379

T/Lysander

Judge Gates

Court Day/Time Mondays at 7:00 P.M.
Court Location 6 Lock St., Baldwinsville
Court Phone # 638-1308
Home Phone # 635-9243
Home Address 2113 W. Genesee St., Baldwinsville
Business # 635-5521
Business Address 29 W. Genesee St., Baldwinsville
Court Clerk 635-9402

T/Lysander

Judge Claire Rutherford

Court Day/Time Tuesdays at 7:00 P.M.
Court Location 6 Lock St., Baldwinsville
Court Phone # 638-1308 or 638-0224
Home Phone # 638-0916
Home Address 14 Candlewood Gardens Bldg, #1, Baldwinsville
Business # 638-0151
Business Address 73½ Oneida St. Apt. #34, Bldg. #3
Court Clerk Gloria Cardella 635-7453

T/Manlius

Judge Edwards

Court Day/Time 2nd, 3rd, 4th Monday at 7:30 P.M.
Court Location 301 Brooklea Dr., Town Hall
Court Phone # 637-3251
Home Phone # 637-3729
Home Address 904 S. Manlius St., Fayetteville
Business # 472-4521
Business Address 1 Fayette Park
Court Clerk Eugene Havill 637-3251

V/Manlius

Judge Joseph Genova

Court Day/Time 2nd & 3rd Thursdays at 7:30 P.M.
Court Location 1 Elmbrook Dr. W., Manlius
Court Phone # 682-5750
Home Phone # 682-2389
Home Address 7825 Old Orchard Court
Business # 682-5750
Business Address 1 Elmbrook Dr. W., Manlius

V/ManliusJudge Greeman

****To Be Contacted if Judge Genova Cannot be Reached****

Court Day/Time No set day
Court Location 1 Elmbrook Dr.
Court Phone # 682-5750
Home Phone # 6828545
Home Address 4789 Edgeworth Dr.
Business # 476-2121
Business Address 507 E. Fayette St.
Court Clerk Deb McWhorter 682-5750

T/MarcellusJudge Jacob R. Schneider

Court Day/Time 1st & 3rd Tuesday at 7:00 P.M.
Court Location 6 Slocombe Ave.
Court Phone # 673-2587
Home Phone # 673-3213
Home Address 2054 Old Seneca Tnpk
Business # 673-3213
Business Address 2054 Old Seneca Tnpk
Court Clerk Jean Schneider 673-3213, Work #673-2587

T/MarcellusJudge James F. Dwyer

Court Day/Time 2nd & 4th Tuesday of Month at 7:30 P.M.
Court Location 6 Slocombe Ave., Village Hall
Court Phone # None - Marcellus P.D. 673-2079
Home Phone # 673-3559
Home Address 22 Highland Dr.
Business # 478-2131
Business Address 1500 MONY Tower I, Syracuse
Court Clerk Jane Annable 673-3607 Work #471-3151

V/MinoaJudge Mrs. Green

Court Day/Time Wednesday at 7:30 P.M.
Court Location 213 Osborne St.
Court Phone # 656-2203
Home Phone # 656-9793
Home Address 152 N. Main St., Minoa
Court Clerk Barbara Wells 656-7797

V/North SyracuseJudge Henry J. Henson, III

Court Day/Time Mondays at 7:00 P.M.
Court Location 600 S. Bay Rd., N. Syracuse 13212
Court Phone # 458-4695
Home Phone # 458-5760
Home Address 226 Lawrence Ave., N. Syracuse
Court Clerk Jane Visell 458-4695

V/North Syracuse

Judge Chase (Acting Justice)

To Be Called if Judge Henson Cannot Be Reached

Court Day/Time
 Court Location
 Court Phone #
 Home Phone # 633-2734
 Home Address 7902 St. Francis Dr.
 Business # 422-6966
 Business Address 625 Hiawatha Blvd.
 Court Clerk Mary Cole 699-2756

T/Onondaga

Judge Kevin Mulroy

Court Day/Time Every other Wednesday at 7:00 P.M.
 Alternate 5th Wednesday
 Court Location 4801 W. Seneca Tpk.
 Court Phone # 469-3212 (*469-1674 - no to be given out)
 Home Phone # 492-3442
 Home Address 4510 W. Seneca Tpk.
 Business # 472-2688
 Court Clerk Mary Buckman 469-3212 or *469-1674
 Ruth Kelly, Assistant (same as above)

T/Onondaga

Judge Kerr

Court Day/Time Every other Wednesday at 7:00 P.M.
 Alternate 5th Wednesday
 Court Location 4801 W. Seneca Tpk.
 Court Phone # *469-1674 (not to be given out)
 Home Phone # 469-8449
 Home Address 4530 Cleveland Rd., Syracuse
 Business # 474-6046
 Court Clerk Mary Buckman 469-3212 or *469-1674
 Ruth Kelly, Assistant (same as above)

T/Otisco

Judge Wheeler

Court Day/Time Tuesday at 7:30 P.M.
 Court Location 3370 Oak Hill Rd.
 Court Phone # 636-7749
 Home Phone # 636-7749
 Home Address 3370 Oak Hill Rd.
 Court Clerk 636-7749

T/Otisco

Judge Henry

Court Day/Time Wednesday at 7:00 P.M.
 Court Location Canty Hill Town Hall
 Court Phone # 696-8753
 Home Phone # 696-5584
 Home Address 1665 Rt. 80
 Court Clerk Ruth Henry 696-5584

T/Pompey

Judge Wangerman

Court Day/Time Wednesday at 7:00 P.M.
Court Location Pompey Center (Rt. 20) Town Hall
Court Phone # 682-9877
Home Phone # 682-2324
Home Address Oran Gulf Rd., Manlius
Business # 478-6551
Business Address 4099 S. Warren St.
Court Clerk Nina Jones 655-8470

T/Pompey

Judge Lucien Ali

Court Day/Time Tuesday at 7:00 P.M.
Court Location Rt. 20, Pompey Center - Townhall
Court Phone # 682-9877
Home Phone # 682-5087
Home Address 3477 Henneberry Rd.
Business # 472-4481
Business Address 103 E. Water St.
Court Clerk 682-5087

T/Salina

Judge Herman Harding

Court Day/Time Thursday at 6:30 P.M.
Court Location 201 School Rd.
Court Phone # 457-4252
Home Phone # 457-0506
Home Address 302 Bass St.
Business Address 217 S. Salina St.
Court Clerk Edith Grant & Kathleen Gordon 457-4252

T/Salina

Judge Helen Burnham

Court Day/Time Wednesday at 7:00 P.M.
Court Location 201 School Rd.
Court Phone # 457-4251
Home Phone # 455-1435
Home Address 239 Beley Ave.
Business # 457-4251
Court Clerk Diane Procopio 457-4251

T/Skaneateles

Judge Palmer

Court Day/Time 1st & 3rd Wednesday at 7:30 P.M.
Court Location 24 Jordan St.
Court Phone # 685-3473
Home Phone # 685-3952
Home Address E. Lake Rd., Firelane Q.
Business # 253-0301
Business Address East Middle School, Auburn
Court Clerk Sally Snyder 685-7194

T/Skaneateles

Judge John Angyal

Court Day/Time	2nd & 4th Wednesday at 7:30 P.M.
Court Location	24 Jordan St., Town Office
Court Phone #	685-3473
Home Phone #	685-6489
Home Address	East Street, Skaneateles
Court Clerk	Cathy Reilly 685-5025 Work # 685-3431

V/Solvay

Judge Smolinski

Court Day/Time	Wednesday at 7:00 P.M.
Court Location	1100 Woods Rd.
Court Phone #	468-2521
Home Phone #	488-2497
Home Address	118 Wynthorp Rd.
Business #	488-1881
Business Address	2010 W. Genesee St., Syracuse
Court Clerk	Pauline Strage 488-1881

V/Solvay

Judge Dems

****Should Be Called if Judge Smolinski Cannot be Reached****

Court Day/Time	Wednesday at 7:00 P.M.
Court Location	Woods Rd. & 2nd St.
Court Phone #	468-1311
Home Phone #	468-6179
Home Address	110 Rosita St.
Business #	424-7492
Business Address	221 Wilkinson St.
Court Clerk	Pauline Strage 488-1881

T/Spafford

Judge Stevens

Court Day/Time	1st & 3rd Mondays of month
Court Location	2062 East Lake Rd.
Court Phone #	685-5137
Home Phone #	685-5137
Home Address	2062 East Lake Rd.
Court Clerk	685-5137

T/Tully

Judge Smith

Court Day/Time	Tuesday at 7:00 P.M.
Court Location	954 Rt. 11A
Court Phone #	696-5685
Home Phone #	696-5685 Summer #696-5115
Home Address	954 Rt. 11A
Business Address	Allied Chemical Corp, Tully
Court Clerk	Betty Smith #696-5685

T/Tully

Judge Carlton

Court Day/Time Wednesday at 7:30 P.M.
Court Location Lincoln & Douglas St., TownHall
Court Phone # 696-8861
Home Phone # 696-8085
Home Address 11 Elm St., Tully
Court Clerk -----

T/Van Buren

Judge Farrell

Court Day/Time Wednesday at 7:00 P.M.
Court Location Ellsworth & Van Buren Rd., Town Hall
Court Phone # 635-3523
Home Phone # 638-8855
Home Address 2620 Connors Rd.
Business # 635-3222
Business Address 44 Oswego St.
Court Clerk Carolyn Lamb 638-0711

T/VanBuren

Judge Mary Lessaongang

Court Day/Time Monday at 7:00 P.M.
Court Location Ellsworth & Van Buren Rd., Town Hall
Court Phone # 635-3523
Home Phone # 457-9626
Home Address 3413 Stiles Rd., Syracuse
Court Clerk Carolyn Lamb 638-0711

Emergency Shelter Information

- A. Child Protective Agency
7th Floor - Civic Center
Phone: 425-2884
HOT LINE: #422-9701 (after business hours)
- B. Red Cross - Phone #425-1666
- C. Vera House
301 Erie St., Syracuse
Phone #468-3260

Vera House has been formed to provide women in crisis a supportive, homelike atmosphere in which to stay while resolving their problems. It is an independently incorporated, non-sectarian agency. It is available to women 18 years of age and older who are in crisis and in need of temporary shelter. This would include and not be limited to the following:

1. Physically or psychologically abused
2. In transition because of separation or divorce
3. Rejected by their families
4. New to the Community and without resources

Vera House will not accept for admission women with acute drug, alcohol, health or psychiatric problems. Women must be fully ambulatory and able to function with minimal supervision.

Admission policy is as follows:

Admissions may be arranged 24 hours a day;
evenings, weekends
and holidays: Phone #474-7011

- D. Volunteer Center - Phone #474-7011
- E. Booth House for Homeless Youths
238 Furman Ave., Syracuse
Phone: 471-7628
- Booth House is an affiliate of the Salvation Army. Primarily used for housing runaway juveniles and P.I.N.S.
- F. Rescue Mission
120 Gifford St., Syracuse
Phone: 472-6251

Primarily used for temporary housing for intoxicated persons. However, they will accept non-intoxicated persons.

G.

Salvation Army
757 S. Warren St., Syracuse
Phone: 475-1688

H.

Oxford Inn
201 Oxford St.
Phone: 425-9225

This facility may not be available at all times.
It mainly operates during the winter months.

Town and Village Police Departments

Baldwinsville 16 W. Genesee St., West of four corners	635-3131/635-6808
Camillus W. Genesee St.	487-0103 Administration-487-0102
Cicero Rt. 11 North, ½ mile south of Rt. 31	699-3677
Clay 4483 Rt. 31	652-3777/652-3846
Dewitt Rt. 290, East Syracuse	437-1236/437-1237
East Syracuse 204 N. Center St.	437-3891/463-1639
Geddes 1000 Woods Rd.	468-2521
Jordan Mechanic St.	689-7350
Liverpool 201 Second St.	457-0722
Marcellus 8 Slocombe St.	673-2079
North Syracuse 602 S. Bay Rd.	458-5670
Onondaga County Park Rangers Onondaga Lake Park Road	457-3168
Skaneateles 26 Fennell St.	685-3456
Solvay 1100 Woods Rd.	468-2521

Correctional Facilities

- A. Onondaga County Correctional Facility
6660 E. Seneca Tpk.,
Jamesville, NY
Phone: 469-5581

Juvenile Detention Facilities

- A. Hillbrook Detention Facility
4949 Velasko Rd.
Syracuse, NY (Onondaga Hill)
Phone: 492-1721

DAILY OBSERVATION REPORTS AND STANDARDIZED EVALUATION GUIDELINES

A "Daily Observation Report" completed by the FTO at the end of each shift provides the essential information to insure administrative control over the relative progress of each Trainee officer. Observations made by the FTO are entered on the form along a 7-point continuum from "not acceptable by FTO Program standards (=1)," to "superior by FTO Program standards, (=7)." Midpoint on the scale is "acceptable standard of performance level (=4)." Specific narrative comments are required for all ratings of "2" or less or "6" or more.

Acceptability or non-acceptability "by FTO Program standards" is evaluated in terms of a competent patrol officer's performance. For rating purposes a competent patrol officer is a Trainee who can work safely and skillfully after the Academy and FTO program training.

The Daily Observation Report form includes thirty-seven measurable behaviors which are subdivided into five discrete areas: appearance, attitude, knowledge, performance and relationships. The specific behaviors listed are the result of an analysis of the narrative comments made by FTO's about the recruits trained and evaluated in 1972-73*. Each of those behaviors will be defined below. In addition an analysis of these specific behaviors as evaluation guidelines appears with the definition.

The "1", "4" and "7" scale value definitions represent a synthesis of the definitions submitted by seventy present and past Field Training Officers who have, collectively, trained approximately two hundred recruits*. The task of evaluating and rating a Trainee officer's performance must be based on these definitions. As guidelines, these definitions serve as a means of program standardization and continuity.

In addition to specific narrative comments for behaviors rated as either "2" or less, or "6" or more, the FTO is required to identify and describe the "most acceptable" and the "least acceptable" performance of the duty day. The basis for this requirement is that some duty days may not result in performance which deserved either "2" or less, or "6" or more ratings, thus, no written statements are available for future evaluation. Likewise, on duty days which resulted in one or more "2" or less, or "6" or more ratings the FTO should select that particular performance which he thinks best describes the "most acceptable" and the "least acceptable" performances. FTO shall have the option of making any additional comments as feels would aid in the evaluation of the Trainee. Finally, all observation reports are signed by both FTO and the Trainee officer.

* San Jose's Police Department findings.

TRAINING SUPERVISORS' WEEKLY TRAINEE TRAINING REPORT

The Training Supervisors' Weekly Trainee Training Report is an additional means of administrative control over the relative progress made by the Trainee.

Using the "Weekly Trainee Training Report" form the supervisor is required to compute the "average" rating for each of the thirty seven (37) behaviors rated by the FTO's. Behaviors which the supervisor had personally observed should be rated by him. Additionally, the supervisor is required to specify the "most acceptable" and "least acceptable" area(s) of performance. The Sergeant comments on whether the Trainee's progress to date is either acceptable or unacceptable. Finally, the supervisor indicates whether the deficiencies have required remedial planning. This report is signed by both the supervisor and the trainees.

Trainee	Supervisor	Date
---------	------------	------

INSTRUCTIONS: In Column #1, average to one decimal point (Ex. 3.5) the Trainee's performance in each category for the week. In Column #2, rate the performance you observed. In Column #3, in areas where provided, give the minutes of remedial training for the week. On the back, comment on the Trainee's "most acceptable" and least acceptable" performance of the week. Next, indicate if you counselled the Trainee on any deficiencies and the remedial training planned. Finally, indicate the Trainee's overall progress to date. This report should be signed by both the Trainee and the supervisor.

CATEGORIES

1	2	3	<u>PERFORMANCE</u>
___	___	___	1. Driving skill: Normal conditions
___	___	___	2. Driving skill: Moderate and high stress conditions
___	___	___	3. Use of street guide: Orientation skill/response time to calls
___	___	___	4. Field performance: Stress conditions
___	___	___	5. Self-initiated field activity
___	___	___	6. Officer safety; Suspects/suspicious persons/prisoners
___	___	___	7. Officer safety: General
___	___	___	8. Control of conflict: Voice command
___	___	___	9. Control of conflict: Physical skill
___	___	___	10. Problem solving/decision making
___	___	___	11. Radio: Listens and comprehends
			<u>FREQUENT AND OTHER PERFORMANCE TASKS</u>
___	___	___	12. Routine forms: Accuracy/completeness
___	___	___	13. Report writing: Organization/details
___	___	___	14. Report writing: Grammar/spelling/neatness
___	___	___	15. Report writing: Appropriate time used
___	___	___	16. Field performance: Non-stress conditions
___	___	___	17. Investigative skill
___	___	___	18. Interview/interrogation skill
___	___	___	19. Radio: Appropriate use of codes/procedures
___	___	___	20. Radio: Articulation of transmissions
			<u>KNOWLEDGE</u>
___	___	___	21. Knowledge of Department policies and procedures reflected by verbal/written/simulated testing
___	___	___	22. Reflected in field performance
___	___	___	23. Knowledge of Penal Law reflected by verbal/written/simulated testing
___	___	___	24. Reflected in field performance
___	___	___	25. Knowledge of local Town and Village ordinances reflected by verbal/written/simulated testing

- 26. Reflected in field performance
- 27. Knowledge of Criminal Procedure Law reflected by verbal/
written/simulated testing
- 28. Reflected in field performance
- 29. Knowledge of V&T Law reflected by
verbal/written/simulated testing
- 30. Reflected in field performance

ATTITUDE/RELATIONSHIPS

- 31. Acceptance of feedback--FTO Program
- 32. Attitude toward police work
- 33. Relationships with citizens
- 34. Relationships with ethnic groups other than own
- 35. Relationships with other Department members
- 36. Relationships with FTO Supervisors/Command Officers

APPEARANCE

- 37. General appearance (specify if necessary)

NARRATIVE COMMENTS

Most acceptable area(s) of performance of the week:

Least acceptable area(s) of performance of the week:

Has the Trainee been counselled on his deficiencies? Yes ___ No ___

Have these deficiencies required remedial planning? Yes ___ No ___

If yes, describe the plan:

Overall status of Trainee's progress to date: Acceptable ___ Unacceptable ___

Trainee

Supervisor

REPORT WRITING EVALUATION FORM

When a Trainee writes an incident report which does not meet acceptable standards or in the opinion of the FTO exceeds acceptable standards, the FTO should complete a Report Writing Evaluation Form. The short checklist on the form lists major categories of necessary standards, and responds to either acceptable or not acceptable. If further explanation is necessary it should be reflected in "comments."

ONONDAGA COUNTY SHERIFF'S DEPARTMENT F.T.O. PROGRAM
REPORT EVALUATION COVER SHEET

Type of Report: _____ DR # _____

Trainee: _____ Badge: _____ Date: _____

	Yes	No	N/A	
1.	___	___	___	The information in this report is factual and organized.
2.	___	___	___	The information is presented in appropriate form
3.	___	___	___	Unnecessary information has been eliminated
4.	___	___	___	This report is concisely written
5.	___	___	___	This report is clear and understandable
6.	___	___	___	This report is complete for this set of facts.
7.	___	___	___	The writing in this report is legible
8.	___	___	___	This report is grammatically and structurally correct
9.	___	___	___	This report was completed in appropriate time

COMMENTS:

The report is: Acceptable _____ Not Acceptable _____

FTO

DATE

FTO Sergeant

DATE

SCALE VALUE APPLICATION

Perhaps the most difficult task facing the rater is the application of the numerical rating that represents the behavior he is evaluating. The rater's dilemma usually involves his rating philosophy versus another's and the question of who is right. The following explanations should clarify the issue and ease the concern of the rater and ratee.

The first principle of value application that must be accepted by all is that each of us has different perceptions on nearly everything in the life experience. While a standardization of ratings is an acute necessity, an attempt to standardize perceptions is doomed to failure at the start. For example, FTO A, based on a prior negative experience of his own, sees a Trainee's exposure of his weapon to a suspect as worth a "1" rating (Officer Safety) while FTO B may see the same behavior as worth a "3" rating. Should we (or the Trainee) really be concerned? Our answer is "No" as long as both FTO's see the performance as Unacceptable under the guideline quoted. A lack of standardization ensues when one FTO sees the performance as Unacceptable (1,2, or 3) and the other sees the same behavior as Acceptable (4,5,6 or 7). In summary then, we have no difficulty accepting differences in FTO's perceptions unless these perceptual differences vary between Unacceptable and Acceptable ratings for the same behavior.

The second principle that is important to grasp is the value assigned to performance wherein remedial efforts have been undertaken and the Trainee is not responding to training. A trainee who performs at a less than acceptable level might be assigned 1,2 or 3 for that task. The FTO is under an obligation to remediate the mistake and assess the Trainee's performance when next he has the opportunity to do so. If the FTO has retrained and the Trainee continues to fail, a reduction in the scale value might seem contradictory if the Trainee does no worse than before. The NRT (Not Responding to Training) section of the report form allows the FTO to report continued failure and the failure on the part of the Trainee to improve, all the while maintaining the integrity of the rating first given.

An NRT is an indication, then, of a problem that has occurred in the past; that has been the object of appropriate remedial effort; and the remedial effort has not produced the desired result. A rating of NRT might be likened to the waving of "a red flag" in that the Trainee is in danger of failing the Field Training and Evaluation Program unless his performance improves in that particular area.

The task of evaluating and rating a Trainee's performance should be based on these definitions. As guidelines, these definitions serve as a means of program standardization and continuity.

A rating of 4 (Acceptable) must be attained in each item to successfully complete the Field Training and Evaluation Program, and to be allowed to remain with the Onondaga County Sheriff's Department beyond the Probationary Period and attain Permanent Civil Service status.

"N.R.T."

Not Responsive to Training

When a Trainee has been repeatedly instructed in a particular subject matter and still fails to demonstrate a knowledge of the subject or is unable to perform the particular task which would exhibit this knowledge, the FTO should mark the "NRT" box. In each case where a Trainee is not responding to instructions, the FTO must explain in the narrative comments the training attempted and the results of the trainees' attempt to perform these tasks.

STANDARD EVALUATION GUIDELINES

CRITICAL PERFORMANCE TASKS

1. Driving Skill: Non-Stress Conditions

- (1) Unacceptable: Continually violates the Vehicle and Traffic Law (red light, stop sign), involved in preventable accidents, lacks dexterity and coordinating during vehicle operation.
- (4) Acceptable: Ability to maintain control of vehicle while being alert to activity outside of vehicle. Practices good defensive driving techniques. Obeys traffic laws when appropriate.
- (7) Superior: Sets good example of lawful, courteous driving while exhibiting good manipulative skill required of Patrol Officer (operating radio, writing down calls). Is a superior defensive driver.

2. Driving Skill: Stress Conditions

- (1) Unacceptable: Involved in preventable accidents. Unnecessary Code Red. Overuses red lights and siren. Excessive and unnecessary speed. Fails to slow for intersections and loses control on corners and curves.
- (4) Acceptable: Maintains control of vehicle. Evaluates driving situations and reacts properly (speed appropriate for conditions).
- (7) Superior: High degree of reflex ability and competence in driving skills. Anticipates driving situations in advance and acts accordingly. Practices defensive techniques. Responds very well relative to the degree of stress present.

3. Orientation/Response Time to Calls

- (1) Unacceptable: Becomes disoriented when responding to stressful situations. Is unable to relate location to destination. Is unable to use maps under stress. Is unable to determine directions of the compass during stressful tactical situations.
- (4) Acceptable: Reasonably aware of location. Is able to utilize maps effectively under stressful conditions. Demonstrates good sense of direction in tactical situations.
- (7) Superior: Always responds to stressful calls by the most appropriate route. Does not have to refer to maps. Rarely disoriented during tactical situations.

4. Field Performance: Stress Conditions

- (1) Unacceptable: Becomes emotional and panic stricken, unable to function, loses temper.

- (4) Acceptable: Exhibits calm and controlled attitude, does not allow situation to further deteriorate.
- (7) Superior: Maintains control and brings order under any circumstances without assistance.

5. Self-Initiated Field Activity

- (1) Unacceptable: Does not see, or avoids activity. Does not follow-up on situations, rationalizes suspicious circumstances. Does not have a broad orientation to the job.
- (4) Acceptable: Recognizes and identifies suspected criminal and police related activity, makes cases from routine activity. Displays inquisitiveness. Has a broad orientation to the job including low priority activity.
- (7) Superior: Catalogs and maintains Watch Bulletins and information given at briefings. Uses that information for probable cause to stop vehicles and persons. Makes quality arrests and/or proper dispositions from observed activity. Seldom misses observable activity.

6. Officer Safety: Suspects, Suspicious Persons and Prisoners

- (1) Unacceptable: Frequently violates officer safety standards as detailed in Officer Safety, General and in addition, fails to properly frisk, or confronts suspicious persons while seated in patrol vehicle; fails to handcuff prisoners; fails to thoroughly search prisoners or their vehicles. Fails to maintain position of advantage with prisoners to prevent attack or escape.
- (4) Acceptable: Generally displays awareness of potential danger from suspicious persons and prisoners, maintains position of advantage.
- (7) Superior: Always maintains position of advantage and is alert to changing conditions.

7. Officer Safety: General

- (1) Unacceptable: Frequently fails to exercise officer safety, i.e., Exposes weapons to suspects.
Fails to keep gun hand free during enforcement situations
Stands directly in front of violator's car door
Fails to control suspect's movements
Does not maintain sight of violator while writing UTT
Failure to use illumination when necessary
Fails to advise Control when leaving vehicle
Fails to maintain good physical condition
Fails to utilize or maintain personal safety equipment properly
Does not foresee potentially dangerous situations
Points gun at other officers
Stands too close to vehicular traffic
Stands in front of door when knocking
Fails to have weapon ready when appropriate
Fails to cover other officers
Fails to search patrol vehicle prior to shift and after transports

Fails to check vehicle equipment

- (4) Acceptable: Understands principles of officer safety and generally applies same.
- (7) Superior: Always keeps a safe position. Always watchful on his approach to a call and able to do same for partner. Does not become paranoid or overconfident.

8. Control of Conflict: Voice Command

- (1) Unacceptable: Improper voice inflection, confused voice command or indecisive, poor officer bearing.
- (4) Acceptable: Speaks with authority in a calm, clear voice.
- (7) Superior: Always gives appearance of complete command through voice tone and bearing.

9. Control of Conflict: Physical Skill

- (1) Unacceptable: Cowardly, physically weak or uses too little or too much force for situation. Unable to use proper restraints.
- (4) Acceptable: Maintains control without excessive force, good physical condition.
- (7) Superior: Excellent knowledge and ability to use restraining holds. Always prepared to use necessary force and above average physical conditioning.

10. Problem Solving/Decision Making

- (1) Unacceptable: Acts without thought or is indecisive. Relies on others to make his decisions.
- (4) Acceptable: Is able to reason out problems and relate them to what he was taught. Has good perception and ability to make own decisions.
- (7) Superior: Excellent perception in foreseeing problems and arriving at advance decisions.

11. Radio: Listens and Comprehends

- (1) Unacceptable: Repeatedly misses calls and is unaware of calls in adjoining posts. Frequently has to ask Control to repeat message or does not comprehend message.
- (4) Acceptable: Copies most transmissions directed to him and is generally aware of adjoining post status.
- (7) Superior: Always comprehends transmissions and quickly makes a written note, always aware of and quickly reacts to calls to adjoining posts.

FREQUENT AND OTHER PERFORMANCE TASKS

12. Routine Forms: Accuracy/Completeness

- (1) Unacceptable: Unable to determine proper form for given situations, forms incomplete.
- (4) Acceptable: Knows most standard forms and understands format. Completes forms with reasonable accuracy.
- (7) Superior: Consistently and rapidly completes detailed forms with no assistance. High degree of accuracy.

13. Report Writing: Organization/Details

- (1) Unacceptable: Totally incapable of organizing events into written form.
- (4) Acceptable: Converts field situations into a logical sequence of thought to include all elements of the situation.
- (7) Superior: A complete and detailed account of what occurred from beginning to end, written and organized so as to assist any reader in comprehending the occurrence.

14. Report Writing: Grammar/Spelling/Neatness

- (1) Unacceptable: Illegible, misspelled words, incomplete sentence structure.
- (4) Acceptable: Grammar, spelling and neatness are satisfactory in that errors in this area are rare and do not impair understanding.
- (7) Superior: Very neat and legible, no spelling errors and excellent grammar.

15. Report Writing: Appropriate Time Used

- (1) Unacceptable: Requires 2 hours to complete basic simple reports.
- (4) Acceptable: Completes simple basic reports in 30 minutes.
- (7) Superior: Completes simple basic reports in no more time than that of a skilled veteran officer.

16. Field Performance: Non Stress Conditions

- (1) Unacceptable: Seemingly confused and disoriented as to what action should be taken in a given situation.
- (4) Acceptable: Able to assess situation and take proper action.
- (7) Superior: Requires no assistance and always takes proper course of action.

17. Investigative Skill

- (1) Unacceptable: Does not conduct a basic investigation or conducts investigation improperly. Unable to accurately diagnose offense committed. Fails to discern readily available evidence. Does not connect evidence with suspect when apparent. Does not protect scene.
- (4) Acceptable: Follows proper investigatory procedure in all but most difficult/unusual cases. Is generally accurate in diagnosis of nature of offense committed. Connects evidence with suspect when apparent. Protects scene.
- (7) Superior: Always follows proper investigatory procedure and always accurate in diagnosis of offense committed. Connects evidence with suspect even when not apparent. Has "evidence technician" collection and identification skills. All available physical evidence was discovered and competently handled, all logical leads properly developed, all potential sources of information exhausted, i.e., informants, neighbors, DMV, OLEIS.

18. Interview/Interrogation Skill

- (1) Unacceptable: Fails to use proper questioning techniques. Does not elicit and/or record available information. Does not establish appropriate rapport with subject and/or does not control the interview of suspect. Fails to conduct suspect interviews. Accepts information as given without developing it with follow-up questions. Fails to give Miranda Warning.
- (4) Acceptable: Generally uses proper questioning techniques. Asks the proper questions of victims, complainants, witnesses and witnesses. Attempts to establish the proper rapport. Controls the interview, admonishes the Miranda Warning when proper.
- (7) Superior: Always uses proper questioning techniques. Establishes rapport with all victim/witnesses. Controls the interrogation of even the most difficult suspects. Conducts successful interrogations of them.

19. Radio: Appropriate Use of Codes/Procedures

- (1) Unacceptable: Misinterprets communication codes, definitions, or fails to use them in accordance with set policy; fails or refuses to improve.
- (4) Acceptable: Has good working knowledge of majority of code definitions.
- (7) Superior: Uses codes with ease in all receiving and sending situations.

20. Radio: Articulation of Transmissions

- (1) Unacceptable: Does not pre-plan before transmitting message. Under or overmodulation resulting in Dispatcher constantly asking for re-transmission.
- (4) Acceptable: Uses proper procedure with short, concise transmissions.
- (7) Superior: Always uses proper procedure with clear, calm voice even under stress situations.

KNOWLEDGE OF DEPARTMENT POLICIES AND PROCEDURES

21. Reflected by Verbal, Written, Simulated Testing

- (1) Unacceptable: When tested, answers with 20% or less accuracy.
- (4) Acceptable: When tested, answers with 70% accuracy.
- (7) Superior: When tested, answers with 100% accuracy.

22. Reflected In Field Performance

- (1) Unacceptable: Fails to display knowledge of department policies, regulations or violates same.
- (4) Acceptable: Familiar with most commonly applied department policies, regulations and complies with same.
- (7) Superior: Has an excellent working knowledge of department policies, regulations, including less known and seldom used ones.

KNOWLEDGE OF PENAL LAW

23. Reflected By Verbal, Written, Simulated Testing

- (1) Unacceptable: When tested, answers with 20% of less accuracy.
- (4) Acceptable: When tested, answers with 70% accuracy.
- (7) Superior: When tested, answers with 100% accuracy.

24. Reflected in Field Performance

- (1) Unacceptable: Does not know the elements of basic sections of the law. Does not recognize criminal offenses when encountered or makes mistakes relative to whether or not crimes have been committed and, if so, which crimes.
- (4) Acceptable: Recognizes commonly encountered criminal offenses and applies appropriate section of law. Knows difference between criminal and non-criminal activity.
- (7) Superior: Has outstanding knowledge of the Penal Law and applies that knowledge to normal and unusual criminal activity.

KNOWLEDGE OF LOCAL TOWN AND VILLAGE ORDINANCES

25. Reflected By Verbal, Written, Simulated Testing

- (1) Unacceptable: When tested, answers with 20% or less accuracy.
- (4) Acceptable: When tested, answers with 70% accuracy.

- (7) Superior: When tested, answers with 100% accuracy.

26. Reflected In Field Performance

- (1) Unacceptable: Fails to recognize violations of ordinances, takes no action or inappropriate action.
- (4) Acceptable: Recognizes most violations of ordinances in that jurisdiction and takes appropriate action.
- (7) Superior: Recognizes violations of all ordinances in that jurisdiction and takes appropriate action in all these cases.

KNOWLEDGE OF CRIMINAL PROCEDURE LAW

27. Reflected by Verbal, Written, Simulated Testing

- (1) Unacceptable: When tested, answers with 20% or less accuracy.
- (4) Acceptable: When tested, answers with 70% accuracy.
- (7) Superior: When tested, answers with 100% accuracy.

28. Reflected In Field Performance

- (1) Unacceptable: Violates procedural requirements. Conducts illegal searches or fails to search when appropriate. Does not recognize admissible evidence or seizes evidence illegally. Violates laws of arrest.
- (4) Acceptable: Follows required procedure in commonly encountered situations. Conducts proper searches and seizes evidence legally. Arrests within legal guidelines.
- (7) Superior: Follows required procedure in all cases, accurately applying law relative to searching, seizing evidence and arrests.

KNOWLEDGE OF VEHICLE AND TRAFFIC LAW AND OTHER LAWS

29. Reflected By Verbal, Written, Simulated Testing

- (1) Unacceptable: When tested, answers with 20% or less accuracy.
- (4) Acceptable: When tested, answers with 70% accuracy.
- (7) Superior: When tested, answers with 100% accuracy.

30. Reflected In Field Performance

- (1) Unacceptable: Does not know basic sections pertaining to vehicles, snowmobiles, boats. Does not recognize these offenses when encountered or makes mistakes relative to which sections are applicable and if applicable.

Unaware of commonly used sections of Alcoholic Beverage Commission Laws. General Business Law, Environmental Conservation Laws.

- (4) Acceptable: Accepts criticism in positive manner and applies it to further learning processes.
- (7) Superior: Recognizes and effectively enforces these laws, including those seldom encountered.

ATTITUDE/RELATIONSHIPS

31. Acceptance of Feedback - FTO/Program

- (1) Unacceptable: Rationalizing-argumentative-refuses to make corrections- considers criticism as negative.
- (4) Acceptable: Accepts criticism in positive manner and applies it to further learning processes.
- (7) Superior: Solicits criticism in order to improve performance, never argues or blames others.

32. Attitude Toward Police Work

- (1) Unacceptable: Takes police work as only a job, uses job for ego trip, abuses authority (badge heavy), no dedication to the principle of the profession
- (4) Acceptable: Expresses active interest toward the profession and to police responsibilities.
- (7) Superior: Utilizes off-duty time to further professional knowledge, maintains high ideals toward professional responsibilities.

33. Relationships With Citizens

- (1) Unacceptable: Abrupt, belligerent and overbearing, introverted and uncommunicative.
- (4) Acceptable: Courteous, friendly and empathetic, communicates in a professional and unbiased manner.
- (7) Superior: Established rapport and is always objective. Always appears to be at ease in any person-to-person situation.

34. With Ethnic Groups Other Than Own

- (1) Unacceptable: Is hostile or overly sympathetic. Is prejudicial, subjective and biased. Treats members in this grouping differently than members of own ethnic or racial group would be treated.

- (4) Acceptable: Is at ease with members of other ethnic/racial groups. Serves their needs objectively and with concern. Does not feel threatened when in their presence.
- (7) Superior: Understands the various cultural differences and uses this understanding to competently resolve situations and problems. Is totally objective and communicates in a manner that furthers mutual understanding.

35. With Other Department Members

- (1) Unacceptable: Considers self superior. Gossips. Belittles others. Is not a team player and does not associate. Fawns on others.
- (4) Acceptable: Good peer relationships and is accepted as a group member.
- (7) Superior: Peer group leader. Actively assists others.

36. With FTO, Supervisors and Command Officers

- (1) Unacceptable: Patronizes FTO, superiors or is antagonistic toward them. Gossips. Is insubordinate, argumentative, sarcastic. Resists instructions.
- (4) Acceptable: Adheres to the chain of command and accepts role in the organization. Respects authority. Follows instructions and behavior is not disruptive.
- (7) Superior: Is at ease in contacts with superiors. Understands superiors' responsibilities; respects and supports their position.

37. General Appearance

- (1) Unacceptable: Overweight, dirty shoes, dirty and wrinkled uniform. Uniform fits poorly or is improperly worn. Hair ungroomed and/or in violation of department regulation. Dirty weapon, equipment. Equipment missing or inoperative. Offensive body odor, breath.
- (4) Acceptable: Uniform neat, clean. Uniform fits and is worn properly. Weapon, leather equipment is clean and operative. Hair within regulations, shoes are shined.
- (7) Superior: Uniform neat, clean and tailored. Leather is shined, shoes are spit-shined. Displays command bearing

FIELD TRAINING AND EVALUATION PROGRAM

IN-SERVICE TRAINING GUIDE

The following laws will be reviewed during the first week of field training.

PENAL LAW

Article 240: Offenses Against Public Order

Sect. 240.00	Definitions
Sect. 240.05	Riot, Second Degree
Sect. 240.06	Riot, First Degree
Sect. 240.08	Inciting to Riot
Sect. 240.10	Unlawful Assembly
Sect. 240.15	Criminal Anarchy
Sect. 240.20	Disorderly Conduct
Sect. 240.21	Disruption, or Disturbance of a Religious Service
Sect. 240.25	Harassment
Sect. 240.30	Aggravated Harassment, 2nd Degree
Sect. 240.31	Aggravated Harassment, 1st Degree
Sect. 240.35	Loitering
Sect. 240.36	Loitering, First Degree
Sect. 240.37	Loitering for the Purpose of Engaging in a Prostitution Offense
Sect. 240.40	Appearing in Public Under the Influence of a Narcotic or Drug other than Alcohol
Sect. 240.45	Criminal Nuisance
Sect. 240.50	Falsely Reporting an Incident, Third Degree
Sect. 240.55	Falsely Reporting an Incident, Second Degree
Sect. 240.60	Falsely Reporting an Incident, First Degree

VEHICLE AND TRAFFIC LAW

Article 6: Motor Vehicle Financial Security Act

Sect. 319	Penalties
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Article 14: Registration of Motor Vehicles

Sect. 401.1	Registration of Motor Vehicles; fees; renewals
Sect. 401.3	Registration of Motor Vehicles
Sect. 401.4	Registration of Motor Vehicles
Sect. 401.5(a)	Registration of Motor Vehicles
Sect. 401.7	Registration of Motor Vehicles
Sect. 401.14	Registration of Motor Vehicles
Sect. 401-a	In-transit permits
Sect. 402	Distinctive number; form of number plates, trailers
Sect. 404	Issuance of special number plates

Article 19: Licensing of Drivers

Sect. 509.1 Violations (Unlicensed operator)
Sect. 509.2 Violations (Operating out of class)
Sect. 509.3 Violations (Operating in violation of restriction)
Sect. 509.4 Violations (Permitting unlicensed operating)
Sect. 509.5 Violations (Holding more than one license)
Sect. 509.6 Violations (Permitting another to use license)

Article 20: Suspension and Revocation

Sect. 511.1 Operation while license or privilege is suspended or revoked
Sect. 511.2 Operation while license or privilege is suspended or revoked
 (Alcohol related)
Sect. 512 Operation while registration or privilege is suspended or revoked
Sect. 515 Alteration of convictions endorsed on licenses

Article 21-A: Restricted Use Licenses

Sect. 530 Restricted use license.

The following training material will be covered during the first week of the Trainee's period of Field Training and Evaluation. The FTO who provides the review of the training material shall note his/her badge number, initials, and date when the review took place.*

1. Evaluation while on probation* Discussed/Trained/Performed
 - A. During the Field Training Officer Program
 1. Daily (Daily Observation Report)
 2. Weekly (Supervisor's Observation Report)
 - B. After the Field Training Officer Program
 1. Weekly until the end of Probation
2. Headquarters and District Stations Orientation* Discussed/Trained/Performed
 - A. Headquarters Building Orientation
 - B. Orders, Bulletin Board, Daily Activity Sheet
 - C. Roll Call Room Information Sources
 - D. Equipment Sign-out
 - E. Personnel Familiarization
3. Vehicle Checks* Discussed/Trained/Performed
 - A. Damage or Defects
 - B. Lights and Siren
 - C. Cleanliness
 - D. Contraband
 - E. Trunk Contents
 - F. Repair Request Forms
 - G. Shotgun Operation
 - H. Radio Damage or Defects
 - I. Fueling Facility
 - J. Tire Condition
4. Use of Firearms* Discussed/Trained/Performed
(Ref. O.C.S.D. Duty Manual Part 8)
 - A. Review Penal Law Article 35 (must know Dept. Policy on any Test)
(must know on any test)
 - B. Destruction of Injured or Dangerous Animals

Where an animal is injured to the extent that death is apparently imminent or severe suffering is unavoidable or when it becomes evident that an animal presents a clear and present danger to human life or the symptoms of rabies exist, an officer may discharge his weapon.

If at all possible, an attempt should be made to contact the owner of the animal prior to destruction or have a witness present to substantiate the necessity for the act.

The target area should be the head as this is the most humane except when the possibility of rabies exists since the animal's head is needed for analysis.

Extreme care should be taken in the aim and direction of fire so as not to jeopardize persons or property.

C. Reporting Procedure

The following procedure shall be followed when firearms are discharged (except at an approved range):

1. Whenever a member discharges his firearms, he shall verbally notify his immediate supervisor without unreasonable delay.
2. The member who discharged his firearm shall file a Firearms Discharge Report of the incident prior to the conclusion of his tour of duty.
3. If the member who discharged his firearm is incapable of filing the written report, his immediate supervisor shall file as complete a report as possible on the shooting pending further Departmental investigation.
4. Each discharge of firearms shall be investigated personally by the immediate supervisor of the member involved.
5. The immediate supervisor shall determine if the discharge of the firearm was necessary, and safely executed.

The F.T.O.. Sergeant shall indicate by signature below that the preceding week's block of material has been reviewed by the F.T.O. and the Trainee.

Sergeant

Badge #

Comments relative to this review may be recorded here by the F.T.O. Sergeant, the F.T.O. or the Trainee.

REPORT OF DISCHARGE OF FIREARM

The Report of Discharge of Firearm is divided into eleven (11) items, each encircled and numbered 1-11. Use the following guide to complete these items. All information shall be legible and accurate. All entries shall be printed. This report does NOT, under any circumstances, take the place of a P.I.R. or any other Departmental report when one is necessary.

Boxes labelled "Code" are located at the beginning of Items 2 & 7. Only ONE code may be written in each box so marked. The following is a list of available codes.

NOTE: In the upper right corner of the report there is a box labeled "PIR WRITTEN." This box MUST be completed on all reports of discharge of firearms.

Code #2 - Complainant

Any person other than the Deputy who summoned aid of this Department/

Code #5 - On View

This code will be used primarily for this report.

Code #6 - Other

This applies to a person whose involvement in an action cannot be classified under any of the codes.

Item #1 - Office Use Only

This Item is reserved for use by office/records personnel only.

Item #2 - Code/Name/Age/Sex/Race

Code - Any code number of the three (3) listed above.

Name - The name of the person coded in Item #2. If a person, enter the last name first, first name second, and middle name or initial last. If the DOB of the person is known, enter it after the middle name or initial.

Age - Enter the age of the person coded in Item #2. If unknown, leave blank.

Sex - Enter the sex of the person coded in Item #2, using "M" for male and "F" for female. If inapplicable, enter a dash (-).

Race - Enter the race of the person coded in Item #2 using one of the following set of abbreviations. If inapplicable, enter a dash (-).

W - White	J - Japanese
N - Negro-Black	H - Hispanic
I - Indian	O - All others
C - Chinese	

Item #3 - Address For Above

Enter the address of the person entered in Item #2 by indicating the street or route number, street/road name, apartment/building number, city, village, township, county (when applicable), state. In cases where Code 5 is used (Deputy's name) use 407 S. State St., Syracuse, NY.

Item #4 - Time/Date/Day Occurred

Enter the military time, as well as the date and actual day the incident occurred. Enter the date using the month-day-year format. For example, January 15, 1982, would be entered as 01-15-82. If any of the information to be entered in this section is unknown, so state.

Item #5 - Time/Date/Day Reported

Enter the military time, as well as the date and actual day the incident is reported. Obtain this information from the dispatcher. Follow the entry instructions as outlined in Item #4.

Item #6 - Place of Occurrence

Enter the actual or approximate location that the incident occurred, including village or township and city, county or state, where applicable (i.e., 3947 Onondaga Blvd., T/Onondaga or 27 First St., V/Marcellus). If the location of the incident is unknown, or cannot be ascertained, so state.

Item #7 - Code/Name/Address(if different than Item #2)/Age/Sex/Race

Codes 2,5, and 6 may be entered in this box.

Name/Address(if different than Item #2)

Enter the name and address of the person coded in Item #7 using the entry instructions as outlined in Items #2 and #3.

Age/Sex/Race

Enter the age, sex and race of the person coded in Item #7, using the entry instructions contained in Item #2.

Item #8 - Complaint Number

Enter the DR# as received from the controller. The DR# will be prefixed by the last two digits of the calendar year and a dash. The digits following the dash represent the number of complaints received thus far in that calendar year (i.e., 82-06000 represents the six-thousandth complaint received in 1982). All complaints will be given a five digit complaint number. This is necessary for computer entries. You must fill in the box marked "PIR Written" directly above the complaint number if a PIR or any other Departmental report has been written. Be sure to use the same complaint number on this report as the number you have used on the other report.

Item #9 - Agency

Enter "O.C.S.D." for the Onondaga County Sheriff's Department.

Item #10 - Nature of Incident

This item shall be filled in by the approval officer ONLY. The approval officer shall enter the name/section number of the law(s) violated in this box. If the incident cannot be classified by a section of law, enter a brief description of the nature of the incident.

Item #11 - Phone Number

Enter the phone number of the person coded in Item #2. If none, enter "None". If unknown, enter "UNKN".

Rank and Name of Member Firing Shots

Enter the rank and name of the officer who fired shots. Space is provided on the line directly beneath this box for additional officer.

Number of Shots Fired

Enter the number of shots that were fired at the time of the incident.

Firearms Used (Serial #, Make, Caliber)

Enter Department weapon or personal weapon. Serial number of weapon, Make, Caliber. Example: "Department, Serial #123456, Smith & Wesson, 38 cal."

The following instructions for the narrative are self-explanatory. With one exception, that being enough space left at the bottom of the narrative for the Supervisor's comment.

The reverse of this report is self-explanatory.

The following training material will be covered during the first week of the Trainee's period of Field Training and Evaluation. The FTO who provides the review of the training material will note his/her badge number, initials, and the date the review took place.

1. Animal Bites

- A. Most animal bites are reported to this agency by the victim, his physician, or the hospital emergency room.
- B. The deputy must obtain all the information necessary to complete the Suspect Rabies Report (SRR). (See example of completed SRR.)
- C. The Deputy must give the victim a copy of the yellow Health Dept. SOP for Animal Bites.
- D. The Deputy must contact the owner of the animal, if known, and:
 - a. notify him of the incident
 - b. give him two (2) copies of the Health Dept. SOP form
 - c. obtain information necessary to complete the SRR
 - d. advise him that the animal must be confined for ten (10) days at the SPCA or at a veterinarian. THIS IS MANDATORY. (If the owner wishes an exception he must call the Commissioner of Health at 425-3165)
- E. If the owner of the animal is not known to the victim, the Deputy must make all efforts to locate the animal from the description and location given by the victim. This includes neighborhood checks and if, unsuccessful, the press liaison officer should be contacted so that the local news agencies might be utilized in the search. (If the animal is not located, the victim may have to be prophylactically treated for rabies.)
- F. If the deputy locates the animal and it is not a domestic animal (i.e., a wild animal) the Deputy may destroy it using caution not to harm the brain.
- G. If the animal is domestic and is dangerous, the Deputy may destroy it using caution to preserve the brain. DOMESTIC ANIMALS SHOULD ONLY BE DESTROYED AS A LAST RESORT OR TO PROTECT LIVES. In either case the owner should be notified, if possible before destruction, or immediately thereafter.
- H. The Deputy will insure that the destroyed animal be delivered to the Bureau of Animal Disease Control, 330 W. Onondaga St., C/Syracuse, phone 425-3165.
- I. If the Deputy shoots the animal a firearms discharge report must be completed in addition to noting the discharge in the remarks section of the SRR.
- J. As in all cases of firearms discharge the supervisor must be notified.
- K. If the animal is not licensed (dogs only) or is in violation of local leash ordinances (dogs only) advise the local Dog Warden or Town/Village offices.
- L. Authorization for destruction of dangerous dogs shall be found in Section 121 of the Agriculture and Markets Law (AML).
- M. If the animal inflicting the bite is a wild animal or reptile and the owner has failed to take the proper care to protect the public from being bitten then he may be guilty of a Misdemeanor under Section 370 of the AML. Also check local Town/Village Ordinances for offenses.

I. IT IS THE RESPONSIBILITY OF THE POLICE OR SHERIFF TO:

1. Locate the animal if possible.
2. Determine if the animal is licensed and vaccinated.
3. Give this information sheet to person who has been bitten or to his family:
4. Give this information (2 copies) to the animal owner; one copy to be given to the veterinarian by the animal owner.
5. Report results of investigation to the: BUREAU OF ANIMAL DISEASE CONTROL
330 West Onondaga St., C/Syr.
on the prescribed form on the day the police or sheriff were notified concerning the animal bite.
6. Advise the animal owner of the Rules and Regulations of the New York State Sanitary Code; Chapter 1, Sec. 2.14, Paragraph (e) regarding control of the spread of rabies.

II. IT IS THE RESPONSIBILITY OF THE PERSON BITTEN OR HIS FAMILY TO:

1. Report the bite to the Police or Sheriff's Department, giving them as much information as possible, i.e., description of animal, owner's name and whereabouts if known.
2. Obtain medical consultation immediately as to the care and treatment of the wound.

III. IT IS THE ANIMAL OWNER'S RESPONSIBILITY TO:

1. Make available to the law enforcement agency accurate information regarding licensing, vaccination against rabies, and age of the animal.
2. Obtain veterinary consultation immediately at his expense to determine the status of the animal at the time of the attack, and to see that the animal is not killed or disposed of for any reason during the 10 day observation period..
3. Maintain the animal at owner's expense at a veterinary hospital or the S.P.C.A. animal shelter for the 10 day observation period. This impounding is mandatory, and the animal may not be returned home until after the 10 days have elapsed. Any violation of this quarantine is subject to penalty by law.

IV. IT IS THE VETERINARIAN'S RESPONSIBILITY TO:

1. Examine the animal as soon as possible after the bite and report the presence of signs or symptoms of rabies to the Commissioner of Health immediately by telephoning 425-3165.
2. Hold the animal for 10 days at the owner's expense or direct the animal be taken to the S.P.C.A. shelter, 5878 E. Molloy Rd., Mattydale, NY, phone 454-4479. The veterinarian may not advise the animal owner to confine such animal at home. Such authorization may only be granted by the Commissioner of Health by calling 425-3165.
3. Determine that the animal has no signs or symptoms of rabies at the end of the 10 day observation period and file a disposal certificate with Animal Disease Control.

V. IT IS THE RESPONSIBILITY OF THE BUREAU OF ANIMAL DISEASE CONTROL TO:

1. Keep available the report of an animal bite from the police or sheriff, adding pertinent details as received.
2. Notify the person bitten or the family and the attending physician of any decision of the veterinarian that the animal shows signs or symptoms of rabies at any time.

VI. IT IS THE DOCTOR'S RESPONSIBILITY TO:

1. Treat the local bite wound in an appropriate manner.
2. Inform the patient or family of his decision as to the necessity of anti-rabies prophylaxis.
3. Advise the Animal Disease Control Bureau accordingly.

CHAPTER I NEW YORK STATE SANITARY CODE

2.14 REPORTING OF RABID ANIMALS AND PERSONS BITTEN. ***Health officer to confine animal which has bitten person; to kill suspected rabid animal and send head of such to laboratory.

- (a) It shall be the duty of every physician to report immediately to the local health officer the full name, age and address of any person under his care or observation who has been bitten by an animal of a species subject to rabies.
- (b) If no physician is in attendance and the person bitten is a child, it shall be the duty of the parent or guardian to make such report immediately. If the person bitten is an adult, such person shall himself make the report, or, if incapacitated, it shall be made by whomever is caring for the person bitten.
- (c) It shall be the duty of every physician who has cause to believe that contact with a rabid animal has occurred which requires rabies prophylaxis subsequent to the bite to report the initiation of such prophylaxis to the local health officer.
- (d) It shall be the duty of every person having knowledge of the existence of an animal apparently afflicted with rabies to report immediately to the local health officer the existence of such animal, the place where seen, the owner's name, if known, and the signs of infection suggesting rabies.
- (e) Whenever, in accordance with this section, the health officer is notified of an animal which is of a species subject to rabies, and that has bitten any person, he shall, in a manner acceptable to him and at the owner's expense, cause the animal to be confined for 10 days, or he may, subject to the approval of the owner, if known, cause the animal to be destroyed immediately and have the animal submitted to a laboratory approved by the State Commissioner of Health for examination. The health officer shall secure and confine or cause to be secured and confined under competent observation any animal within his jurisdiction suspected of having rabies for such time as may be necessary to determine the diagnosis. If the animal is to be confined it must be in a manner acceptable to the health officer. Should the animal develop signs of rabies within that time, it shall be destroyed under the direction of, and in a manner acceptable to, the health officer.

Wild animals, including feral animals kept as pets, should not be held for observation and should be destroyed immediately, without injury to the head, and submitted to an approved laboratory for examination. Biting bats shall be considered presumptively rabid and killed immediately, without destruction of the head, and submitted to an approved laboratory for examination.

***See Public Health Law, 2140-2146; Agriculture and Markets Law, 106-127.



SUSPECT RABIES REPORT

Onondaga County Health Department

Occurred 10-14-85 1500 hours

Is dog licensed Yes (X) No () Tag No. 1678-W

Is animal known to victim? Yes (X) No ()

Has victim had trouble with animal before? Yes () No (X)

Owner of animal notified? Yes (X) No ()

By whom? Deputy Brown D/T notified 10-14-85 - 1730hrs

Victim John B. Smith	Age 10	Sex m	Comp. No. 85-42341
Address 212 Adams St., Liverpool			Phone 457-1234
Describe animal (dog, cat, etc.) Grey Bulldog			ANIMAL BITE
Owner of animal Alvin Jones			
Address 214 Adams St., Liverpool			Phone 457-6823
Reported by Mary Smith			
Address 212 Adams St., Liverpool			Phone 457-1234
D/T Reported 10-14-85		1622 hours	

LOCATION OF OCCURRENCE
Address: 214 Adams St., Liverpool

Sidewalk ()	Vacant lot ()	Street ()	Public building ()	Private property, not owner's ()
Playground ()	Yard (X)	House ()	Owner's property (X)	

WHAT WAS VICTIM DOING AT THE TIME?

Playing ()	Riding bicycle ()	Stopping fight ()
Walking ()	Playing with animal (X)	Making delivery ()
Running ()	Tormenting animal ()	Describe type of delivery :

Has animal bitten anyone before? Yes () No (X)	If yes, how many times N/A	S.P.C.A. notified? Yes (X) No ()	D/T notified 10-14-85 1740 hours
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Victim will deliver to S.P.C.A. (X)	Victim will deliver to veterinarian Yes (X) No ()	Name of veterinarian Dr. Doolittle
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Where was victim treated? Community General Hospital	D/T treated 10-14-85 1615 hrs.	Name of doctor treating Dr. Rabjama
---	-----------------------------------	--

TREATMENT GIVEN
Stiches over left eye

REMARKS: (Describe location and severity of bite, and all other pertinent data not listed above)

The victim, John Smith, said that he was bitten by Alvin Jones's bulldog while he was playing with the dog in Jones's yard. He said the dog was tied to a tree at the time.

Jones was notified of the incident, given two copies of the Health Department SOP and said that the dog would be examined by Dr Doolittle then confined at the S.P.C.A. for ten days.

STATUS Completed (X) Needs follow-up ()	Signed G. K. Brown	# 342
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The following material will be covered during the first week of the Trainee's period of Field Training and Evaluation. The FTO who provides the review of the training material will note his/her badge number, initials, and the date that the review took place.

1. The Miscellaneous Incident/Alarm card (MIR)* Discussed/Trained/Performed
(ref. G.D.4003-84)

The MIR card will be completed by the primary responding unit for the following incidents:

- A. Alarms - include the name of the person(s) responding (the subscriber, assist units) and any information regarding the alarm cause in the narrative section of the MIR card (Sect. 20).
- B. ABC Checks - Include the liquor license number, person in charge of the premises, number of patrons in the establishment, activity observed, and assist units in Sect. 20 on the card.
- C. Lost License Plates - The MIR card shall be used instead of the PIR for reporting lost license plates. The reporting Deputy shall include the license plate number and teletype information in Section 20 on the card.
- D. Towed Vehicles - The MIR card shall be completed anytime a vehicle is towed and no PIR is written. The reporting Deputy shall have Comm/Info assign a complaint number and include the vehicle description, license number and towing agency in Section 20 on the card.

The following material will be covered during the first week of the Trainee's period of Field Training and Evaluation. The FTO who provides the review of the training material will note his/her badge number, initials, and the date the review took place.

1. Sick Leave Policy*

Discussed/Trained/Performed

(Ref. The Agreement between the County of Onondaga and the Deputy Sheriff's Benevolent Association [D.S.B.A.]

- A. All members shall earn sick leave credits at the rate of one (1) day per month of continuous service. Sick leave credits may be used by the member in units of days, half days, or hours when the member is incapacitated or unable to perform the duties of his or her position by reason of sickness, injury, temporary disability, or for dental or medical visits which may not be accomplished after working hours.
 - B. Whenever possible, such as for scheduled hospital or office visits, requests for sick leave are to be made in written form and approved by the appropriate chain of command in advance of the date leave is to be taken. Sick leave credits shall not be used until a member has completed three (3) months of continuous service. Unused sick leave credits shall accumulate up to a maximum of 165 days. Upon attaining the maximum accumulation, sick leave is no longer earned.
 - C. Sick leave credits shall not be earned unless the member is on full pay status for at least fifty percent of the working days during the calendar month. Days during which the member is using accumulated sick leave credits shall not be considered as days on full pay status for purposes of earning sick leave.
 - D. Sick leave credits, not to exceed a total of five (5) days in any calendar year, may be used for verified, serious illness in the member's immediate family requiring care and attendance by the member. Immediate family shall include spouse, parent, child, brother, sister or any other relatives who are actual members of the Deputy's household.
2. The Association agrees that all members covered by this agreement when reporting sick shall:
- (a) Notify the Personnel Section - 425-3028 between the hours of 8:00 a.m. and 4:00 p.m., and at all other hours shall notify the Complaint Clerk at 425-2353.
 - (b) While on sick leave members shall not leave his or her home or other place of confinement of official record except:
 - 1. For the purpose of reporting to or visiting a physician for diagnosis, treatment or to a facility specifically designated by the physician for therapy or other services connected with the subject's illness, or
 - 2. With the written authorization of the physician in those cases and under such conditions that the absence from home or other place of confinement is reasonably justifiable as being in the best interest of the member of the department on sick leave.

- (c) Any member who must be removed from his residence to a hospital or other place for treatment will notify his commanding officer and will report in a like manner when he leaves the hospital or other place of treatment to return to his residence.
- (d) Members will be required to notify the Department physician for absences that extend more than one (1) day. In the event the physician requires a member's presence, overtime pay or compensation time will not be applicable.

3. Personal Leave

- A. After the completion of one (1) full year of continuous service and yearly thereafter, a member shall earn three (3) days of personal leave. Such leave shall be used for purposes of religious observance or to attend to personal business which cannot be conducted during a member's off-duty hours.
- B. Personal leave shall be taken in units of one (1) hour or greater. A written request shall be made by the member requesting such leave to later than 72 hours in advance of the time and date requested through the appropriate chain of command and shall be subject to the approval of the Sheriff or an authorized designee.
- C. Personal leave credits remaining unused at the end of the calendar year shall be cancelled or, upon written request of the member to the Sheriff, and subject to the approval of the Commissioner of Personnel, shall be converted into sick leave. Personal leave shall not be earned during any month where a member is absent without pay in excess of 50% of the work schedule.

4. Annual Leave

- A. Annual leave shall be earned by members in accordance with the following schedule:
 - after 1 year continuous service - 11 days
 - after 5 through 15 years continuous service - 16 days
 - after 15 years service - 21 days
- B. Annual leave shall be fully earned upon and may not be drawn until the member's anniversary date. If desired, a member in the first year of service may use five (5) days of the first year's entitlement upon completion of six (6) months of service. Annual leave may be accumulated by a member up to a maximum of thirty (30) days, subject to the approval of the Sheriff and the Commissioner of Personnel. Any unused annual leave exceeding said maximum accumulation shall expire unless the member requests in writing to the department head and subject to the approval of the Commissioner of Personnel, prior to his/her anniversary date to convert the unused portion to sick leave.
- C. If an observed legal holiday falls within a member's vacation period, such day will not be charged against accumulated annual leave credits.

- D. Any annual leave use shall be subject to prior approval by the appropriate chain of command. To assure continuation of essential public services, no more than one-third of the staff of any department or division shall be granted vacation at the same time, except upon approval of the Sheriff. Requests for annual leave, other than the department schedule established on or about April 1st of each calendar year shall be submitted at least ten (10) working days in advance of the date(s) requested. Members shall be notified of approval or disapproval no later than five (5) working days prior to the date(s) requested.
- E. Annual leave credits shall not be earned or accumulated during any month where a member is absent without pay more than 50% of the working days.

5. Childbirth Leave

- A. A regular full-time member may be entitled to a leave of absence without pay for a childbirth as follows:
- B. A member covered by this agreement may be granted childbirth leave provided written notification is submitted to the supervisor at least four (4) weeks prior to the anticipated departure stating the probable date of departure and duration of leave requested. Such leave may be granted for a period of up to six (6) months, and upon further written request by the member indicating special circumstances for an extension, the department head may extend the leave for an additional six (6) months. In no case shall the total period of leave exceed twelve (12) months.
- C. In no case shall the member be required to leave prior to childbirth unless in the opinion of the department head, the performance or attendance of the member becomes unsatisfactory.
- D. Accumulated sick leave credits may be used for any time when verified sickness or disability would prevent the member from performing the normal duties at work. The provisions governing use of such leave pursuant to the Sick Leave section of this agreement shall apply when sick leave is used for this purpose.
- E. Granting of childbirth leave shall not prevent the abolition of a position, and/or termination of an employee due to reorganization, lack of funds or other reason unrelated to childbirth.

The following laws will be reviewed during the second week of field training.

PENAL LAW

Article 120.00: Assaults

Sect. 120.00	Assault Third Degree
Sect. 120.03	Vehicular Assault
Sect. 120.05	Assault Second Degree
Sect. 120.10	Assault First Degree
Sect. 120.11	Aggravated Assault on a Police Officer or Peace Officer
Sect. 120.15	Menacing
Sect. 120.16	Hazing
Sect. 120.20	Reckless Endangerment Second Degree
Sect. 120.25	Reckless Endangerment First Degree
Sect. 120.30	Promoting a Suicide Attempt
Sect. 120.35	Promoting a Suicide Attempt When Punishable as an Attempt to Commit Murder

VEHICLE AND TRAFFIC LAW

Article 23: Obedience To and Effect of Traffic Laws

Sect. 1102	Obedience to Police Officers and Flag Persons
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Article 24: Traffic Signs, Signals and Markings

Sect. 1110(A)	Obedience to and Required Traffic Control Devices
Sect. 1111	Traffic control sign indications
Sect. 1111(A)1	Traffic control signal indications
Sect. 1111(D)1	Traffic control signal indications
Sect. 1111(D)2	Traffic control signal indications
Sect. 1111(E)1	Traffic control signal indications
Sect. 1112(B)	Traffic control signal indications
Sect. 1113 1	Traffic control signal indications
Sect. 1114(A)	Traffic control signal indications
Sect. 1115	Traffic control signal indications
Sect. 1116	Traffic control signal indications

Article 29: Special Stops Required

Sect. 1170-A	Obedience to signal indicating approach of train
Sect. 1170-B	Obedience to signal indicating approach of train
Sect. 1171-A	Certain vehicles must stop at all railroad grade crossings
Sect. 1172	Stop and yield signs
Sect. 1173	Emerging from alley, driveway, private road or building
Sect. 1174(A)	Overtaking and passing school bus

Sect. 1174(B) Overtaking and passing school bus
Sect. 1175 Obstructing traffic at intersection

Article 26: Right of Way

Sect. 1144-A Operation of Vehicles on approach of authorized emergency
vehicles
Sect. 1144-B Operation of Vehicles on approach of authorized emergency
vehicles

Article 1: Words and Phrases Defined

Sect. 114(B) Emergency Operation

The following training material will be covered during the second week of the Trainee's Field Training and Evaluation. The F.T.O. who provides the review of the training material will note his or her badge number, initials and the date that the review took place.*

1. Patrol Post Orientation*

Discussed/Trained/Performed

A. Patrol Unit Post Structure

1. Post map of Onondaga County
2. Primary and Secondary Post Structure
3. Identification of D Watch Units, T.A.C. Units, C.I.S. Cruisers, K-9 Units and other specialized Unit numbers and responsibilities
4. Command and Supervisory Unit identifiers

2. Method of Response to Request For Road Patrol Unit*

Disc/Trnd/Perf

- A. Non-emergency type response to a non-emergency not "in progress" complaint.
- B. Lights and siren may be used when responding to an emergency.
- C. When responding to a crime "in progress," the use of lights and siren should be discontinued when the patrol unit enters the area where a perpetrator may see the lights or hear the siren.
- D. Never assume that a vehicle will yield the right of way. An emergency response only requests the right of way, it does not command it.
- E. When approaching traffic controls such as red lights or arterials, stop and wait until all other traffic realizes the police vehicle is signaling for the right of way and all other traffic then yields the right of way.
- F. The sound of the siren is directional. It travels in a straight line and bounces off solid objects. Fluctuation of the siren attracts attention better than a steady high-pitched scream.
- G. Use of headlights, spotlight and high beams assist in attracting attention. However, use caution not to blind other motorists.
- H. When in pursuit, drive at the speed that you are capable of handling, not the speed the violator chooses. Never force the violator into an accident. Abandon the pursuit if necessary.
- I. Review Vehicle and Traffic Law Sections 114(b) and 1144(a) and 1144(b).
- J. Do not pass on the right when driving with lights and siren.
- K. Remember that you may be held civilly responsible for your actions.

3. Radio*

Discussed/Trained/Performed

- A. Treat the radio with the same care as a service revolver, for it may be just as important in saving an officer's life.
- B. Check the radio for any missing or obviously damaged parts. If you find any, make a report and have the radio repaired. In order to see if the radio is working, turn the squelch until a rushing noise is heard. You may make a verbal check by calling Control and asking, "How do you copy this unit?"
- C. When using the microphone, talk in a normal tone and volume. Keep the microphone two to six inches from the mouth when transmitting.
- D. A fresh battery shall be in all portable radios prior to the officer's tour of duty. The portable radio shall be securely attached to the officer's gun belt.
- E. Remove the microphone from its holder whenever you transmit.
- F. Secure the microphone properly to avoid damage or blockage of airways by unintentionally keyed microphone.
- G. Be sure that you are operating on your assigned channel.
- H. Inability to transmit or receive in certain areas is both a technical and a topographical problem. If a "dead spot" is experienced, move and transmit again. Often, moving just a few feet will eliminate the problem.
- I. Common sense and courtesy, as well as a strict adherence to procedures are vitally important to the professional maintenance of the OLEM RD.
- J. Listen before transmitting.
- K. Keep your messages as brief as clarity will allow.
- L. Absolutely no profanity is allowed.
- M. Obtain clearance to go ahead before transmitting extremely lengthy messages, such as descriptions of suspects, notifications, etc.
- N. When transmitting a lengthy message on a primary channel, break briefly to allow any unit that may have an emergency message to transmit.
- O. Wait your turn. Emergencies have priority.
- P. Speak slowly and clearly. Remember, someone is trying to write your message down.
- Q. Use the phonetic alphabet properly.
- R. When Control calls a Patrol unit and states, "Complaint, prepare to copy," the officer shall prepare to copy. Unnecessary repeating of information regarding a complaint due to the officer's failure to copy

the pertinent information is a violation of procedure and causes unnecessary use of air time.

- S. All mobile Patrol units shall use a predesignator in conjunction with the normal call signs. The predesignator is the word "UNIT." All units shall identify themselves by combining the word "UNIT" with their call sign (i.e., "Unit 402 to Control"). C.I.S., A.P.U., S.I.U. and field supervisory personnel shall use the predesignator "Cruiser" (i.e., "Cruiser 1 to Control"). Portable radio users shall predesignate their unit numbers with the predesignator "Portable Unit" (i.e., "Portable Unit 402 to Control"). Any portable unit who leaves his mobile unit to switch to the portable radio shall call Control, as specified above, on the portable radio and advise of such status. This procedure is used to check the maintenance of the radio and to advise Control that the unit is portable.
- T. All units shall acknowledge receipt of calls and messages by giving their call sign.

4. Examples of Radio Use*

Discussed/Trained/Performed

A. Crime in progress call:

<u>Control</u>	<u>Unit</u>
"Unit 408, Unit 303"	"Unit 408 responding from _____"
"Possible burglary in progress, 4000 block. Respond on Channel one."	"Unit 303 responding from _____"

B. Service calls:

<u>Control</u>	<u>Unit</u>
"Unit 231"	"Unit 231"
"Bank escort, Nichols IGA"	"Unit 231"

C. Service Call with information to be copied:

<u>Control</u>	<u>Unit</u>
"Unit 301, complaint prepare to copy"	"Unit 301"
"A burglary not in progress. See complainant, Mr. Bardzewski at 164½ Tilden Dr. off Winchester Dr., Town of Dewitt"	"Unit 301"

D. Messages originated by Mobile Units:

<u>Mobile Unit</u>	<u>Control</u>
"Unit 301, Control"	"Unit 301"
"10-42, Rt. 175 and Rt. 174"	

New York Reg. 583, Sam, Victor
Union"

"1842"

E. Neutral Calls

1. MRD SOP Definition

A neutral call is any call for service requiring that Control dispatch a patrol unit(s), except for those calls from human complainants transmitted and received over public telephone 425-2111 or 425-2333. Specifically all alarm calls, calls through the Onondaga County Fire Control Center and those calls which a requested agency cannot service (i.e., calls received for North Syracuse Police Department actually in T/Cicero becomes a neutral call).

2. Action and Transmission Procedure

<u>Control</u>	<u>Unit</u>
a. "Unit 408, 303 Complaint prepare to copy."	"Unit 408. Go ahead."
b. "Bank alarm (or whatever) Marine Midland, Shopping- town, Dewitt."	"Unit 408, responding from _____ "Unit 303, responding from _____"
c. "Unit 408 (or 303) you are the primary unit."	"Unit 403 (303)"

(This transmission will be utilized when the controller is to make a definite determination as to which dispatched unit is obviously closest to the place of occurrence.)

<u>Unit</u>	<u>Control</u>
a. "Unit 408 to Control, 10-23"	"Unit 408, you are the primary unit, 1800"

(This transmission will be utilized when the Controller is unable to make a definite determination as to the nearest patrol unit, or when there is no significant difference, in which case the first unit on the scene is designated as the primary unit.)

5. Radio Codes*

Discussed/Trained/Performed

Messages not covered by the ten series brevity code or other recognized codes shall be transmitted in plain language.

A. The following codes shall be used for complaints involving aircraft and bomb devices:

1. Code A - Aircraft in trouble
2. Code B - Aircraft attempting controlled crash landing

3. Code C - Aircraft crashed
4. Code X - Bomb threat
5. Code Y - Bomb found
6. Code Z - Bomb exploded

B. The following disposition codes shall be utilized by mobile units to indicate on assigned complaints:

1. Code 1 - Report taken
2. Code 2 - Arrest made
3. Code 3 - Ill or injured person, no report
4. Code 4 - Civil matter, no report
5. Code 5 - Gone on arrival
6. Code 6 - Settled on arrival
7. Code 7 - Unfounded or unable to locate
8. Code 8 - Investigated by another agency
9. Code 9 - Faulty alarm/accidental trip
10. Code 10 - Assist to another patrol

C. The following call signs are assigned to town and village agencies and the Onondaga County Park Rangers:

1. 100-109 Camillus
2. 120-129 Jordan
3. 130-139 Marcellus
4. 200-209 Baldwinsville
5. 210-219 Cicero
6. 230-239 Liverpool
7. 240-249 North Syracuse
8. 250-259 Park Rangers
9. 310-319 East Syracuse
10. 350-369 Dewitt
11. 110-119 Geddes

In every case, the third number in a series shall begin with zero (i.e., 110,230,320, etc.) and the last number shall end with a nine (i.e., 119,239,329, etc.). Each of the numbers in the block of ten shall correspond with all other town and village agencies. The function assignment of each number in the ten number block is:

<u>NUMBER</u>	<u>FUNCTION</u>
___0	Watch Supervisor
___1	Patrol Unit
___2	Patrol Unit
___3	Patrol Unit
___4	Patrol Unit
___5	Patrol Unit
___6	Investigator

___7	Investigator
___8	Youth Bureau/Anti Crime/Other
___9	Chief of Police (or equivalent)

6. Onondaga Law Enforcement Mobile Radio District*
(O.L.E.M.R.D.) Discussed/Trained/Performed

A. OLEMRD is a radio communications system. Law enforcement agencies participating are:

1. Camillus
2. Jordan
3. Marcellus
4. Baldwinsville
5. Cicero
6. Liverpool
7. North Syracuse
8. Onondaga County Park Rangers
9. Dewitt
10. East Syracuse
11. Onondaga County Sheriff's Department
12. Geddes

B. Non-members participating are:

1. Clay
2. Solvay
3. Fayetteville
4. Manlius
5. Skaneateles

These agencies have the capability of using Channel #1. The Syracuse Police Department and the New York State Police are non-member agencies. They have the capability of using Channel #5 only.

C. OLEMRD utilizes six radio channels; Channels one through six.

Channel One - Utilized for major incidents, emergencies, alarms, etc. Channel one is used for car to car messages when the channel is not in use or isolated for other use. Also utilized for administrative police related messages. Non OLEMRD members with Channel one capability may use Channel one pursuant to OLEMRD procedure.

Channel Two - Data Communications shall be used for obtaining 1028, 1027, 1029, 1030 information, tow trucks, judges and N.C.I.C. and N.Y.S.P.I.N. File Information.

Channel Three - East Zone Patrol

Channel Four - West Zone Patrol

Channel Five - Intersystem Channel

Channel Six - Detectives and surveillance use by OLEM RD members.

7. Onondaga Law Enforcement Information System*
(O.L.E.I.S.) Discussed/Trained/Performed
- A. OLEIS is a computer system that contains information pertaining to law enforcement in Onondaga County.
- This information includes:
1. Criminal Histories
 2. Street Locations
 3. Alarm Information
 4. Departmental Information
- B. OLEIS is also computer inter-faced with the N.Y.S.P.I.N. System. N.Y.S.P.I.N. provides N.C.I.C., D.C.J.S. and D.M.V. information.
- C. All police agencies equipped with an OLEIS terminal have access to this information.
- D. The Onondaga County Sheriff's Department is responsible for updating street locations and alarm files. Individual departments are responsible for entering their criminal history information.
8. New York Statewide Police Information Network*
(N.Y.S.P.I.N.) Discussed/Trained/Performed
- A. N.Y.S.P.I.N. provides New York State with a statewide communications network. N.Y.S.P.I.N. is computer interfaced with the following information systems:
1. National Crime Information Center-N.C.I.C. which is an inquiry-response system containing national files on stolen vehicles, firearms, property, securities, boats, wanted persons, and criminal histories.
 2. Department of Motor Vehicles-D.M.V. which is an inquiry-response system consisting of extensive files on all vehicle registrations and driver licenses for New York State.
 3. Division of Criminal Justice Services-D.C.J.S. which is an inquiry-response system containing files on criminal history, wanted and missing persons.

The F.T.O. Sergeant shall indicate by signature below that the preceding week's block of material has been reviewed by the F.T.O. and the Trainee.

Sgt.

Badge #

Comments relative to this review may be recorded here by the F.T.O. Sergeant, the F.T.O., or the Trainee.

The following laws will be reviewed during the third week of field training.

PENAL LAW

Article 255: Offenses Affecting the Marital Relationship

Sect. 255.25 Incest
Sect. 255.30 Adultry and Incest Corroboration

Article 260: Offenses Relating to Children and Incompetents

Sect. 260.00 Abandonment of a Child
Sect. 260.05 Non-support of a Child
Sect. 260.10 Endangering the Welfare of a Child
Sect. 260.11 Endangering the Welfare of a Child Corroboration
Sect. 260.15 Endangering the Welfare of a Child - Defense
Sect. 260.20 Unlawfully Dealing with a Child
Sect. 260.25 Endangering the Welfare of an Incompetent Person

Article 263: Sexual Performance by a Child

Sect. 263.00 Definitions
Sect. 263.05 Use of a Child in a Sexual Performance
Sect. 263.10 Promoting an Obscene Sexual Performance by a Child
Sect. 263.15 Promoting a Sexual Performance by a Child
Sect. 263.20 Sexual Performance by a Child Affirmative Defenses
Sect. 263.25 Proof of Age of Child

Article 135: Kidnapping, Coercion and Related Offenses

Sect. 135.45 Custodial Interference in the Second Degree
Sect. 135.50 Custodial INterference in the First Degree
Sect. 135.55 Substitution of Children

VEHICLE AND TRAFFIC LAW

Article 30: Speed Restrictions

Sect. 1180 Basic Rule and Maximum Limits
Sect. 1180(A) Basic Rule and Maximum Limits
Sect. 1180(B) Basic Rule and Maximum Limits
Sect. 1180(C) Basic Rule and Maximum Limits
Sect. 1180(D) Basic Rule and Maximum Limits
Sect. 1180(E) Basic Rule and Maximum Limits
Sect. 1181 Minimum speed regulations
Sect. 1182 Speed contests and races
Sect. 1190 Reckless Driving

Article 26:

Sect. 1140(A) Vehicle approaching or entering intersection
Sect. 1140(B) Vehicle approaching or entering intersection

Sect. 1141 Vehicle turning left
Sect. 1142 Vehicle entering stop or yield intersection
Sect. 1143 Vehicle entering highway from private road, alleyway,
building entrance or driveway
Sect. 1146 Drivers to exercise due care.

Article 27:

Sect. 1151(A) Pedestrian's right of way in crosswalks
Sect. 1151(C) Pedestrian's right of way in crosswalks
Sect. 1153(A) Provisions relating to blind persons
Sect. 1157(A) Pedestrians soliciting rides or business
Sect. 1157(B) Pedestrians soliciting rides or business
Sect. 1157(C) Pedestrians soliciting rides or business

Article 28:

Sect. 1160(D) Required position and method of turning at intersections
Sect. 1161 U Turns in certain areas prohibited
Sect. 1163(A) Turning movements and required signals
Sect. 1166 Required position for turning at alley, driveway, private
road or onto property off the roadway

The following training material will be covered during the third week of the Trainee's period of Field Training and Evaluation. The F.T.O. who provides the review of the training material shall note his/her badge number, initials and date the review took place.*

1. Family Disputes* _____ Discussed/Trained/Performed
(Ref: Family Court Act.Sec.115,153,155,446 Cpl.Sect.511)

A. Introduction

Family disputes comprise a major percentage of police assignments. Always bear in mind that the particular solution you bring may have a lasting effect on the lives of those involved.

B. Danger and Difficulty are due to:

Close relationships, a high degree of emotion, the existence of physical violence and the fact that the Deputy is an outsider.

C. Objective

1. Protection of life
2. Preservation of the peace

D. Procedures

1. Be impartial
2. Never become personally/emotionally involved
3. Avoid unnecessary physical involvement
4. Mediate, then arbitrate
5. Refer to professional assistance agencies such as:
 - a. Family Court
 - b. RESOLVE
 - c. Clergy
 - d. Marriage counselors
6. An arrest is a viable alternative when an offense has been committed. If the situation and circumstances dictate that an arrest should be made, it should be made in accordance with O.C.S.D. policy and procedure. (Ref.Sect. 812 Family Court Act)

2. Orders of Protection* _____ Discussed/Trained/Performed
(Ref. Sect. 168 Family Court Act)

There are two types of Orders of Protection: Permanent and Temporary.

- A. Permanent Order of Protection (Ref. Sect. 759 Fam. Ct. Act.). This type of protection order generally sets forth reasonable conditions of behavior to be observed for a specified time by a person who is before the court. Permanent order of protection is issued by Family Court.

- B. Temporary Order of Protection. Temporary order of protection is also issued by Family Court. More often it is issued by a Justice Court as a temporary means of affording protection to a victim, allowing time to obtain a permanent order from Family Court.
1. Temporary Order of Protection is usually issued for a two week period, then expires. Length of time is at the discretion of the court.
- C. Arrest Procedure when an Order of Protection is in effect and violated whether it is temporary or permanent:
1. Suspect at scene
 - a. Determine if victim/respondent desires prosecution.
 2. If prosecution is desired, obtain affidavit from victim/respondent supporting the violation of the order. Include the elements of the offense.
 3. Take suspect into custody. (It would be advantageous to detain suspect until preliminary investigation is completed. Keep suspect isolated from victim/respondent and attempt to learn if prosecution is desired.) Ref. 1-a above.
 4. Order of Protection serves as a warrant (Ref. Sect. 168 F.C.A.)
 5. Arraign the suspect before Family Court if in session, if Family Court is not in session arraign suspect before the appropriate Town Justice. **SUSPECT MUST BE ARRAIGNED.**
 6. Order of Protection and supporting affidavit is presented to the Court.
 7. The Order of Protection need not be an original. A copy of the order may be submitted to the court. Every effort should be made to obtain a copy of the order and the original returned to the victim/respondent. This is done so that should the suspect be bailed or released, the victim/respondent still has a court document to present to police if the need arises.
 8. After arraignment follow normal arrest procedures as outlined elsewhere in this manual.
 9. A P.I.R. must be completed in addition to arrest report.

The following material will be covered during the third week of the Trainee's period of Field Training and Evaluation. The F.T.O. who provides the review of the training material shall note his/her badge number, initials and date the review took place.

1. Assault Cases*

(Ref: Art. 120)

Discussed/Trained/Performed

- A. The first task that Deputies assigned to an assault case should perform is to summon medical assistance for the victims if it is required.
- B. The preliminary investigation Deputies shall, after preserving the peace, attempt to preserve the scene as much as possible. Every attempt shall be made to locate the weapon if a weapon is involved.
- C. The Deputies shall attempt to locate and interview all witnesses to incident. Any statements made by the suspect during the assault and heard by a witness are very important in proving the case.
- D. Advising the suspect of the Miranda Rights, the officer may conduct a preliminary interrogation of the suspect to culpability.
- E. If the victim is hospitalized, the location of the hospital and extent of his/her injuries shall be ascertained. If the victim is to be treated by his/her own physician, the doctor's name, address and phone number shall be included in the police investigation report. If possible, obtain a written release of medical records (see Department forms).
- F. All physical evidence shall be collected by the Deputy except when the Evidence Technician or Crime Laboratory is needed. Physical evidence includes any written instruments, such as threats, etc.
- G. The victim's injuries should be photographed, especially in the more serious cases, by the Evidence Technician or Criminalistics Unit, if necessary. Normally, this is performed during the preliminary investigation but it can be done during the follow-up investigations.
- H. A field supervisor shall be notified of all serious assaults, i.e., assaults with intent to commit murder, assaults with a deadly weapon, and assaults where the victim has received serious injury.

The following material will be covered during the third week of the Trainee's Training and Evaluation. The F.T.O. who provides the review of the training material shall note his/her badge number, initials and date the review took place.*

1. Traffic Citations*

Discussed/Trained/Performed

A. Introduction

The objective of traffic enforcement is to protect life and property by reducing the accident rate. The Deputy's duty is to carry out the enforcement act while creating a positive impression in the violator's mind as to the reason for the citation.

B. Demeanor

1. Make the decision to cite or admonish on the basis of the facts, not on the attitude of the violator.
2. Tell the violator what you intend to do. Do not keep him/her in suspense.
3. Keep conversation at a minimum. Avoid arguments.
4. Disregard irritating remarks.
5. Inform the violator of the citation process.
6. Assist the violator to return to the flow of traffic.

C. The Approach

1. Pick your location when possible.
2. Broadcast 10-42 format prior to the stop.
3. Stop the police vehicle approximately 15-20 feet behind and 3 feet offset from the violator's vehicle.
4. Deputy's strong hand should be free.
5. Portable radio should be on.
6. The approaching Deputy visually inventories the vehicle and stops at the trailing edge of the door.
7. Obtain driver's license and registration and return to police vehicle to run warrant checks and write citation.
8. Remain aware of violator's actions and traffic hazards.
9. Issue the citation and assist the violator back into the flow of traffic.
10. If a two man car, both Deputies exit immediately.

11. Streetside Deputy (usually the driver) approaches while curbside Deputy (usually the passenger Deputy) covers. The covering Deputy remains outside the police vehicle behind the door throughout the entire stop.

12. An alternate method is for the passenger or curbside Deputy to approach the suspect vehicle and stop in the vicinity of the rear fender. This allows him/her to listen and observe. It assists in determining if the situation is deteriorating and whether additional assistance is needed.

2. Issuing UTT (T-Sleds) or Appearance Tickets at a Hospital*

Disc/Trnd/Perform

A. Issuance of UTT (T-Sled) or Appearance Ticket should not interfere with the treatment of the subject.

B. The UTT (T-Sled) or Appearance Ticket is to be issued in person and is not to be left with nurse, family or friends to be given to the subject.

C. Should the issuance of a UTT (T-Sled) or Appearance Ticket interfere with treatment, it will be made at the earliest subsequent date.

The following material will be covered during the third week of the Trainee's Training and Evaluation. The F.T.O. who provides the review of the training material shall note his/her badge number, initials and date the review took place.*

1. Felony Stops*

Discussed/Trained/Performed

A. Introduction

The objective of a felony stop is to protect the lives of both the civilian and the Deputy Sheriff. The Deputy's duty is to control the stop at all times without the threat of injury to himself or others, but be able to apply deadly force to the suspect if necessary.

B. Procedures

1. Pick the location for your stop. Stop the police vehicle 20-25 feet behind and offset to the left of the suspect's vehicle.
2. Broadcast 10-42 format prior to the stop. Ask for back-up to be sent to assist in the stop and to control traffic.
3. Never leave the cover of the police vehicle. Upon making the stop, take a position behind driver's door. DO NOT lose visual contact of suspects.
4. Use the vehicle's P.A. system (this is one reason why you should learn to shoot with the weak hand) to advise the suspects who you are and why they are being stopped.

Explain the voice commands that you will be giving then have the driver turn off the vehicle's engine, remove the keys and throw them out the window onto the roadway. The use of left or right hand is up to you. You should make it as awkward as possible for the suspect so that he/she cannot take action against you. Have the driver remain seated in the vehicle.

5. Have the driver and any passengers place their hands behind their heads interlocking their fingers. Have them sit in that position until you give the next command.
6. When back-up arrives you control the scene. Have the first back-up unit to arrive pull along side the left side of your vehicle, positioning himself so that his right door and your left door (which is already open) forms a shield or barricade providing cover. This Deputy can then take a position behind his left door. The second back-up unit to arrive takes a position 10 feet behind your vehicle. This Deputy should then make his way carefully to the opened right door of the second vehicle. Instruct any other arriving units to control traffic to keep private vehicles away from the stop area.
7. Each Deputy places himself with weapons drawn and if a shotgun is available the driver of the first back-up unit should provide

cover with it. Your position is one of cover i.e., kneeling behind door close to body of the vehicle (door jam). The Deputy who made original stop remains in control or command and continues to give the voice commands regardless of rank until the situation is settled.

8. Have the driver of the suspect vehicle reach out the window with his left hand and open the door from the outside. (Have him open window if not already open. Be alert as you will lose sight of this hand. Again make this procedure as awkward as possible.) Once the door is unlatched, have the driver use his left foot to push the door open. Have him step out keeping his back to you. Have the suspect take 4 steps to his left sideways away from the vehicle and have him stop. With his right foot have him close the door.
9. With his hands still interlocked behind his head, have the suspect start walking backward toward your voice making any correction in his steps so that he is in line with the space between the two open doors. When the suspect is in front of the two doors have him stop, kneel on the roadway and interlock his ankles. The two assisting Deputies never lose visual contact of the suspect's vehicle, watching the passengers at all times.
10. Have the Deputy at the right hand door of the second police vehicle use the door and the suspect's body as a shield, search the suspect for weapons, removing any that he finds taking one arm at a time, he then handcuffs the suspect. After the suspect is cuffed, assist him/her to their feet, still using his/her body as a shield and back him/her to the rear door of the second police vehicle and place him/her in the rear seat.
11. Follow the same procedure with each passenger, taking them out of the vehicle, one at a time.
12. After the suspect vehicle is visually empty, ask the suspect driver to accompany you to the vehicle for a search. If he/she refuses, you and the other Deputy approach the suspect vehicle, you on the left side keeping as low as possible. Stop at the rear bumper to check the trunk. The second Deputy covers you. Check the trunk to see if it is unlocked, that no one is hiding in it. Run your hand along the vehicle to feel for any movement inside. Keeping as low as possible approach the near compartment of the vehicle to make a visual search of the interior. Repeat same for front area of vehicle.
13. After the vehicle has been determined as being empty, a field supervisor will decide if it is to be processed for evidence (in most cases it will be). The vehicle would then be towed and impounded in accordance with Department procedures.
14. At all times safety comes first. Do not make a felony stop alone. Follow the steps.

The following material will be covered in the third week of the Trainee's Training and Evaluation. The F.T.O. who provides the review of the training material shall note his/her badge number, initials and date the review took place.

1. Accident Investigation*
(Ref: G-C-4001-78 A.I.T.) Discussed/Trained/Performed
 - a. Plan your response route once the call is received.
 - b. Upon arrival, prevent accident from getting worse (traffic control, set-up flares, etc.).
 - c. Prevent fire and explosion.
 - d. If needed, administer first aid.
 - e. Protect scene.
 - f. Locate drivers and potential witnesses
 - g. Evaluate need for additional units (Supervisor, traffic assist, ET, AIT) and request they respond.
 - h. Start investigation, photos, measurements, collection of evidence (all rules of evidence apply).
 - i. Initiate clearance of the scene. (10-96, etc.)
 - j. Interview drivers and witnesses. Obtain statements if needed.
 - k. Complete reports. (Department policy requires a narrative and diagrams be included.)
 - l. If the investigation indicates that a violation of the vehicle and traffic law occurred or contributed to the accident, a T-SLED should be issued.
 - m. Insure that driver and insurance information is exchanged at the scene. Pre-printed forms are available.
 - n. Notify supervisor of all serious 10-80 and county car accidents.

NOTE: Develop a consistent method to accident investigation. If needed, get assistance until situation stabilizes. Be familiar with General Order pertaining to Accident Investigation Team.

2. Accidents Involving Hazardous Materials*
Discussed/Trained/Performed
 - a. Make an attempt to determine if a hazardous material is involved when accident involves tractor-trailers or other commercial carriers.
 - b. Reference above if responding to train derailment.

- c. When an accident involves a hazardous material use extreme caution when approaching. Be alert to:
1. Odors - approach from upwind side
 2. Clouds or formations of gas over area
 3. Spills
- d. Upon arrival, try to observe placards (from a safe distance) which would enable you to identify the hazardous materials. (Binoculars may be helpful.) The numbers and symbols on placards, when compared with hazardous material handbook would identify the type of material and safeguards to be taken.
1. Advise Fire Control if not already notified and request assistance.
 2. Coordinate with fire personnel (determine person in charge) as to the immediate action to be taken.
 3. BECAUSE OF THE HAZARDS INVOLVED BE EXTREMELY CAUTIOUS WHEN HANDLING THESE TYPES OF COMPLAINTS
 4. Consult Hazardous Material Manual for Instructions.

The F.T.O. Sergeant shall indicate by signature below that the preceding week's block of material has been reviewed by the F.T.O. and the Trainee.

Sgt. _____ Badge # _____

Comments relative to this review may be recorded here by the F.T.O. Sergeant, the F.T.O., or the Trainee.

The following material will be reviewed during the third week of the Trainee's Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date the review took place.*

1. Highway Use Tax Law*

Discussed/Trained/Performed

- A. Sect. 512 of the Tax Law, the highway use tax law deals with the truck mileage tax. This is not a violation of the vehicle and traffic law, but it does fall upon the Deputy Sheriff to enforce it. Legal proceedings are normally implemented by use of a simplified traffic information (T-SLED). However, the T-SLED alone cannot be used for citing violations of this section. Violations of this section can be written on a T-SLED but it is necessary to submit a supporting deposition to the court with the ticket.
- B. Sect. 512 deals with the proper obtaining and displaying of permits, tags, plates and/or stickers which indicate that the tax in and for New York State has been paid.
- C. In some cases you will find that the proper permits, tags, plates and/or stickers are not being properly displayed but the tax has been paid. (This is because the truck/trailer has been out of state away from the home terminal.) Under these circumstances, the driver will have in possession a teletype or telegram indicating that the tax has been paid. The aforementioned telegrams or teletypes will suffice to indicate the truck/trailer is legal.
- D. Commencing with April 1985 only twelfth series highway use tax/automotive fuel carrier permits and stickers may be displayed on and after October 1, 1984 trailers, semi-trailers, dollies and other attached devices which do not transport automotive fuel will no longer be required to have permits and stickers.
- E. Pursuant to the authority continued in subdivision 8 of Section 509 of the tax law, a twelfth series of permits and stickers will be issued to be used on and after January 1, 1985 on all trucks, tractors, and other self propelled devices and all trailers, semi-trailers, dollies and other non-self-propelled devices transporting automotive fuel. The twelfth series permits and stickers may be displayed and used as early as October 1, 1984. The twelfth series permits and stickers must be displayed on and after April 1, 1985.
- F. A tractor or other self-propelled device which transports automotive fuel only be drawing a trailer, semi-trailer, dolly or other non-self-propelled device does not require the automotive fuel carrier (AFC) permit and sticker, if it displays a highway use tax sticker and carrier a highway use tax permit.
- G. A highway use tax (HUT) permit and sticker must be obtained and displayed for all trucks, tractors and other self propelled devices subject to the highway use taxes imposed by Article 21 of the tax law except those described in paragraph (1) of this subdivision for which

an AFC permit and sticker is obtained and displayed. The HUT sticker will be light green with dark green printing

H. The colors of the stickers are:

HUT - Green in color with black lettering and numbers on tractors only.

HUT - Light green with dark green printing

AFC - Lavender with black lettering and numbers. Both tractor and trailer require tag.

The following material will be reviewed during the third week of the Trainee's Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials, and the date the review took place.*

1. Hours of Labor of Operators of Motor Trucks and Motor Buses*

Disc/Trnd/Performed

- A. Sect. 212(A) of the Transportation Law deals with the operators of a motor truck and motor buses keeping a record of when and where he/she went on and off duty. This is not a violation of the Vehicle and Traffic Law, but it does fall upon the Deputy Sheriff to enforce it. Legal proceedings are normally implemented by use of a simplified traffic information (T-SLED). However, the T-SLED alone cannot be used for citing violations of this section. Violation of this section can be written on a T-SLED but it is necessary to submit a supporting deposition to the court with the ticket.
- B. The record is kept in the form of a book called or referred to as a log book. This log shows when the operator goes on duty, when he/she starts to drive, when he/she stops driving for a break or meal, and when he/she goes off duty.
- C. Sect. 211 of the Transportation Law states:
 - 1. That a driver cannot be on duty for more than fifteen hours in any consecutive twenty four hour period.
 - 2. This fifteen hour time period shall include time for meals even though part of such time shall be outside of New York State.
 - 3. If a driver has had ten hours driving time within a consecutive period of fifteen hours, he shall not continue or again go on duty without having at least eight consecutive hours off duty.
 - 4. A driver shall show a break/meal after eight hours of driving time.
- D. Although the restrictions are outlined in Section 211, the citation is written for Section 212(A)-Failure to Keep the Log.
- E. Exemptions
 - 1. Sect. 214 of the Transportation Law provides for the following exemptions:
 - a. Acts of God.
 - b. Accidents
 - c. To any driver who drives wholly within a radius of fifty miles of the garage or terminal at which he reports for work provided however that such records are kept at his place of employment.
 - d. To the operation of a motor truck or bus being operated exclusively in a city and/or incorporated village, nor to a motor truck owned by a farmer and operated by himself or an

employee when used in the hauling of farm, dairy, or horticultural products and farm supplies for himself or his farm neighbors.

- e. To the operation of wrecking or tow trucks.
- f. To the operation of federal military vehicles, by members of the army or air national guard, or by federally paid employees of the army or air national guard.

§211. GENERAL PROVISIONS

Whenever any driver of a motor truck or motor bus shall have been on duty for fifteen hours in any consecutive twenty-four hour period, which time on duty shall include time for meals, even though part of such time shall be outside the state of New York or whenever such a driver shall have had ten hours driving time within a consecutive period of fifteen hours, he shall not continue or again go on duty without having at least eight consecutive hours off duty. The periods of release from duty herein required shall be free from and off the truck or bus and free from work of any kind and shall be given at such places and under such circumstances that rest and relaxation from the strain of the duties of employment maybe obtained. Every driver of a motor truck or motor bus shall be allowed at least twenty four consecutive hours of rest in every calendar week and in no event shall a driver have more than sixty hours driving time in a calendar week.

[Added L.1974, c.342,§2]

§212 RECORDS

- a. Every driver of a motor truck or motor bus shall keep and carry on the vehicle records showing the day and hour when and the place where he went and was released from duty, whether in this state or outside of this state. The commissioner shall prescribe the form of such records and may require such other information to be shown thereon as he shall deem advisable to insure the proper enforcement of this article. Such records shall be exhibited to the commissioner, his representatives, or to any state policeman or peace officer who shall demand to see the same and shall be held available for further inspection for a period of sixty days within the state of New York in an office designated by the owner. Failure to produce such records upon demand shall be presumptive evidence or a violation of this article relating to keeping such records. In any prosecution for the violation of any of the provisions of this article such records shall be a prima facie evidence of the truth of the contents thereof.
- b. The provisions of this article with reference to the carrying of records on the vehicle shall not apply to the operation of a motor bus or motor buses operated on fixed schedules, but this shall not relieve any corporation, company, association, joint-stock association, partnership or person engaged in the operation of a motor bus or motor buses on fixed schedules from the necessity of keeping such records and having them available in an office within the state of New York.

[Added L.1974,c.342,§2]

§213 PENALTIES; ENFORCEMENT

Any person violating the provisions of this article or failing to keep or falsifying any records to be kept in compliance therewith, or any corporation, company, association, joint-stock association, partnership, person or any officer or agent thereof,

who shall require or permit any person to violate the provisions of this article or to falsify any record to be kept in compliance therewith shall be guilty of a misdemeanor and punishable by a fine not exceeding fifty dollars or by imprisonment not exceeding six months or both. It shall be the duty of the commissioner, the state police and all peace officers, and they are hereby authorized, empowered and required to enforce the provisions of this article.

[Added L.1974,c.342,§2]

§214 EXEMPTIONS

- a. The provision of this article shall not apply in case of accident or act of God, nor when there is delay which was caused by the elements, or a cause not known to the driver or owner or to his or its officers in charge of such operations at the time that such driver left the place where he last went on duty prior to such delays.
- b. The requirement in this article that every driver of a motor truck or motor bus shall keep and carry on the vehicle records showing the day and hour when, and the place where he went or was released from duty, shall not apply to any driver who drives wholly within a radius of fifty miles of the garage or terminal at which he reports for work, provided, however, that such records shall be kept at his place of employment.
- c. The provisions of this article shall not apply to the operation of a motor truck or motor bus while being operated exclusively in a city and/or incorporated village, nor to the operation of a motor truck owned by a farmer and operated by himself or an employee when used in the hauling of farm, dairy, or horticultural products and farm supplies for himself or his farm neighbors to market, creamery, or place of storage, nor to the operation of wrecking and towing cars, nor to the operation of federal military vehicles, by members of the army or air national guard, or by federally paid employees of the army or air national guard.

[Added L.1974,c.342,§2]

The following training material will be covered during the third week of the Trainee's period of Field Training and Evaluation. The F.T.O. who provides the review of the training material shall note his/her badge number, initials, and date the review took place.*

1. Defensive Driving*

Discussed/Trained/Performed

A. In order to practice good defensive driving we first must understand and apply the five decision driving concepts to the driving task. They are:

1. Expand your look-ahead capacity
2. Size-up the whole scene
3. Signal your intentions early
4. Plan an escape route
5. Take decisive action

1. "Expanding your look-ahead capacity" means looking further ahead to enable you to have more time to react to the changing traffic scene before it puts you into a difficult situation.

2. "Sizing-up the whole scene" means shifting your point of vision constantly to check the sides, rear and the situation in front of you as well as changing road conditions and visibility due to poor weather.

3. "Signaling your intentions early" allows other drivers plenty of time to react safely and, in turn, permits you to make your intended move known.

4. "Planning an escape route" means that, whenever possible you should try to have clear space on as many of the four sides of your vehicle as possible. This will enable you to safely and quickly speed up, slow down, or change course whenever you need an escape route.

5. "Taking decisive action" is the pay-off point and emphasizes action. It is not enough to know what to do but rather when to do it and how to do it.

2. Decision Making*

Discussed/Trained/Performed

A. The time will come when you must progress from routine decision making to critical decision making. Factors that contribute to Emergency Reaction Situations include:

1. Actions of other drivers (drivers motioning you on)
2. Actions of pedestrians (stepping off curbs, from between vehicles)
3. Environmental conditions (weather and road conditions)
4. Vehicle malfunctions (always check tires,brakes,steering)
5. And you, the driver (think defensive, be prepared mentally)

B. Critical situations allow very little time for decision making. Skilled reactions tend to become disorganized under emotional stress and even a competent driver can panic when faced with an unexpected

emergency. Panic tends to paralyze the reasoning center of the brain and can be avoided by mental preparation. The critical decision making process must be learned in advance in order that impulsive or unplanned responses do not occur.

- C. Difficulty and high risk prevent on-road rehearsal of many emergency reaction situations, but knowledge of what to do, when to do it and how to do it via the imagination can help one to respond correctly.
- D. Use your senses to aid in the decision making process.
 - 1. Sight (80% of knowledge is gained through seeing)
 - 2. Hearing (warns of hazards, supports visual information)
 - 3. Feeling alerts us to driving situations we cannot see or hear (unstable steering, bad brakes, road conditions, skidding action) .

3. Skids*

Discussed/Trained/Performed

- A. Skidding is a fact of driving. A fact that plays a significant role in traffic accidents. Research has shown that skidding is a major contributing factor in one out of every four serious accidents. Although there is no absolute way to handle a particular skid, there are certain rules and techniques that can be applied to help control skidding.

4. The Six Skids*

Discussed/Trained/Performed

A. Front wheel braking skid.

- 1. Usually caused by front brakes out of adjustment. Set-up tighter than rear brakes.
- 2. When this condition exists and you brake hard, front wheels lock up vehicle begins to skid and you find you cannot steer. The rear wheels are still rolling and act as a rudder and keep the vehicle going in a straight line.
- 3. Action to be taken:
 - a. Get off brakes
 - b. Counter-steer by keeping your front wheels straight ahead.

B. Rear wheel braking skid.

- 1. Vehicle usually spins 180 degrees
- 2. Usually caused by brakes being out of adjustment, allowing rear brakes to apply before front brakes.
- 3. Action to be taken:
 - a. Get off brakes
 - b. Counter-steer in the direction of skid
 - c. Counter-steering turning the steering wheel in the direction of the skid is probably the most important corrective step that anyone can learn

d. Keep brakes properly adjusted

C. All wheel braking skid.

1. This is one of the most common skids. This skid occurs even when brakes are properly adjusted. Usually occurs by applying the brakes too hard causing all four wheels to lock and begin to skid.
2. Vehicle can skid in any direction.
3. It is similar to the front wheel skid except that the rear wheels have lost their grip also and there is no rudder effect to keep the vehicle going straight ahead.
4. Action to be taken:
 - a. Get off brakes
 - b. Let the tires re-establish rolling frictionSounds simple but hard to accomplish. The natural reaction when a vehicle is in a violent skid is to brake violently.

D. The power skid.

1. This skid is the result of accelerating too fast for road conditions.
2. The rear wheels lose their grip on the pavement and begin to spin.
3. When a tire is spinning it has no friction to keep the wheels from slipping sideways. Generally, the vehicle fishtails (swings back and forth). Depending on type of road conditions, a vehicle may spin completely around.
4. A vehicle in a power skid acts similar to a vehicle in a rear wheel braking skid.
5. Action to be taken:
 - a. Ease-up or get off the accelerator, let the vehicle stabilize itself.
 - b. Counter-steer.

E. The spin out.

1. The spin out usually occurs while negotiating corners and curves.
2. Common causes of spin out are:
 - a. patches of ice
 - b. loose gravel, sand, etc.
 - c. speed

What occurs is that the rear wheels break loose and the vehicle whips around. The front tires of a vehicle being driven through a corner or curve are pivot points for the rear tires to swing around. The side thrust is now greater at the rear tires. The cornering forces at the rear wheels overcome the friction of the tires and the vehicle spins.

3. Action to be taken:
 - a. The spin out is difficult to control.

Keeping the vehicle on the road and pointed in the right direction may be the most you can hope for.

- b. Counter-steer. Keep the vehicle pointed in the right direction.
- c. Control your speed. Do not negotiate a curve or corner faster than the existing conditions will allow.

F. Hydroplaning

1. Causes:
 - a. wet roads
 - b. excessive speed
2. In a standard passenger vehicle hydroplaning starts at approximately 35 mph and increases with speed to about 55 mph. At this point the tires can be totally upon water.
3. When this occurs, there is no tire friction to:
 - a. brake
 - b. accelerate
 - c. corner

Almost anything could create an unpredictable and uncontrollable skid.

4. Action to take:
 - a. Reduce speed on wet roads
 - b. If skid occurs while only partially hydroplaning, correct for the particular skid that occurs.
 - c. If you are totally hydroplaning, release the accelerator and ride out the skid.
5. These are the six basic skids that most drivers encounter. Learn:
 - a. How they happen
 - b. Why they happen
 - c. How to handle them

REMEMBER TO DRIVE DEFENSIVELY AND APPLY THE FIVE DECISION DRIVING CONCEPTS!

The F.T.O. Sergeant shall indicate by signature below that the preceding week's block of material has been reviewed by the F.T.O. and Trainee.

Sgt.

Badge #

Comments relative to this review may be recorded here by the F.T.O. Sergeant, the F.T.O. or the Trainee.

The following laws will be reviewed during the fourth week of field training.

PENAL LAW

Article 265: Firearms and Other Dangerous Weapons

Sect. 265.00	Definitions
Sect. 265.01	Criminal Possession of a Weapon, Fourth Degree
Sect. 265.02	Criminal Possession of a Weapon, Third Degree
Sect. 265.03	Criminal Possession of a Weapon, Second Degree
Sect. 265.04	Criminal Possession of a Weapon, First Degree
Sect. 265.05	Unlawful Possession of Weapons by Persons Under Sixteen
Sect. 265.08	Criminal Use of a Firearm, Second Degree
Sect. 265.09	Criminal Use of a Firearm, First Degree
Sect. 265.10	Manufacture, Transport, Disposition and Defacement of Weapons, Dangerous Instruments and Appliances
Sect. 265.11	Criminal Sale of a Firearm, Second Degree
Sect. 265.12	Criminal Sale of a Firearm, First Degree
Sect. 265.15	Presumptions of Possession, Unlawful Intent and Defacement
Sect. 265.20	Exemptions
Sect. 265.25	Certain Wounds to be Reported
Sect. 265.30	Certain Convictions to be Reported
Sect. 265.35	Prohibited Use of Weapons
Sect. 265.40	Purchase of Rifles/Shotguns in Contiguous State

VEHICLE AND TRAFFIC LAW

Article 31: Reckless Driving and Driving While Intoxicated

Sect. 1190	Reckless Driving
Sect. 1192	Operating a Motor Vehicle While Under the Influence of Alcohol or Drugs
Sect. 1193	Arrest for Violation of Section 1192
Sect. 1193(A)	Breath tests for Operators of Certain Motor Vehicles
Sect. 1194	Chemical Tests

Article 33: Miscellaneous Rules

Sect. 1219(B)	Putting Glass or Other Injurious Substances on Highway Prohibited
Sect. 1219(C)	Same as Above
Sect. 1220	Throwing Refuse on Highways and Adjacent Lands Prohibited

The following training material will be covered during the fourth week of the Trainee's Field Training and Evaluation. The F.T.O. who provides the review of the training material shall note his/her badge number, initials and date when the review took place.*

1. Searches of Suspects/Prisoners*

Discussed/Trained/Performed

A. Reasons

1. Eliminate Weapons
2. Seize Evidence/Contraband
3. Inventory Personal Belongings

B. General Considerations

1. Never search when your weapon is drawn (you may, however, make the suspect think it is drawn).
2. Always keep your eyes on the suspect. Keep his head and eyes facing straight ahead.
3. When a suspect is under arrest, handcuff him before searching.
4. Always search from the rear. Move across the suspect's back, placing your left foot against his and move across to the right.
5. Be aware of your weapon and its close proximity to the suspect's reach.
6. Search from the basic defensive search position.
7. Use a combination squeezing/rubbing motion.
8. Use a systematic search; start at the head and work down one side of the body at a time to the foot. Then change positions and repeat same on the other side. Do not forget hair, hands and crotch.
9. Give verbal directions to the suspect during the search.

C. Types

1. Cursory or pat-search; stop and frisk. Use before suspect interview or before placing the suspect in the police cruiser.
2. Arrest search. Always.

D. Low Profile Cursory or Pat-Search

1. Direct the suspect to turn around so that the suspect's back is toward you. Observe his hands at all times.
2. Place one of your hands between the suspect's elbow and shoulder. This gives you arms length advantage. While standing in a ready stance, with your other hand, reach under the suspect's arm and pat-search the side of your remaining hand. Search top to bottom and do not cross hands.
3. Quickly shift your position to the opposite side and repeat Step B.
4. Push or pull the suspect with your controlling hand if he moves against you.

E. High Profile Pat-Search Interview of Possible Felon or Possible Armed Suspect.

1. Direct the suspect to turn around so that his back is toward you.
2. Direct suspect to assume the prone position against a wall or vehicle. If none is available, direct him to place his hands behind his head and inter-lock his fingers.
3. Direct him to spread feet wide and point toes outward.
4. Assume your defensive ready-position. (Boxer stance, strong foot to the rear.) It is possible to break the suspect's balance by grasping his hands with your weak hand, his shoulder with your strong hand, pull back slightly on his clasped hands without supporting his weight. This technique is not taught in the police academy.
5. Maintain control with your weak hand and search high risk areas with your strong hand.
6. Switch your defensive stance to the opposite side and search the suspect on that side.

F. Arrest Search

1. Handcuff the suspect behind his back. Place the handcuffs over the suspect's wrists as his hands are back to back.
2. Verbally direct your suspect and search him according to steps C, E, F, G, and H of HIGH-PROFILE-PAT-SEARCH.
3. After searching the high risk areas, search the suspect by starting at the head and searching down one side of the body and then the other. Do not let the suspect interrupt your train of thought by intimidation or conversation.
4. Search inside pockets and any parts of the clothing that might conceal a weapon or evidence.
5. Push on the suspect with your controlling hand if he moves against you.
6. Search wallet for razor blades, handcuff key, false I.D., stolen credit cards, etc.

G. Uncooperative Prisoner

1. Two officers should be present if the suspect indicates a potential for violence.
2. Do not remove handcuffs until you arrive at booking.
3. If the prisoner is combative, leave the handcuffs on until booking personnel can secure the prisoner.
4. This type of prisoner may be placed face down on the ground until searching and handcuffing are completed.

H. Handcuffing

1. If possible, have suspect lean on something. If not possible have suspect kneel on both knees.
2. Step behind suspect, blade body, protecting the center line of body.

3. While suspect is leaning or kneeling, tell him/her to place their right hand/arm behind their back. Tap them on the right shoulder so they know which hand/arm you are talking about.
4. Hold suspect's right hand fingers with your strong hand (usually your right hand) and place one cuff over suspect's wrist closing the cuff between the wristbone and the thumb (cuff should come down onto wrist).
5. Reverse position while holding the remaining cuff and complete other side, use the same procedure, left hand holding fingers of suspect. Control the suspect with your strong (right) hand.
6. Double lock the handcuffs. This prevents the cuffs from tightening and makes picking them a little more difficult. Also keyhole should be outboard (facing you). This can be determined by feeling the keyhole with your thumb.
7. If suspect has long arms or is extremely agile, place the cuffs behind his belt before applying the second cuff. This prevents him from slipping his legs through and getting the cuffs in front of him.
8. Use welshit when appropriate.
9. Tell the suspect what you want him/her to do using the simplest of terms.

I. Removing Handcuffs

1. Bend suspect over so that his forehead is facing the floor.
2. Remove left hand and control the suspect and the loose cuff.
3. Be alert. Know how tight the cuffs are and avoid pleas by the suspect that the cuffs are too tight.
4. If you have a prisoner transferred to you from another officer, search him and check the handcuffing. Your life may depend upon it.
5. Before removing the other officer's handcuffs, place your handcuffs on the suspect first.

The following material will be covered during the fourth week of the Trainee's Training and Evaluation. The F.T.O. who provides the review of the training material shall note his/her badge number, initials, and date when the review took place.*

1. Transporting Prisoners*

Discussed/Trained/Performed

- A. Except in an emergency, prisoners are not to be transported in marked vehicles that do not have screens.
- B. All suspects shall be handcuffed.
- C. All suspects shall be seat belted.
- D. The police vehicle should be searched for a hidden weapon or evidence before and after a prisoner has been transported.

2. Positioning in Unscreened, Unmarked Vehicles*

Discussed/Trained/Performed

- A. Two (2) officers, one (1) prisoner
 - 1. Passenger officer behind driver
 - 2. Prisoner back seat on right, handcuffed
- B. Two (2) officers and two (2) prisoners
 - 1. Passenger officer behind driver
 - 2. One prisoner right front seat, handcuffed, seat belt in place
 - 3. One prisoner back seat, right side, handcuffed
- C. Two (2) officers and three (3) prisoners
 - 1. Passenger officer behind driver
 - 2. One (1) suspect passenger side front seat
 - a. Handcuffed behind back
 - b. Seat and shoulder belt in place and locked
 - 3. One suspect back seat, next to officer (middle position)
 - a. Handcuffed behind back
 - b. Welshit attached to handcuffs and suspect's feet. (Officer may want to secure his/her weapon in trunk.)
 - 4. One suspect - seated next to passenger side rear door.
 - a. Handcuffed behind back
 - b. Seatbelt in place
 - c. Welshit attached to handcuffs and suspect's feet
 - 5. If vehicle is equipped with seatbelt to secure middle suspect, it should be used.
 - 6. You may want to secure shotgun in trunk of vehicle as an extra precaution, depending upon the types of charges being lodged against the suspects, prior history, etc.
 - 7. It is important to immobilize those suspects who are placed in the rear seat as much as possible.

3. Injury to Person in Custody*

Discussed/Trained/Performed

- A. When a suspect is injured while being taken into custody.
1. Notify a field supervisor
 2. Through the field supervisor, arrange to have the suspect examined by the nurse on duty in Booking. The nurse should be advised of the facts and circumstances relating to the injuries.
 3. A police investigation report will be completed narrating in complete detail the facts and circumstances relating to the injury. This will be submitted before the Deputy goes off duty.
 4. Signed statements shall be taken from all witnesses, including the suspect, if possible.
 5. Whenever injuries are inflicted by a Deputy in self-defense or in subduing the suspect who resisted arrest, the suspect shall be charged with the crime committed; i.e., assault, resisting arrest plus the original charge.
 6. Photographs showing injuries on both the Deputy/Deputies and the suspect should be taken as soon as possible.
 7. Relative to Item #6 above, whenever a suspect is taken into custody and it is determined that physical injury has occurred prior to the time of his arrest, the Deputy/Deputies involved in participating in the arrest shall take the necessary steps to substantiate that the injuries were sustained prior to the arrest and were not connected with the arrest (i.e., witnesses and suspects' statements).
 8. When it is clearly indicated that the injury or injuries were received prior to the arrest, it will not be necessary to obtain the statements mentioned herein (i.e., previously treated by a doctor, hospital or any place).
 9. It shall be the duty of the Deputy/Deputies involved to see that the injured person has medical aid for his/her injuries that are serious and require medical attention.

The F.T.O. Sergeant shall indicate by signature below that the preceding week's block of material has been reviewed by the F.T.O. and the Trainee.

Sgt.

Badge #

Comments relative to this review may be recorded here by the F.T.O. Sergeant, the F.T.O., or the Trainee.

The following will be reviewed during the fifth week of field training.

CRIMINAL PROCEDURE LAW

Article 100: Commencement of Action in Local Criminal Court-Local Criminal Court
Accusatory Instruments

- Sect. 100.05 Commencement of Action in General
- Sect. 100.10 Local Criminal Court Accusatory Instruments; Definitions thereof.
- Sect. 100.15 Information, Misdemeanor Complaint and Felony Complaint; Form and Content
- Sect. 100.20 Supporting Deposition; Definition, Form and Content
- Sect. 100.25 Simplified Information; Form and Content; Defendant's Right to Supporting Deposition
- Sect. 100.30 Information, Misdemeanor Complaint and Supporting Deposition; Verification.
- Sect. 100.55 Local Criminal Court Accusatory Instruments; in What Courts Filed

Article 110: Requiring Defendant's Appearance in Local Criminal Court for Arraignment

- Sect. 110.10 Methods of requiring Defendant's Appearance in Local Criminal Court for Arraignment in General

Article 120: Warrant of Arrest

- Sect. 120.10 Warrant of Arrest; Definition, Function, Form and Content
- Sect. 120.20 Warrant of Arrest; When Issuable
- Sect. 120.30 Warrant of Arrest; By What Courts Issuable and In What Courts Returnable.
- Sect. 120.40 Warrant of Arrest; Attaching Accusatory Instrument to Warrant of Town Court or Village Court
- Sect. 120.50 Warrant of Arrest; To What Police Officers and Peace Officers Appointed by the State University Addressed
- Sect. 120.55 Warrant of Arrest; Defendant Under Parole or Probation Supervision
- Sect. 120.60 Warrant of Arrest; What Police Officers and Peace Officers Appointed by the State University May Execute
- Sect. 120.70 Warrant of Arrest; Where Executable
- Sect. 120.80 Warrant of Arrest; When and How Executed
- Sect. 120.90 Warrant of Arrest; Procedure After Arrest

Article 130: The Summons

- Sect. 130.10 Summons; Definition, Function, Form and Content
- Sect. 130.20 Summons; By What Courts Issuable and In What Courts Returnable
- Sect. 130.30 Summons; When Issuable
- Sect. 130.40 Summons; Service

Sect. 130.50 Summons; Defendant's Failure to Appear
Sect. 130.60 Fingerprinting of Defendant

Article 140: Arrest Without A Warrant

Sect. 140.05 Arrest Without a Warrant; In General
Sect. 140.10 Arrest Without a Warrant; By a Police Officer; When and Where Authorized
Sect. 140.15 Arrest Without a Warrant; Procedure After Arrest By Police
Sect. 140.20 Arrest Without a Warrant; Procedure After Arrest By Police Officer
Sect. 140.25 Arrest Without a Warrant; By a Peace Officer
Sect. 140.27 Arrest Without a Warrant; When and How Made; Procedure After Arrest By a Peace Officer
Sect. 140.30 Arrest Without a Warrant; By Any Person; When and Where Authorized
Sect. 140.35 Arrest Without a Warrant; By Person Acting Other Than as a Police Officer or a Peace Officer; When and How Made
Sect. 140.40 Arrest Without a Warrant; By Person Acting Other Than As A Police Officer or a Peace Officer; Procedure After Arrest
Sect. 140.45 Arrest Without a Warrant; Dismissal of Insufficient Information, Misdemeanor Complaint or Felony Complaint
Sect. 140.50 Temporary Questioning of Persons in Public Places; Search For Weapons
Sect. 140.55 Arrest Without a Warrant; By Peace Officers of Other States for Offense Committed Outside State; Uniform Close Pursuit Act

Article 150: The Appearance Ticket

Sect. 150.10 Appearance Ticket; Definition Form and Content
Sect. 150.20 Appearance Ticket; When and By Whom Issuable
Sect. 150.40 Appearance Ticket; Where Returnable; How and Where Served
Sect. 150.50 Appearance Ticket; Filing an Information or Misdemeanor Complaint, Dismissal of Insufficient Instrument
Sect. 150.60 Appearance Ticket; Defendant's Failure to Appear
Sect. 150.70 Appearance Ticket; Fingerprinting of Defendant
Sect. 150.75 Appearance Ticket; Certain Cases

Article 160: Fingerprinting and Photographing of Defendant After Arrest - Criminal Identification Records and Statistics

Sect. 160.10 Fingerprinting; Duties of Police With Respect Thereto

The following training material will be covered during the fifth week of Field Training and Evaluation. The F.T.O. who provides the review of the training material shall note his/her badge number, initials and date when review took place.*

1. Arrest Defined* _____
Discussed/Trained/Performed
Arrest - To deprive a person of his liberty by legal authority

2. Police Responsibilities for Arrest* _____
Discussed/Trained/Performed
A police officer must, by law, investigate any allegation of a commission of an offense and determine if an arrest is warranted.

3. Making an arrest* _____
Discussed/Trained/Performed
An arrest can be after probable cause has been established to indicate that the defendant committed an offense.

A defendant must be advised that he is under arrest and the reason for his arrest.

The safety of the arresting officer is an important factor in determining the conduct of an arrest. In order to minimize the risk of injury to the arresting officer or escape from custody the defendant should be quickly and humanely restrained. All defendants should be properly searched and handcuffed. During the course of the arrest procedure and processing the officer in immediate custody of the defendant shall maintain custody and prevent escape.

4. Use of Force in Making Arrest* _____
Discussed/Trained/Performed
A deputy "may use physical force when and to the extent he reasonably believes such to be necessary to the arrest" of a person.

Section 35.30 of the Penal Law provides the justification for the use of physical force and deadly physical force in the effecting of an arrest. It is important to know that this law also stresses that the use of force be reasonable and necessary. Always maintain the concept of reasonableness; excessive force will not be tolerated.

5. Entering Premises to Make an Arrest* _____
Discussed/Trained/Performed
Recent Supreme Court decisions have ruled invalid portions of CPL Sections 120.80 and 140.15 regarding the entering of a premise to make an arrest. As a result of these decisions, the following procedures will govern the entering of a premise.

In cases where a Warrant of Arrest exists entry may be made into:
 - a. The defendant's residence, with or without consent, when there is reasonable grounds to believe that the defendant is present.
 - b. Any premise with consent
 - c. Any premise by means of Search Warrant after reasonable grounds to believe that the defendant is present has been established.

- d. Any premise if exigent circumstances (such as close pursuit) exist.

In cases where no Warrant of Arrest exists, entry may be made into any premise with consent or when exigent circumstances exist.

6. Procedures After Arrest Without a Warrant*
Discussed/Trained/Performed
 - A. All persons placed under arrest will be advised of their rights.
 - B. A report of Arrest will be completed for all persons arrested.
 - C. A Complaint/information will be completed for all Warrantless Arrests except for V&T misdemeanors and violations.
 - D. Warrants and records check will be made on all arrestees, while still in custody.
7. Specific Procedures to be Followed Depending on Type of Offense*
Dis/Trnd/Per
 - A. Felony: Section 100.55-140.20 CPL
 1. A Field Supervisor shall be notified of the arrest
 2. All felonies will be arraigned
 3. A fingerprint information sheet will be completed and prints and photos taken prior to arraignment.
 - B. Misdemeanors:
 1. First determine if defendant is to be arraigned or issued an Appearance Ticket. (See Release/Appearance Ticket Procedure)
 2. If defendant is to be arraigned:

Defendant is to be brought before a criminal court as specified in Section 140.20 of the CPL
 3. If decision of the court is other than commitment to jail or dismissal of charges the arresting deputy will provide the court with a fingerprint card for the defendant.
 4. If defendant is committed:

The arresting Deputy has the responsibility to see that the defendant is booked and a fingerprint information sheet is completed.
 - C. Violations:
 1. First determine if defendant is to be arraigned or issued Appearance Ticket (See Release/Appearance Procedure)

2. If defendant is to be arraigned:
(Same procedure as for Misdemeanors.)
3. Fingerprinting of defendants will be in accordance with SECTION 160.10 CPL

D. Release/Appearance Ticket:

Appearance Ticket - How and when used. Criteria:

1. Appearance tickets should be used whenever possible to expedite routing arrests.
2. In determining if an appearance ticket shall be issued the following factors should be considered:
 - a. Probability of the defendant appearing in court.
 - b. Residence (local/adjoining county, etc.)
 - c. Place of employment
 - d. Prior record or criminal history
 - e. Mental stability of attitude of defendant
 - f. Degree of understanding (drugs/intoxication)
 - g. If defendant was to remain at liberty, would situation continue or escalate
 - h. Would his immediate release constitute a danger to himself or others
3. At this point, if the determination is to issue an Appearance Ticket, the Appearance Ticket must be served personally upon the defendant, and the defendant subsequently released.
4. It is the responsibility of the arresting Deputy to provide the proper court with the Appearance Ticket, the Complaint/information (150.50 CPL) and a fingerprint card (150.70 CPL) before such time as the defendant must appear before the court.

Releases

Criminal Procedure Law Sect. 140.20 sub. 4 and Sect. 140.40 sub. 4 provide for the release of an arrested person if a police officer "upon further investigation or inquiry determines or is satisfied that there is not reasonable cause to believe that the arrested person committed such offense..." for which he was arrested.

If after a person has been arrested, further information is developed that indicates there is insufficient probable cause to proceed with prosecution, the arresting officer will notify his immediate supervisor of the circumstances of the arrest. The arresting officer will review the case with his supervisor and, if a release is appropriate, shall release the arrested person from custody upon the completion of the Department Release Form. If the arrested person refuses to sign the Department Release Form, it will be noted on the Release Form and the incomplete Release Form will be submitted with the Police Investigation Report.

The following material will be reviewed during the fifth week of the Trainee's Training and Evaluation. The FT.O. who provides the review shall note his/her badge number, initials and date the review took place.*

1. Special Arrest Situations*

Discussed/Trained/Performed

A. Arrests Forbidden: Ambassadors and Public Ministers

Anyone who assaults, strikes, wounds or imprisons or offers violence to the person of an Ambassador or other Public Minister in violation of the Law of Nations is guilty of a federal crime punishable by \$5,000 fine and/or 3 yrs. imprisonment (Title 18 U.S. Code, Sect. 112). If a deadly or dangerous weapon is used, the penalty is \$10,000, ten years, or both. A Writ or Process issued by any court whereby the person of any Ambassador or Public Minister of any foreign Prince or State or any Domestic or Domestic Servant of such person is arrested or imprisoned is void (Title 22 U.S. Code, Sect. 252). Every person by whom the process was obtained, whether as party or attorney and every officer concerned in executing it is guilty of a federal crime and is subject to being fired at the discretion of the Federal Court and/or imprisoned for 3 years (Title 22 U.S. Code Sect. 253).

The prohibitions stated above have been held not to protect consuls. Minor United Nations personnel have been held not automatically entitled to immunity from arrest or prosecution as a matter of law.

The officer must recognize the privileges of diplomatic immunity, at his peril, under federal law. In no instance should officers make summary arrests of U.N. or other diplomatic personnel and bring them into court for court determinations of their status.

Handling of criminal and traffic situations involving this situation should be handled cautiously. A supervisory officer should be notified immediately.

B. Arrest of U.S. Mail Truck Drivers or Carriers

Title 18, II U.S. Code, SEct. 1701 makes it a criminal offense to obstruct or retard the passage of the mails. However, U.S. mail truck drivers and carriers may be arrested or summons issued to them for violations of V&T laws or other laws and ordinances, as long as this does not result in the withdrawal of adequate protection to the mails or delay the mails. Where a summary arrest must be made, such as a DWI arrest, the arresting officer must assume responsibility for adequately protecting the mail and promptly informing postal authorities so the mail will not be delayed. In unusual situations, the local Postmaster or Postal Inspector should first be consulted to work out the mail problem without violation of Section 1701.

C. Arrest of Federal Vehicle Drivers

Federal vehicles are not required to be registered under state law nor need their drivers carry state operators' or chauffers' licenses. Frequently, federal vehicle drivers will carry government issued

driving permits which are valid in N.Y. to operate federal vehicle only. Operators of federally owned vehicles may be arrested or issued summons for traffic offenses.

D. Arrest of Military Personnel

Military personnel off military bases are subject to arrest the same as any other person for a like violation. In cases where military personnel have committed an offense and are found on a military base or in military custody afterwards, the military is authorized, under the uniform code of military justice, to turn them over to local authorities for prosecution. A formal request to surrender the offender should be made to the base commander or officer-in-charge, accompanied by a copy of the indictment (or information) and a warrant of arrest.

E. Arrest of Deserters

Military deserters may be summarily arrested without a warrant, by any peace officer (Title 10 U.S. Code Sect. 808). All officers should know that they do not make authority to arrest military personnel for merely being A.W.O.L. Lack of leave papers or being over leave is not sufficient to establish deserter status. In the absence of positive information that the individual is a deserter (File 5, NCIC check, form DD553-absentee wanted by the armed forces) no deserter arrest should be made. Persons suspected of being deserters may be arrested for any offense they actually commit (hitchhiking V&T Sect. 1157) and their status checked at that time. However, if there is no offense, they should not be arrested or detained solely to determine their military status.

F. Uniform Close Pursuit Act (Fugitive Out-Of-State)

New York and all the states adjoining it have passed Uniform Close Pursuit Acts. These laws provide that an officer who enters another state in close pursuit and continues in close pursuit of a person to arrest that person has the same right of arrest in the other state as an officer of that state in respect to the person pursued.

The person to be arrested must be pursued into New York for an offense which would constitute a crime under the laws of New York (CPL Sect. 140.55) in New Jersey pursuit must be for a felony or high misdemeanor, in Conn., Mass., UT, for a felony and in PA. for a crime that would be an indictable offense in PA.

Traffic infractions do not apply in any state.

In other states, the person apprehended must be taken by the New York officer before a judge, justice or magistrate as prescribed by the laws of that state to determine if the arrest was in accordance with the provisions of that state's uniform close pursuit act. In New York the out-of-state officer must take the prisoner to a local criminal court to determine if the arrest was made in accordance with Section 140.55 sub. 2 CPL. When it is found the arrest was lawful, the prisoner is

committed to the custody of the arresting officer, to be removed immediately to the state from which he was pursued.

G. Arrest Procedure regarding an Inmate at the Onondaga County Correctional Facility

1. Make preliminary investigation. Determine offense committed.
2. Identify witnesses. Obtain statements.
3. Complete complaint/information and submit same to proper court with proper statement(s) attached.
4. Attach a written request advising that:
 - a. The subject is currently incarcerated at O.C.C.F. and that an order to produce will be needed.
5. Complete the following reports:
 - a. Arrest
 - b. P.I.R.

The F.T.O. Sergeant shall indicate by signature below that the preceding week's block of material has been reviewed by the F.T.O. and Trainee.

Sgt.

Badge #

Comments relative to this review may be recorded here by the F.T.O. Sergeant, F.T.O., or the Trainee.

The following laws will be reviewed during the sixth week of field training.

PENAL LAW

Article 140.00: Burglary and Related Offenses

Sect. 140.00	Criminal Trespass and Burglary; Definition of Terms
Sect. 140.05	Trespass
Sect. 140.10	Criminal Trespass in the Third Degree
Sect. 140.15	Criminal Trespass in the Second Degree
Sect. 140.17	Criminal Trespass in the First Degree
Sect. 140.20	Burglary in the Third Degree
Sect. 140.25	Burglary in the Second Degree
Sect. 140.30	Burglary in the First Degree
Sect. 140.35	Possession of Burglar's Tools
Sect. 140.45	Unlawful Possession of Radio Devices

Article 145.00: Criminal Mischief and Related Offenses

Sect. 145.00	Criminal Mischief in the Fourth Degree
Sect. 145.05	Criminal Mischief in the Third Degree
Sect. 145.10	Criminal Mischief in the Second Degree
Sect. 145.12	Criminal Mischief in the First Degree
Sect. 145.14	Criminal Tampering in the Third Degree
Sect. 145.15	Criminal Tampering in the Second Degree
Sect. 145.20	Criminal Tampering in the First Degree
Sect. 145.25	Reckless Endangerment of Property
Sect. 145.30	Unlawfully Posting Advertisements

Article 155: Larceny

Sect. 155.00	Larceny Definition of Terms
Sect. 155.05	Larceny Defined
Sect. 155.10	Larceny No Defense
Sect. 155.15	Larceny Defenses
Sect. 155.20	Larceny; Value of Stolen Property
Sect. 155.25	Petit Larceny
Sect. 155.30	Grand Larceny in the Third Degree
Sect. 155.35	Grand Larceny in the Second Degree
Sect. 155.40	Grand Larceny in the First Degree
Sect. 155.45	Larceny; Pleading and Proof

Article 165: Other Offenses Relating to Theft

Sect. 165.00	Misapplication of Property
Sect. 165.05	Unauthorized Use of a Vehicle in the Third Degree
Sect. 165.06	Unauthorized Use of a Vehicle in the Second Degree
Sect. 165.08	Unauthorized Use of a Vehicle in the First Degree
Sect. 165.09	Auto stripping in the Second Degree
Sect. 165.10	Auto stripping in the First Degree
Sect. 165.15	Theft of Services
Sect. 165.25	Jostling

Sect. 165.30 Fraudulent Accosting
Sect. 165.40 Criminal Possession of Stolen Property in the Third Degree
Sect. 165.45 Criminal Possession of Stolen Property in the Second Degree
Sect. 165.50 Criminal Possession of Stolen Property in the First Degree
Sect. 165.55 Criminal Possession of Stolen Property Presumptions

VEHICLE AND TRAFFIC LAW

Article 33: Miscellaneous Rules

Sect. 1224 Abandoned Vehicles

The following material will be covered during the sixth week of Field Training and Evaluation. The F.T.O. who provides the review of the training material shall note his/her badge number, initials and date when the review took place.*

1. Miranda Rights-Custodial Interrogation*

Discussed/Trained/Performed

A. Persons suspected of having committed a crime must be advised of their Miranda Rights when one or both the following conditions exist:

1. A suspect is in custody or
2. A suspect is deprived of freedom in any significant way. However, a temporary detention for questioning under suspicious circumstances (stop and frisk) does not amount to custody and therefore does not require Miranda Warnings.
3. After being advised of the Miranda Rights, the suspect may waive them voluntarily, knowingly, and intelligently (should sign a waiver, if possible)
4. Admonishments and questions regarding waivers should be read to the suspects by the officer from the rights and waiver card furnished by the Department. The use of this card and the suspect's replies should be stated in the investigation report for later reference in court.

B. Juveniles - Rights and Interrogation

1. Juveniles have the same Miranda Rights as do adults. Additionally, juveniles must be advised of their rights whether or not they are questioned when they are detained. In addition, the juveniles' parents must also be advised of the same Miranda Rights.
2. With regard to Waiver of Rights by juveniles, special consideration must be made with respect to the age of the child and the competence of the parent.

C. Recent court decisions have set the following policy regarding the questions of suspects although they are not part of Miranda. Questioning may not continue if any of the following conditions exist.

1. A criminal action is commenced (i.e., filing of an information)
2. Attorney presently assigned on another charge
3. Out on bail on another charge (pertaining to criminal charges only) [Ref. CPL 1.20-7 (know or reasonably should know of unrelated pending charges)]
4. Arrest by Warrant
5. Asks for an attorney (suspect cannot waive rights and talk until he has an attorney present)

The following material will be covered in the sixth week of the Trainee's Training and Evaluation. The F.T.O. who provides the review of the material shall note his/her badge number, initials and date the material was reviewed.*

1. Stop and Frisk*

Discussed/Trained/Performed

- A. A Deputy Sheriff has a right and duty to temporarily detain a citizen
 - 1. Where it appears some activity on the part of the citizen is out of the ordinary.
 - 2. And there is some indication that the activity relates to a criminal act.
 - 3. And specific facts indicate that some criminal activity has, is or will take place.
- B. Mere hunch or suspicion is not itself sufficient cause to stop and question.
- C. Circumstances must be such that the activity of the detained person can be distinguished from the activity of an ordinary person.
- D. If the original stop of the citizen is lawful and the Deputy has reasonable belief that the person stopped may possess a weapon.
 - 1. The Deputy has a right to make a cursory search for concealed weapons
 - 2. A stop does not always allow a frisk.
- E. Stop and Frisk is a pat-down or rub-down type search. It does not extend inside the persons pocket or package.
 - 1. Unless the rub-down indicates that the person has something in his/her pocket which could be used as a weapon or is in fact a weapon.

The following material will be covered during the sixth week of the Trainee's Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials, and date the review took place.*

1. Burglary*

Discussed/Trained/Performed

- A. Review definitions of burglary Sect. 140.00 P.L.
 - B. Review physical evidence guidelines regarding burglaries as found in week eight of the training guide.
 - C. Response to in-progress burglary calls. Refer to week two of the training guide in progress calls.
 - 1. Acknowledge your response and give the location you are responding from
 - 2. Plan your approach (most important step). Approach must be quiet and cautious. No siren should be used. At commercial or large buildings your plan should include assignments for checking for a point of entry and establishing a perimeter. This is done by the first Deputy on scene until a field supervisor arrives.
 - 3. Lights should be turned off before arrival and it may be useful to coast to a stop to avoid alerting any perpetrators. Consider the possibility of using the handbrake.
 - 4. Acknowledge your arrival and report any observations.
 - 5. Park your vehicle on same side of street, but not in front of building.
 - 6. Close door quietly.
- TAKE YOUR KEYS
- 7. Promptly search the outside. Check persons on foot that do not fit the neighborhood. Look under cars and above ground
 - 8. Plan search so that each deputy knows what the other is doing and where he is so that no part of the premises is overlooked.
 - 9. Be alert to any occupied vehicles parked nearby or leaving the area.
 - 10. Communicate your observations to control and other responding units.
 - 11. Advise responding units if premises are secure. If not, maintain your perimeter and request additional units to respond for back-up or to act as a search team.
- D. Building Searches

1. Enter the building or different rooms from one point only
2. Keep your partner in sight
3. Weapons should be drawn but not cocked. If the shotgun is used, one round should be in chamber with safety on
4. Leave interior lights off. Use your flashlight holding it well away from your body with your weak hand
5. Once perimeter is established search from bottom up
6. Search all stairways at the same time and secure all avenues of egress as they are searched
7. Be alert for sudden crashes used by suspects to distract or divert Deputies searching in his area
8. Report the conclusion of the search to all units and supervisors involved and to control

E. Secure the Premises

1. By the owner or responsible agent (subscriber)
2. By the fire department
3. If the premises are unable to be secured, or if subscriber cannot be located, notify your supervisor and complete an investigation report detailing the incident and efforts made to secure the premises
4. The Department will not assume responsibility for securing any premise

F. Notifications

1. Teletype (File 7) must be sent as soon as appropriate
2. Notify field supervisor if not already done or CIS if extenuating circumstances exist
 - a. numerous weapons
 - b. Substantial loss
 - c. safe job
 - d. injured victim
 - e. armed suspects
3. Determine if physical evidence is present and if evidence technician needs to respond. If so, request should be made through the field supervisor.

The following material will be reviewed during the sixth week of the Trainee's Training and Evaluation. The F.T.O. providing the review shall note his/her badge number, initials and date review took place.*

1. Auto Theft/Unauthorized Use*

Discussed/Trained/Performed

A. Review definitions of vehicles (10.00 sub 14 P.L. 125 V&T)

B. Stolen Vehicle Reports

1. Obtain vehicle description from control and search the area while enroute to the Complainant/Victim
2. Check with Comm/Info Data Section to determine if vehicle is recorded in the tow log or the repossession log
3. Confirm the information and obtain the VIN number by making a 10-28 (registration) request thru data
4. The incident should be treated as an unauthorized use until such time as intent to permanently take the vehicle or impede the owners recovery for a protracted period of time is determined. Then treat as larceny by trespassory taking, embezzlement, false pretenses, or false promise, whichever type best suits the circumstances of the taking.
5. Complete a police investigation report. Include all pertinent information
6. Phone theft information to date immediately. Use complainant/victim's phone if possible
7. When calling data request a General Alarm (GA) or point of information be broadcast for the vehicle (report of theft must be timely or unusual circumstances must exist for data to broadcast a GA).
8. Be sure to include the last known direction of travel if known and have data notify other police agencies.

C. Indicators for Recovery of Stolen and/or Abandoned Vehicles

1. Location of vehicle (i.e., has not been moved in days, out of place, illegally parked).
2. Condition of vehicle (i.e., windows open, dirty, stripped, no plates, ignition removed/hot wired)

D. Physical Evidence Guidelines

1. Refer to physical evidence guidelines on auto theft in week eight of the training guide.

The F.T.O. Sergeant shall indicate by signature below that the preceding week's block of material has been reviewed by the F.T.O. and the Trainee.

Sgt.

Badge #

Comments relative to this review may be recorded here by the F.T.O. Sergeant, the F.T.O. or the Trainee

The following laws will be reviewed during the seventh week of field training.

PENAL LAW

Article 130: Sex Offenses

Sect. 130.00	Sex offenses definitions
Sect. 130.05	Sex offenses lack of consent
Sect. 130.10	Sex offenses defense
Sect. 130.16	Sex offenses corroboration
Sect. 130.20	Sexual misconduct
Sect. 130.25	Rape Third Degree
Sect. 130.30	Rape Second Degree
Sect. 130.35	Rape First Degree
Sect. 130.38	Consensual sodomy
Sect. 130.40	Sodomy Third Degree
Sect. 130.45	Sodomy Second Degree
Sect. 130.50	Sodomy First Degree
Sect. 130.55	Sexual Abuse Third Degree
Sect. 130.60	Sexual Abuse Second Degree
Sect. 130.65	Sexual Abuse First Degree
Sect. 130.70	Aggravated Sexual Abuse

Article 135: Kidnapping, Coercion and Related Offenses

Sect. 135.00	Unlawful imprisonment, kidnapping and custodial interference definitions
Sect. 135.05	Unlawful imprisonment Second Degree
Sect. 135.10	Unlawful imprisonment First Degree
Sect. 135.15	Unlawful imprisonment defense
Sect. 135.20	Kidnapping Second Degree
Sect. 135.25	Kidnapping First Degree
Sect. 135.30	Kidnapping Defense
Sect. 135.40	Custodial interference Second Degree
Sect. 135.50	Custodial interference First Degree
Sect. 135.55	Substitution of children
Sect. 135.60	Coercion Second Degree
Sect. 135.65	Coercion First Degree
Sect. 135.70	Coercion no defense
Sect. 135.75	Coercion defense

Article 160: Robbery

Sect. 160.00	Robbery defined
Sect. 160.05	Robbery Third Degree
Sect. 160.10	Robbery Second Degree
Sect. 160.15	Robbery First Degree

Article 245: Offenses Against Public Sensibilities

Sect. 245.00 Public Lewdness
Sect. 245.01 Exposure of a Person

VEHICLE AND TRAFFIC LAW

Article 25: Driving on Right Side of Roadway, Overtaking and Passing, etc.

Sect. 1120 Driving on right side of road exceptions
Sect. 1120(a) Driving on right side of road exceptions
Sect. 1120(b) Driving on right side of road exceptions
Sect. 1121 Passing vehicles proceeding in opposite directions
Sect. 1122(A) Overtaking vehicle on left
Sect. 1122(B) Overtaking vehicle on left
Sect. 1123 When overtaking on right is permitted
Sect. 1124 Limitations on overtaking on the left
Sect. 1125(A-1) Further limitations on driving to left center of roadway
Sect. 1125(A-2) Further limitations on driving to left center of roadway
Sect. 1125(A-3) Further limitations on driving to left center of roadway
Sect. 1126 No passing zones

The following training material will be covered during the seventh week of the Trainee's period of Field Training and Evaluation. The F.T.O. who provides the review of the training material shall note his/her badge number, initials and date the review took place.*

1. Robbery*

Discussed/Trained/Performed

- A. Review Article 160
- B. Review physical evidence guidelines regarding robberies found in eighth week training material.

2. Response to Robbery Calls*

Discussed/Trained/Performed

- A. Acknowledge response and give the location you are responding from.
- B. Respond per methods second week.
- C. Plan your approach and coordinate your plan with other units (most important).
- D. Basic plan upon arrival
 - 1. A Robbery in progress call is handled best by at least two units.
 - 2. Acknowledge your arrival and report any observations, i.e., criminal activity, possible lookouts, get-away cars, etc.
 - 3. Park away from building
 - 4. First unit on the scene takes cover at a position where he/she can see inside the building. If a double unit arrives first, the driver takes the above position and advises passenger whether or not any criminal activity is observed. A single unit advises control. If a robbery in progress is observed, the officers shall not enter. They shall maintain positions of cover and call for additional back-up units.
 - 5. If no criminal activity is observed by the primary unit, he/she will enter the building to determine the merit of the call. If two officers enter the building, they should enter one at a time and go to opposite sides once inside the doorway. If the suspects have left the scene, put out a preliminary description immediately. A general alarm is also sent within 30 minutes. Other available units should attempt to anticipate the suspects escape route, i.e., stake-out arterial routes; coordinate an area search, etc.

3. Bank Alarm Procedure*

(Ref: G-D-1004-79)

Discussed/Trained/Performed

- A. Upon receiving a bank alarm into the control center, the patrol units will be dispatched to same. (Responses second week training material) and the bank will be called by the control center.

- B. The control center will advise responding units, Code 10-48 procedure will be followed, meaning that suspects have left the bank and a green card will be displayed in a window for the patrol to see indicating it is safe for him to enter.
- C. This, however does not mean that a robbery has not occurred.
- D. If the control center does not receive the proper information from bank personnel or no answer from within, a code 10-49 will be broadcast. This could indicate a variety of circumstances.
 - 1. Improper information received
 - 2. No answer at the bank
 - 3. Suspects are still inside
- E. If the responding unit observes that bank to be open and a 10-49 is received he will advise his supervisor of same before approaching and wait for his direction.
- F. The first unit on the scene should take a position in his vehicle away from the bank but enabling him/her to observe the display of the green card before approaching the bank.
- G. Proceed to any robbery in progress as if it were actually occurring. Never become complacent with alarm calls. STAY ALERT! STAY ALIVE!

The following material will be covered during the seventh week of the Trainee's training and evaluation. The F.T.O. who provides the review shall note his/her badge number, initials, and date the review took place.*

1. Sexual Assault Investigations _____
(Ref: G-C-4004-79) Discussed/Trained/Performed
 - A. Introduction:

In every sexual assault case the utmost concern for the victim must be shown. Victims of sexual assault, regardless of age*, sex or outward appearance are physically and emotionally traumatized by the assault. As a result of that trauma, interview techniques normally utilized with victims of other crimes may not be effective and may very well cause additional trauma. It is necessary, therefore, to limit interviews and show patience, understanding and empathy toward the victim.
 - B. Review and be familiar with Article 130 of the N.Y.S. Penal Law.
 - C. Review and be familiar with the Onondaga County Sheriff's Department General Order G-C-4004-79.
2. Investigative Steps and Primary Responsibility of the Primary Deputy Responding to the Call* _____
 - A. Respond to the location of the victim-immediately address the medical needs of the victim.
 - B. Verify the occurrence of a sexual assault/attempted sexual assault. Once verification of either has been made, terminate discussion of the sexual act itself.
 - C. Notify field supervisor.
 - D. Notify the Abused Persons Unit.
 - E. Ascertain crime scene locate and request, through field supervisor, the securing of that scene pending arrival of the Criminalistics Unit.
 - F. Ascertain identities/description of suspects, vehicles, direction of travel and relay to Comm/Info.
 - G. Determine names, addresses and telephone numbers of witnesses/potential witnesses.
 - H. Supply Data with the necessary information and request teletype.

- * When responding to a sexual assault complaint involving a child, the deputy must:
- a. Be even more conscious of the trauma of the assault
 - b. Limit the interview with regard to the assault even further than with an adult victim.
 - c. Be cautious of others present as that preliminary interview may be done in the presence of the yet unidentified offender.

The following material will be reviewed during the seventh week of the Trainee's Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date the review took place.*

1. Field Show-Ups*

Discussed/Trained/Performed

A. The General Rule

An officer may have a victim identify a suspect in the field when the arrestee is apprehended in close proximity in time and place to the occurrence of a serious crime. Counsel for the suspect is not required, because the emergency nature of the confrontation, i.e., the necessity of immediate identification of a suspect does not allow time for contacting an attorney. There are no hard and fast rules as to how close the proximity of time and place of the field show-up must be to the crime, or the degree of seriousness of the crime.

B. The Following Factors Shall be Kept in Mind:

1. A legitimate need for immediate identification must be present. For example, if the suspect has been at large for some time, the need for immediate identification has passed, even if he/she is arrested near the original scene of the crime.
2. If a suspect has been detained for any substantial period of time or has been moved to a place not accessible to counsel, a field show-up cannot be held.
3. The courts will closely scrutinize field show-ups of suspects involved in petty crimes.
4. The courts will also scrutinize each case for any attempt by officers to circumvent the requirements of a formal line-up by conducting an unnecessary field show-up.

C. How should the field show-up be conducted?

The Courts have held that although a suspect is not entitled to all of the rights in a formal line-up, the procedure must be fair, while any confrontation between a suspect and a witness is to some degree inherently suggestive (since the witness may assume that the police would not have arrested the suspect unless they thought they had the right man), any suggestive comments or conduct by police officers may be a violation of due process - in this case, the right to be fairly identified. For this reason, the following suggestions are offered:

1. The victim's description of the suspect shall be recorded in as much detail as possible before the field show-up when the victim will see the suspect again. This procedure increases the likelihood that the victim's identification evidence will not be excluded at trial should the court find the field show-up defective. It also aids the prosecutor in examining the witness regarding his identification at trial.

2. If there are several witnesses, they should each view the suspect separately and asked not to discuss their identification with other witnesses.
3. The witnesses should be advised that they are not obliged to identify anyone, and that it is just as important to free innocent persons from suspicion as to identify guilty parties.
4. In front of the victim/witness, the suspect may be asked to repeat any non-incriminatory words, such as words used during the crime under investigation. (For example: "This is a stick-up", etc.) suspects shall not be asked questions which call for information which only the perpetrator of the crime would know, such as where they were arrested, whether they had weapons on their person at the time of the arrest, or similar questions which call for incriminating statements.
5. Do not present to the witness incriminating evidence obtained from the suspect, such as stolen property or weapons used in the crime, until after they have made an identification. Doing so before the identification would be suggestive, and could result in an accusation of "priming" the witness.
6. Do not have the suspect sit in police vehicle to be identified, so as not to present the assumption that the police have the right person.
7. Whenever practical, bring victim to suspect for viewing.

D. Photographic Line-up in Field

A minimum of six (6) photos of similar individuals should be utilized. If an identification is made, the rear of the photo should be initialed and dated and a statement received from the witness. The photo line-up (all the photos) should be sealed and secured as evidence. Utilize Onondaga County Sheriff's Department photographic line-up form.

The following material will be covered during the seventh week of the Trainee's Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date the review took place.*

1. Vehicle Repairs*

Discussed/Trained/Performed

- a. Repairs, maintenance and servicing of County owned, Department operated vehicles is the responsibility of the Fleet Management Unit. All repairs must be coordinated through the F.M.U.
 - b. Emergency Repairs - Emergency repairs are repairs of a minor nature which allow for the vehicle to be operated, without risk of greater damage, to the location where repairs of a permanent nature can be made. This location is the Central Garage. Fleet Operations will have available a supply of necessary light bulbs, windshield wiper blades and fuses for installation when no other installation is available.
2. There are 4 authorized emergency services for the use of Sheriff's Department vehicles. They are as follows:

N - Jim's Service Center, Liverpool, phone 451-3132

S - Valley Mobil, S. Salina St. & Seneca Tpk., Syracuse, phone 469-7004 or 475-4701

E - Carrier Annex, Court St. Rd., Dewitt, phone 437-6703

W - Pete Kitt's, Genesee & Hinsdale, Camillus, phone 487-2630

- a. These services should be used for the following situations:

1. Flat Tires - The tow service will change the flat or damaged tire. Additionally, the tow service will replace the spare tire, thus vehicles will have a serviceable spare at all times. Arrangements will be made to have the damaged tire picked up from the tow operator the next business day.
2. After hours, weekends, holidays, towing of Department vehicles - The area tow operator will be called to tow Department vehicles from an area where it has become disabled to the P.S.B. courtyard, where the Central Garage will arrange service the next business day.
 - a. The vehicle should be secured at the courtyard; all Department equipment such as shotguns and keys should be secured at the station to which the vehicle is assigned. A repair slip should be completed and the hard copy left with the vehicle.

3. For Minor Repairs of an Emergency Nature

- a. Members/supervisor should contact F.M.U., Page 152, for authorization of any other repairs. NO OTHER REPAIRS SHOULD BE UNDERTAKEN WITHOUT THIS AUTHORIZATION.

- b. Fleet Operations will have available a supply of necessary light bulbs, windshield wiper blades and fuses for installation when no other installation is available to you. F.M.U. Page 152.
4. All members are reminded that they must sign the tow operator's receipt and forward a copy to Fleet Operations, ATTN: Dep. M. O'Hara, the next day, with a memo indicating the nature of the problem which led to the needed repair or tow.
5. Additionally, the following are available at the P.S.B. gas pumps from 1600 hrs. to 2400 hrs., Mon-Fri: fuses, headlight bulbs, wiper blades. These are also available during other hours that the pumps are open.
 1. Any questions on the above should be referred to F.M.U. at X3293 or Page 152.
 2. Further, should there be a problem with a tow service, contact F.M.U. as soon as possible.
6. Preventive Maintenance - This is routine maintenance performed at 3,000 mile intervals which is designed to prolong the useful life of the vehicle and it's parts as well as reduce expenses and downtime caused by major repairs.
 - a. PM's include but are not limited to: oil and filter change, lubrication (chassis) fluid level checks, brake and steering system checks, suspension system check, drive line, lighting system check and vehicle cleaning. PM's are only performed at the Central Garage.
 - b. The next scheduled PM for any given vehicle can be determined by observing the lube sticker on the driver's door near the latch area. Under no circumstances shall a vehicle be operated in excess of 1,000 miles beyond its scheduled PM. When a vehicle is in need of a PM it should be brought to the field supervisor's or F.M.U.'s attention.
7. Repairs/Service - All repairs of a permanent nature, all electronic repairs and vehicle cleaning shall be done at the Central Garage with the authorization of F.M.U.

The Central Garage, located at the P.S.B., operates 0800 hrs. to 1600 hrs., Mon-Fri, excluding holidays.

The P.S.B. fuel facility is in operation 0630 hrs. to 2400 hrs., Mon-Fri. Attendants are also on duty weekends and holidays: 0600 hrs. to 0800 hrs., 1400 hrs. to 1600 hrs. and 2200 hrs. to 2400 hrs.

Additionally, the P.S.B. fuel facility maintains a quantity of light bulbs, windshield wiper blades and fuses to keep a vehicle operational. These are available at the P.S.B. fuel facility during its hours of operation, when the Central Garage is closed.

8. How to Request Service/Repairs During Hours Central Garage is open:
 - a. If vehicle is operable, return to Central Garage. If not operable, call for 10-96, tow to garage. Notify F.M.U.

- b. Back the operable vehicle into available courtyard space nearest to garage entrance door.
 - c. Fill out repair request form.
 - d. If repairs are of the emergency type (i.e., bulb, belt, etc.) notify field supervisor. Await instructions.
 - e. If vehicle is to be downed (out of service) contact field supervisor for another vehicle.
 - f. Only in case of emergency repairs, ask garage supervisor if vehicle can be repaired while you wait. Notify field supervisor and F.M.U. Garage hours Mon.-Fri. 0800 hrs to 1600 hrs. In any other case, follow (b) and (c) above.
9. When the Central Garage is closed and the needed repair is of the nature which cannot be completed, the member is requested to park the vehicle at the P.S.B. courtyard, remove the shotgun, his/her own personal and issued equipment. Complete the Vehicle Repair Request/Car Receipt. Leave the hard copy and pink copy on the dashboard and forward the white (top) copy to the Fleet Management Unit.

Should a vehicle require towing to the Central Garage, the member should contact Data for:

- a. The Central Garage tow truck when it is open.
- b. A designated Department tow service for other times.

Bills from the tow service should be signed by the member requesting the tow, and be forwarded to F.M.U. as soon as possible.

Additionally, F.M.U. requests that when a vehicle is towed by an outside vendor or requires emergency repair (flat tire), that a memo or supplement report describing the reason(s) be forwarded to F.M.U. as soon as possible.

Should there be a question regarding vehicle repair or towing, please contact F.M.U. at X3293 or Page 152 for a clarification at any time.

10. Electronic Repairs - All repairs to the radio, siren, light bar and control systems shall be performed at United Radio Service (URS).
- a. During URS hours of operation the repairs can be made simply by driving the vehicle to URS and notifying the personnel there of the problem.
 - b. When URS is closed - follow steps outlined under H.
11. Miscellaneous - No other repairs, modifications, additions, deletions, or alterations shall be made to any vehicle or part thereof without prior written authorization from F.M.U.
1. This does not preclude any suggestions that would improve the operation or effectiveness of the vehicle. Any such suggestions can be forwarded in writing to F.M.U. or Research and Development.
 2. In the event that it is unclear as to what action to take, contact a field supervisor or F.M.U.

Any questions, please contact F.M.U. at X3293 or Page 152.

The F.T.O. Sergeant shall indicate by signature below that the preceding week's block of material has been reviewed by the F.T.O. and the Trainee.

Sgt.

Badge #

Comments relative to this review may be recorded here by the F.T.O. Sergeant, the F.T.O., or the Trainee.

The following material will be reviewed during the seventh week of the Trainee's Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and the date the review took place.*

1. Towing Procedures*

Discussed/Trained/Performed

A. Pursuant to authority granted by the New York State Vehicle and Traffic Law, vehicles may be removed under the following circumstances by members of this Department.

1. Hazard tow - vehicle is left standing upon a highway in such a position as to obstruct the normal movement of traffic or in such a condition as to create a hazard. The vehicle must be cited for the appropriate sections.
2. Recovered stolen vehicle - vehicle is towed for safekeeping and owner notified. (Owner should be contacted by data first to give him/her a chance to respond to your location to take custody of vehicle.)
3. Driveway tow - vehicle to be removed is illegally parked so as to block entrance to or exit from driveway.
4. Fire hydrant - vehicle is parked as to prevent access to hydrant.
5. Incapacitated tow - vehicle to be removed in charge of person who by reason of physical injuries, illness or death is incapable of providing for removal.
6. Arrest tow - vehicle to be removed resulted from the arrest of its operator for an offense.
7. No evidence of current registration - vehicle is both illegally parked and there are no license plates or other evidence or registration displayed.
8. Other Violations:
 - a. Vehicle illegally parked within intersection
 - b. Vehicle illegally parked on a crosswalk
 - c. Vehicle illegally parked within 20' opposite driveway of firehouse
 - d. Vehicle illegally parked on sidewalk
 - e. Vehicle parked alongside or at street excavation obstruction when such parking would obstruct traffic
 - f. Vehicle parked on a bridge

B. Towing on Private Property

Private property owners have the right to have parked cars removed from their property at the vehicle owner's expense. While many businesses that engage in this practice, post signs prohibiting parking, such posting is not mandatory. Also, limited posting such as "For Customers Only" limits parking to that period of time that the vehicle owner is a

"Customer": a simple purchase does not entitle the vehicle operator to indefinite free parking.

The tow operator who tows parked vehicles from private property has established a lien against the vehicle by towing it. The tow operator does not have to release the vehicle until the lien is satisfied. The tow shall be ordered by the property owner, not the Deputy.

C. Ordering a Tow

Format:

1. Switch to Channel 2
2. Give
 - a. Location
 - b. License Number
 - c. State of Registration
 - d. Reason only if applicable
 - e. Advise if it is an impound

D. When to Order a Tow

1. Stripped and stolen vehicle
2. No identification
3. Needed for lab work
4. Homicide or serious injury
5. Hit and run when applicable
6. Vehicles used in serious crimes
7. Motor vehicle accidents

When in doubt, call for field supervisor.

E. Cancelling a Tow

If assigned tow truck at the scene within 20 minutes of said request, notify data and cancel original tow and order a tow from a new company. Write a report.

F. Motorcycles

Special tow services are required here. Advise data that it is a motorcycle. Same reason for towing a motor vehicle.

2. Impounding and Processing of Vehicles*

(Ref: G-D-1003-82)

Discussed/Trained/Performed

A vehicle is impounded when the Sheriff's Department assumes responsibility for the custody, care and control of the vehicle. Vehicles are to be impounded only when necessary as part of the case investigation.

a. When a vehicle is to be impounded for processing:

1. A field supervisor must be notified.

2. When a vehicle is recovered by an investigating Deputy (CIS, Patrol, SIU, etc.) a determination will be made by him as to whether:
 - a. the vehicle must be processed for laboratory evidence or searched for other evidence (such as stolen property, contraband, etc.) and,
 - b. whether this evidence recovery can or cannot be performed by himself, a Road Patrol Evidence Technician, or other on-duty personnel.
3. If the vehicle must be processed for evidence and cannot be done by the Deputy, the Road E.T., or other personnel, the on-call Criminalistics member will be notified.
4. The on-call Criminalistics member will make a determination as to where the vehicle will be processed for evidence. His options include:
 - a. Processing the vehicle at the scene of recovery.
 - b. Advising to tow the vehicles to the Hancock garage facility for processing.
 - c. Advising to tow the vehicle to the Everson garage for processing.

The Hancock garage will be utilized when a vehicle must be left unattended pending the obtaining of a search warrant or for other reasons relative to the investigation. The Everson garage is still available when vehicles may immediately be processed and when conditions permit.
5. When the Criminalistics members utilize the Hancock garage facility, he will notify data to have the on-call Fleet Management member respond to open the garage and secure the vehicle.
6. The Criminalistics member will respond to process the vehicle once the vehicle may be legally processed or searched or when other conditions have been corrected (vehicles dried off, etc.)
7. Once a vehicle has been processed, the Criminalistics member will notify the county garage to tow the vehicle to the Amboy garage if the vehicle cannot be immediately released.
8. The Sheriff's S.O.P. (G-D-1003-82) regarding motor vehicles will continue to be adhered to regarding vehicles being treated as all other evidence with chain of custody, and Property/Evidence Receipts. The Deputy recovering a vehicle will remain with the vehicle until either a member of Fleet Management or Criminalistics can sign the Property/Evidence Receipt for the vehicle and continue the chain of custody.
9. Complete property receipt, leave the proper copy with the vehicle (white), pink with report, yellow to Evidence/Property Unit, gold may go to owner or Deputy may keep.
10. Complete all police investigation reports prior to going off duty.

The following laws will be reviewed during the eighth week of Field Training.

PENAL LAW

Article 195: Official Misconduct and Obstruction of Public Servants Generally

Sect. 195.00	Official Misconduct
Sect. 195.05	Obstructing Governmental Administration in the Second Degree
Sect. 195.07	Obstructing Governmental Administration in the First Degree
Sect. 195.15	Obstructing Firefighting Operations

Article 205: Escape and Other Offenses Relating to Custody

Sect. 205.00	Definitions
Sect. 205.05	Escape in the Third Degree
Sect. 205.10	Escape in the Second Degree
Sect. 205.15	Escape in the First Degree
Sect. 205.20	Promoting Prison Contraband in the Second Degree
Sect. 205.25	Promoting Prison Contraband in the First Degree

VEHICLE AND TRAFFIC LAW

Violations of the following Sections of the Vehicle and Traffic Law require mandatory Appearance and Arrest Reports.

Article 5: Periodic Inspection of Motor Vehicles

Sect. 306(E)	Enforcement
Sect. 306(F)	Enforcement

Article 7: Motor Vehicle Safety Responsibility Act

Sect. 340	Surrender of licenses and evidences of registration
Sect. 355	Operating without giving proof when proof required

Article 8: Indemnity Bonds or Insurance Policies on VEHICLES Transporting Persons for Hire

Sect. 370(2)	Indemnity Bonds or Insurance Policies; Notice of Accident
Sect. 370(4)	Indemnity Bonds or Insurance Policies; Notice of Accident
Sect. 370(5)	Indemnity Bonds or Insurance Policies; Notice of Accident

Article 9: Equipment of Motor Vehicles and Motorcycles

Sect. 375	Equipment
Sect. 375(7)	Equipment
Sect. 375(32)	Equipment
Sect. 377	Vehicles engaged in the transportation of logs and other materials

- Sect. 379 Motor Vehicles engaged in the transportation of flammable liquids
- Sect. 380(4) Certain vehicles engaged in the transportation of dangerous articles
- Sect. 380(5) Certain vehicles engaged in the transportation of dangerous articles

Article 12: Other Provisions

- Sect. 392 False statements, alteration of records or substitution in connection with any examination.
- Sect. 394(11) Drivers' schools
- Sect. 395 Certain private bureaus to be licensed
- Sect. 397 Equipping motor vehicles with radio receiving sets capable of receiving on the frequencies allocated for police use.

Article 14: Registration of Motor Vehicles

- Sect. 403 Number plates continued

Article 17: Other Provisions Relating to REgistration and Possession

- Sect. 421 Sale of Motor Vehicle, Trailer or Motorcycle with changed identification number.
- Sect. 422 Wrongful Possession of Motor Vehicle, Trailer or Motorcycle with changed identification number.
- Sect. 426 Punishment for making false statement; stolen vehicles
- Sect. 429 Junk and Salvage vehicles.

Article 20: Suspension and Revocation

- Sect. 510(7) Suspension, revocation and reissuance of licenses and certificated of registration.
- Sect. 511(1) Operation while license or privilege is suspended.
- Sect. 511(2) Operation while license or privilege is suspended.

Article 22: Accidents and Accident Reports

- Sect. 600 (2-a) Leaving the scene of an Incident without reporting

Article 30: Speed Restrictions

- Sect. 1182 Speed contests and races

Article 31: Reckless Driving and Driving While Intoxicated Condition

- Sect. 1190 Reckless Driving

The following material will be covered during the eighth week of the Trainee's Training and Evaluation. The F.T.O. who provides the training shall note his/her badge number, initials and the date the review took place.*

1. Warrants*

Discussed/Trained/Performed

A warrant of arrest is a process issued by a local criminal court directing a police officer or peace officer to arrest a defendant designated in an accusatory instrument filed with such court and to bring him/her before such court in connection with such instrument. The sole function of a warrant of arrest is to achieve a defendant's court appearance in a criminal action for the purpose of arraignment upon the accusatory instrument by which such action was commenced.

A. Obtaining a Warrant

1. A warrant is obtained by filing an accusatory instrument (Complaint/Information) before a criminal court.
2. Once the warrant is obtained every effort must be made to execute it before the end of the Watch.
3. If warrant cannot be executed during normal tour of duty complete a warrant card. Turn warrant, warrant card, copy of report and copy of Information into the Warrant Unit.

B. If Warrant is Executed

1. Bring defendant before the local criminal court available for arraignment.
2. Complete endorsements on back of Warrant
3. If defendant is committed, transport to Booking, for prints and photos.
4. Complete arrest reports. (Although it is the supervisor's responsibility, insure that a File 13 teletype is sent)

C. Report of a Warrant

Any time a warrant is obtained but not executed by Patrol by the end of Watch, it will be turned into the Warrant Unit. It must be accompanied by a warrant card.

1. All known and available information pertaining to the suspect must be entered on the card, including DR#.
2. Place of employment and occupation is a must.
3. Located on the lower right corner of the card is a space titled "Officer's name and shield." This is not to be signed. This

space if for the Deputy who enters the information into the computer.

4. If a Deputy desires to be informed if the suspect is arrested he can so note on the lower left corner, "return copy of arrest report to _____"
5. Whenever a Deputy picks up a warrant or returns a warrant, he must complete the back of the warrant card.
6. If a Deputy wishes to work the case he may do so. However, the warrant will still be turned in. When the arrest is made the warrant will be obtained in accordance with procedures.
7. Cancel only our File 5. Suspect may be wanted in other areas on other charges.

D. Execution of Warrants

1. If OLEIS indicates an active warrant on a person, the warrant must be located before arrest is made.
2. If other warrants are located at a later time, they shall be lodged at Booking or the suspect will be arraigned before the proper court.
3. If this is unable to be accomplished, the Warrant Unit will be notified.
4. Before executing the warrant, every effort must be made to determine that the person in custody is in fact the person named on the warrant by comparing:
 - a. Birthdates
 - b. Social Security Number, if known
 - c. Physical description
 - d. Past or present address
 - e. Past or present vehicle ownership
 - f. If there is reasonable doubt and at the direction of a field supervisor the benefit shall be weighed in favor of the suspect.
 - g. Make a departmental report relating the person's current address (residence and business) telephone number, vehicle registration, driver's license information and any other information that can establish the person's identity or current residence.

Again, all warrants must be confirmed by Data and located. Review attached supplement for necessity of arraignment.

E. Criminal Summons

1. When applying to a local court for a warrant, the court may instead issue a criminal summons. This is within the prerogative of the court.
2. Upon receiving the criminal summons, the Deputy shall attempt to execute or serve it before the end of the Watch.
3. If the Deputy cannot execute or serve the summons, the summons will be turned into the Warrant Unit.
4. The warrant information card will be completed the same as in the case of a warrant.
5. The one exception is that the Deputy will sign the card so that the Warrant Unit knows who submitted the summons.
6. Deputies can sign out criminal summons in the same manner that they sign out warrants.
7. No other paperwork or documents need be submitted to the Warrants Unit.

F. NCIC Hits

Upon checking NCIC and it is determined that there is a warrant or hold on a person:

1. The teletype serves as the authority to detain or take into custody.
2. Before taking the suspect into custody every effort will be made to determine that the person being is in fact the person named in the teletype by comparing birthdate, physical description, social security number, etc.
3. Teletype or telephone the issuing agency notifying them that the person is in custody and request status of the warrant. If an out of state warrant, determine if issuing agency will extradite.
4. Arraign the suspect utilizing a fugitive from justice information (Out of state warrants only). (Refer to Section 570.34 CPL) New York State warrants refer to Section 120.90 CPL
5. Arrest reports will be completed.
6. Field supervisor will be notified.

WARRANT TYPEARRAIGNMENT ?-----
AUTHORITY

A.	<u>"Offense"</u> (includes P.L. violations, misdemeanors and felonies)	<u>YES</u> P.L. §10.00(1), (4), (5); C.P.L. §120.90(1)
B.	<u>"Offense" (out of county Warrant)</u> [adjoining county] (includes P.L. violations, misdemeanors & felonies)	<u>NO</u> Deliver to adjoining county \$120.90(2) C.P.L.
C.	<u>"Offense" (out of county Warrant)</u> [non-adjoining county] (includes P.L. violations & misdemeanors <u>only</u>)	YES-but only if defendant requests arraignment-must inform him of this right. See §120.90(3) C.P.L.
D.	<u>Vehicle & Traffic</u> (includes traffic infractions, misdemeanors & felonies)	YES-Same as A, B, & C where applicable §155 V&T Law
E.	<u>BENCH</u>	<u>YES</u> §530.70(2) C.P.L.
F.	<u>Probationer/Parole</u>	YES-but only if the court is in session. If the court is not in session, then the warrant acts as a commitment until the court reconvenes. This satisfies §500(c) Corrections Law
G.	<u>Indictment/Superior Court</u> Criminal	Same as F.
H.	<u>Family Court</u> (any warrants, including a certificate of warrant, a certificate of Order of Protection or an Order of Protection)	<u>YES</u> If Family Court is not in session, must be taken to "most accessible magistrate" §155 Family Court Act.
I.	<u>Fugitive/Out of State</u>	<u>YES</u> But may be held for a reasonable amount of time before arraignment. §570.34 C.P.L. (Uniform Criminal Extradition Act)

The following material will be covered during the recruit's eighth week of Field Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date the review took place.*

1. Juvenile Cases*

Discussed/Trained/Performed

- A. Juvenile Delinquent (see 301.2 Family Court Act) is a person seven (7) years of age and less than 16 years found to have committed an act that, if committed by an adult would be a crime and
1. is not criminally responsible for such conduct because of his age
 2. was a defendant in an action ordered removed from a criminal court to the Family Court (i.e., a juvenile offender returned to Family Court becomes a juvenile delinquent)
- B. Person in need of supervision (Sec. 712A F.C.A.). A male less than 16 years of age and a female less than 18 years of age who is:
1. habitual truant
 2. incorrigible, ungovernable or
 3. habitually disobedient and beyond lawful control of parents or other lawful authority
 4. who violates Sect. 221.05 of the Penal Law
- C. PINS petition in this county will not be given against a female 16 years of age or older. (Ref. 31 N.Y. 2d 83-Patricia-City of N.Y.)
- D. Juvenile Offender is a juvenile 13 years of age charged with murder 2nd degree or juveniles 14-15 years of age charged with any of the following felonies:
1. Murder, 2nd P.L. 125.25
 2. Attempted Murder, 2nd
 3. Kidnapping, 1st - L. 135.25
 4. Attempted Kidnapping, 1st
 5. Arson, 1st P.L. 150.20
 6. Assault, 1st P.L. 150.20
 7. Manslaughter, 1st P.L. 125.20
 8. Rape, 1st P.L. 130.35 (1),(2)
 9. Sodomy, 1st P.L. 130.50 (1),(2)
 10. Burglary, 1st P.L. 140.30
 11. Burglary, 2nd P.L. 140.25 (1)
 12. Arson, 2nd P.L. 150.15
 13. Robbery, 1st P.L. 160.15
 14. Robbery, 2nd P.L. 160.10 (2)
- E. Notify C.I.S. if you have a juvenile offender.
1. Process perpetrator the same as an adult
 2. Notify parents before interviewing and advise of Miranda Warnings
 3. Interview only in Juvenile Office (A.P.U.)
 4. Lodge in secure facility if under 16

5. If over 16 years of age and crime was committed before 16 years of age, the juvenile offender should be taken to Hillbrook for lodging. Contact Hillbrook first. If Hillbrook is unable to lodge, they will advise as to where juvenile can be lodged. Obtain name of person giving the advice. Notify a field supervisor.
- F. Juvenile arrest (On-view or as result of an investigation) - Deputies shall obtain the following regarding all crimes and violations.
1. Deposition from victim of activity (Deputy sign as witness to signature).
 2. Deposition from witnesses of activity (Deputy sign as witness to signature) if available at that time, if not
 3. Deputy shall return on his next tour of duty and obtain the above depositions.
 4. Talk with perpetrator, if possible, and try to obtain an admission to the crime or violation. Note well. Parent(s) and suspect must be advised of Miranda Warnings and voluntarily waive them prior to any questioning. Questioning may only be conducted in an area authorized by the Court to interview juveniles, e.g., A.P.U., the home of the juvenile, etc.
 5. Get home phone and work phone of parent or legal guardian of juvenile involved.
 6. Inform parent that they will be called to set-up an appointment to discuss the matter further.
 7. Deputy shall sign final page of his report (Affirmed under penalty of perjury). There is a special stamp for that purpose. After signing the report it serves as an affidavit from the Deputy and the report can be used against the juvenile in Family Court. The special stamp will be located in the Watch Commander's office (desk).
 8. Without the above papers, Family Court will not accept cases for court action.
- G. Hillbrook will accept all juvenile delinquents, 10-15 yrs. of age, providing that there is no -
1. Parent, or
 2. Legal guardian, or
 3. Responsible person available at time of arrest that the juvenile can be released to, or
 4. If juvenile delinquent demonstrates a likelihood not to return or appear
 5. No juvenile under 10 yrs. will be accepted at Hillbrook or other secure facility. Release to parent or person legally responsible for his/her care.
 6. Include the above facts and information in the police report.
- H. Only a presentment agency may originate a juvenile delinquent proceeding (Ref. Sect. 310.1&2 F.C.A.)
1. Presentment agencies are:
 - a. County Attorney unless
 - b. It is a designated felony then the D.A. may do so.

- c. When lodging a Juvenile Delinquent at Hillbrook, the following forms are required by the on-duty supervisor or intake person at Hillbrook:
 - 1. P.I.R.
 - 2. Arrest Report if applicable
 - 3. Any and all supporting depositions
 - 2. The Deputy must complete an Application for Temporary Detention. This is completed at Hillbrook at time of lodging.
- I. Return of a juvenile runaway male or female under 16 years of age.
 - 1. Return to parent or person legally responsible for his/her care
 - 2. If unable to do, call supervisor at Hillbrook, inform him/her of your situation. He/she will notify you as to where the juvenile runaway will be accepted. (Runaways will not be lodged in a secure detention facility.)
 - 3. If juvenile is a runaway from -
 - a. Another state, determine if person is a juvenile in that state
 - b. Another county in N.Y.S., or
 - c. Other private institution and is known to be a juvenile delinquent, Hillbrook will accept the juvenile. If not a juvenile delinquent, Hillbrook will inform you as to where juvenile will be accepted.
 - d. Get name of supervisor at Hillbrook
 - e. Notify field supervisor
- J. Arrest with a Warrant
 - 1. If Family Court is open -

Juvenile Delinquent	Take to Family Court and
PINS (Person in Need of Supervision)	notify C.I.S.
 - 2. If Family Court is not open -
 - A. Juvenile delinquent will be lodged at Hillbrook
 - B. PINS - call Hillbrook and they will inform you as to where the juvenile can be lodged.
- K. Missing Juveniles
 - 1. Juveniles are reportable as missing immediately
 - 2. A search for missing juveniles under 11 years of age should begin as soon as possible
 - 3. An immediate search should begin for juveniles missing under suspicious or special circumstances, such as when:
 - a. foul play is suspected
 - b. when the juvenile is mentally retarded, the search should begin as soon as possible

c. when juvenile is suicidal

4. Notify field supervisor

L. Deputies Closing Case at Scene

1. The following information must be obtained and forwarded to Y.A.S. for completion of juvenile contact card.

- a. Name of mother
- b. Name of father
- c. Address
- d. Phone
- e. School of juvenile and grade
- f. D.O.B. of juvenile
- g. Race

The following material will be covered in the eighth week of the Trainee's Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date the review took place.*

1. Major Scenes*

Discussed/Trained/Performed

A. Rules for the First Officers at the Scene

The extent of any preliminary measures must be in proportion to the type of crime, the location of the crime scene and the availability of personnel. The order of priorities governing your actions should be the following:

1. Rendering necessary aid and/or the immediate apprehension of the suspect.
2. Detention of witnesses to obtain suspect's description
3. Protection of the crime scene.

B. Errors committed in safeguarding the crime scene can never be corrected. If #1 and #2 are not applicable, then protection of the crime scene becomes the officer's #1 priority.

C. In a major crime scene, there are usually sufficient officers present to permit a division of labor to accomplish all three tasks simultaneously.

2. Indoor Scenes*

Discussed/Trained/Performed

A. When first entering major crime scenes, make immediate note of the following:

1. Time
2. Entrances and exits: Doors (opened, closed, locked, type of lock)
Windows (opened, closed, locked) any signs
of forced entry
3. Lights (on or off)
4. Odors (cigars, cigarettes, perfume, alcohol, gas, unusual odor)
5. Names of persons on the scene including ambulance, fire, and police personnel

B. In a homicide, secure the scene. Allow no one in until the arrival of the Criminalistics Unit.

C. In any major indoor scene observe the following precautions:

1. Do not touch inside door knobs, doors, or door frames
2. Do not move anything
3. Do not smoke, use the telephone, toilet, sink or ashtrays
4. Beware of where you step and what you touch. A good rule of thumb is to keep your hands behind your back when examining the crime scene.

3. Outdoor Scenes*

Discussed/Trained/Performed

- A. In addition to general considerations mentioned above, some special precautions are applicable to outdoor crime scenes.
1. Establish and protect a large perimeter, especially at parks and beaches.
 2. If footprint evidence is present, inform all officers present and protect those areas.
 3. Try to determine the suspect's route of approach and escape and investigate for possible evidence (e.g., discarded clothing or weapons). If evidence is found at some distance from the main scene, it should be protected as a secondary crime scene.

4. Firearms Evidence at the Crime Scene*

Discussed/Trained/Performed

- A. In most cases, firearms or casings found at a scene should be left undisturbed for the crime lab. If there is a real danger that evidence may be disturbed or damaged before the arrival of the lab, such evidence may be removed to a safe place after carefully noting and marking its exact position and being extremely careful not to add or destroy latent fingerprints or other evidence on the weapon.
- B. IN NO INSTANCE WHEN THE CRIME LAB IS RESPONDING SHOULD A WEAPON BE UNLOADED, CYLINDER BE OPENED, SLIDE BE PULLED BACK, OR CLIP BE REMOVED.
- C. If a laboratory unit is not to respond and the weapon is to be held for evidence, it may be secured loaded, with "Loaded" written on the evidence bag to advise anyone handling the weapon of that fact.
- D. NEVER place anything into the barrel of a firearm.
- E. AUTOS at the crime scene

Vehicles involved with a homicide are to be treated as a major scene. Do not touch or search these vehicles. Maintain a protective perimeter around the scene.

In all other cases when the vehicle is to be impounded for prints, the following precautions should be followed:

1. Do not add your own fingerprints or those of the tow operator to the auto. Use gloves or a cloth on outside door handles, gear shifts, and brake releases being careful to touch those objects only on their edges. Caution the tow operator that the vehicle is to be dusted for fingerprints.
2. Do not search the auto. A search will be conducted by the crime lab after processing for fingerprints or by C.I.S.

3. Do not remove stolen plates, instead note that the plates do not belong on the vehicle.
 4. Fill out the lab request as completely as possible. If necessary, leave a note under the windshield wipers for any further instructions.
5. Suicides and Suspicious Deaths*

Discussed/Trained/Performed

- A. Determinations in these cases are routinely made by the medical examiner's office, however, it is necessary and proper for the experienced officers at the scene to make their own observations. Factors to take into consideration are:
1. Credibility of Witnesses.
 2. Condition of the scene--notes left, doors locked from the inside, positions of weapons and wounds, etc.
 3. History of the victim, mental state, etc.
- B. If reasonable doubts exist, the officer in concurrence with his patrol sergeant, may at any time request the Criminalistics Unit to respond. If Criminalistics is to respond, the scene should be preserved until their arrival and the medical examiner's office is advised.

BURGLARIES

6. Residence Burglaries*

Discussed/Trained/Performed

- A. The crime lab and evidence technicians do not respond to a scene unless requested by the reporting Deputy so that a Deputy's ability to evaluate the scene is an essential step in the solution of this crime.
- B. The reporting Deputy should examine the crime scene and determine if physical evidence is present and request an evidence technician through his patrol supervisor.
- C. The officer should be alert to the following sources of evidence:
1. P.O.E. - The most productive source of physical evidence in burglaries is at the point of entry, especially if through a window or where any glass has been broken. Care should be taken in examining P.O.E.'s. Do not lean on the window sill or against the window frame or grab the door itself.
 2. Broken glass - Be certain that the broken pieces are preserved, especially those pieces that have been picked out of the molding by the burglar. These picked out pieces are often on the outside, and they should be collected by the officer, handling each piece by its edge, and placed inside, protected from the elements.

If a suspect is arrested shortly after a glass break burglary, outer items on his clothing that may have collected tiny bits of glass should be secured for examination. Wool and knit garments and pants cuffs hold glass particles best. Check the bottom of the suspect's shoes for imbedded glass.

Not only is the mere presence of glass fragments important in the future prosecution of the case, but it is sometimes possible for the crime lab to determine if a particular fragment came from a particular window pane.

3. Tool marks - matching a particular tool to the mark it leaves is accomplished by a microscopic comparison of striations. The best tool marks are left in metal surfaces; for example, a screwdriver mark on a striker plate, or plier marks on a door knob.
4. Paint transfers - even when the tool mark is not clear enough to be identified through striation comparisons, it is possible that paint from the door or window may have been transferred to the tool. If the tool is recovered in the possession of the suspect, the working end should be carefully wrapped so that these often microscopic size paint chips are not lost. At the same time, a sample of the paint from around the tool mark on the door or window should be collected and packaged in a separate container. This will be performed by the evidence technician.

7. Ransack Burglaries*

Discussed/Trained/Performed

Very often burglars leave a residence in such a mess that it is impossible for the victim to live there without cleaning up. An experienced officer should be able to pick out those items that may yield usable latent fingerprints. Look for items with hard smooth surfaces; for example, glass, metal, plastic, enamel, painted or glossy cardboard objects. Leave these items as they are found about the room. After the scene is photographed, the evidence technician will collect them for processing.

8. Business Burglaries*

Discussed/Trained/Performed

Ordinarily the same rules that apply to residence burglaries also apply to business burglaries. If the nature of the business is such that the business cannot operate without destroying the evidence, request the owner to possibly remain closed until the evidence technician completes his tasks.

9. Additional Loss*

Discussed/Trained/Performed

In certain burglaries the premises are in such disorder that the victim cannot possibly tell everything that was taken. Advise him/her that, upon cleaning up, make a note of missing items and re-contact you.

10. Monetary Loss and Crime Lab Response*

Discussed/Trained/Performed

The amount of loss suffered in a burglary or any property crime is irrelevant in deciding whether or not to request the crime lab. The sole

determining factor is whether or not there is a likelihood of obtaining physical evidence.

ROBBERY

1. Residence*
Discussed/Trained/Performed
Follow the same procedures with physical evidence as you would in a residence burglary. If the victims have been tied up, were the binding materials brought in by the suspect or were they materials already at the scene? If foreign to the scene, they should be collected and secured. Do not untie knots.
2. Business*
Discussed/Trained/Performed
 - A. Quickly determine which objects have been handled or touched and preserve those items.
 - B. When entering or leaving the scene, try not to add your fingerprints to the door.
 - C. Because cash registers are handled so extensively during the normal course of business, they do not often yield good latent fingerprints; however, if a latent fingerprint can be found, its value in court is enormous. Experience has shown that the best chance for latent prints exists on a cash tray that has been handled or lifted up from the register. If such is the case, the tray can usually be set aside and business can continue.
3. Street*
Discussed/Trained/Performed
Street robberies are difficult to solve because contact between the victim and suspect is minimal; however, purses, wallets and their contents do provide some opportunity for obtaining latent fingerprints. If an evidence technician is not at the scene and discarded evidence is located, handle carefully not destroying any possible latents and secure for lab processing.
4. Robberies of Commercial Vehicles (Taxicabs, etc.)*
Discussed/Trained/Perform
After determining that suspect evidence exists, an evidence technician will respond to the scene and process or impound for further lab work.
5. Bank*
Discussed/Trained/Performed
These crimes are investigated jointly by the F.B.I. and C.I.S. If a note was used and left, protect it against further handling. Close the teller's window and protect the counters until they can be dusted for fingerprints.

The following material will be covered during the eighth week of the Trainee's Training and Evaluation. The F.T.O. who provides the training shall note his/her badge number, initials and the date the review took place.*

1. Rape and Other Sexual Assaults*

Discussed/Trained/Performed

- A. Due to the violent and intimate nature of these crimes, and to the fact that the assailant rarely will use gloves throughout, and further that most occur inside a residence or auto, these crimes most consistently can yield valuable physical evidence that will aid in apprehending and convicting the culprit.
- B. Precautions that are observed with any major scene should be exercised by the officers on the scene of a sexual assault.
- C. As soon as it has been determined that the crime was committed, and at the same time that the suspect's description is put out, an evidence technician should be requested.
- D. After the initial information is taken, avoid questioning the victim further. This is the job of the Abused Person Unit and a barrage of questions may so muddle the victim's mind that he/she will not be able to recall details of the suspect's movements that may yield additional information and physical evidence.

2. Other Crimes*

Discussed/Trained/Performed

- A. When a Deputy investigates a crime and he determines that there is evidence at the scene, he will make a request for the evidence technician through his patrol supervisor.
- B. In crimes where evidence is to be collected but an evidence technician is not required (i.e., securing a forged check) the investigating Deputy will now secure the item themselves in the proper lab locker.

3. Found Property*

Discussed/Trained/Performed

When property is surrendered to this Department, it is the investigating Deputy's responsibility to properly secure the article.

4. Firearm Evidence*

Discussed/Trained/Performed

All weapons collected by this Department, loaded or unloaded, will be sent to the crime lab for processing.

Example: Weapons surrendered for safekeeping; pistol revocations; weapons used in crimes.

The following material will be covered during the eighth week of the Trainee's Training and Evaluation. The F.T.O. who provides the training shall note his/her badge number, initials and the date the review took place.*

1. The Written Statement*

Discussed/Trained/Performed

During the course of an investigation, you may elect to reduce to writing, the statement(s) of a witness or suspect. This affidavit (or field statement) serves as a written record of the exact words of an individual, affirmed (sworn to) under penalty of perjury, and admissible in a court of law. (It should be noted that anything not actually stated from the witness stand in a court is hearsay, however, statements can be admissible under a variety of circumstances.)

Generally, statements fall into one of two categories; inculpatory - tending to fix blame or fault personally, or on another, or exculpatory - clearing any blame - fault that is stated by fact, observation, or simple denial. The other major role of the statement is there can be no prosecution without a complainant or victim. As police, we must establish the fact that a crime was committed (sworn statement of victim).

The two most common formats for any statements are free narrative and question and answer. Generally, we will recommend free narrative as most efficient, for a variety of reasons, e.g., more concrete and specific, easier to work with, question and answer can seriously limit the prosecutor in court, etc.

Prior to taking any statement, it is wise to plan in advance. Consider the elements of matter you are dealing with, always use the exact words of the person, i.e., plain language, avoid trying to cover more than one issue, and remember, if you take a statement from someone who lies to you and says they know or saw nothing, that sworn statement can prevent them from developing a "memory" later on in court. Sworn statements are admissible to impeach the credibility of those foolish enough to lie and swear to it.

It is not necessary that a statement be sworn, however, we recommend it bear such notice, such as Section 210.45 of the New York State Penal Law, indicating false statements are punishable as a crime. At the very least, a statement should be signed before a witness.

We will outline here, the format for most statements:

Every statement should have the state, county, or municipality in the upper left hand of the page. The opening paragraph should particularly describe the person making the statement, to include name, date of birth, and place of residence, optional marital status, and place of employment.

The second paragraph can state when, where, and to whom the statement is made and what the statement is about. If the statement is a confession or admission, the third paragraph should contain the Miranda Warning, and an acknowledgement that the person knows what his rights are, understands those rights, and voluntarily waives those rights in making this statement. We

recommend that the person sign after his right, and again at the end of the statement. See example.

At this point, the statement should detail the matter at hand. This should be in plain language and in the grammar and vocabulary of the individual. Again, if a confession, try to have the person state regret or sorrow for the act.

The last paragraph should state the affiant knows the meaning of perjury, has read and/or corrected the statement, and affirms all therein is the truth to the best of his/her knowledge or recollection.

At this point, the statement should be read again, then signed before a Notary Public or Commissioner of Deeds, or at least witnessed if one of these is not available.

VOLUNTARY AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ONONDAGA

DR#: _____

I, _____ being duly sworn, state that I am _____
years of age with a date of birth of _____. I reside at _____

1. I have the right to remain silent.
2. Anything I say can be used against me in court.
3. I have the right to an attorney, to speak to him/her before I speak to you, and to have him/her with me while I speak to you.
4. If I cannot afford an attorney, I will be provided one without cost to me.
5. If I decide to talk and then change my mind, I can stop talking at any time.
6. I understand these rights and I wish to speak with you.

I am voluntarily giving this affidavit to _____
from the Onondaga County Sheriff's Department. I am giving this statement
on _____ at _____ am/pm. I am giving this at _____.

I have read this _____ page affidavit and swear that it is the truth to the
best of my knowledge and recollection. I know the meaning of perjury, it
is the telling of a lie while under oath and I know that false statements
made herein are punishable as a Class A misdemeanor pursuant to Section
210.45 of the Penal Law of the State of New York.

SIGNATURE: _____

WITNESS: _____

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 19 ____.

COMMISSIONER OF DEEDS: _____

VOLUNTARY AFFIDAVIT

STATE OF NEW YORK
COUNTY OF ONONDAGA

DR# _____

I, _____ being duly sworn, state that I am _____ years of age, with a date of birth of _____. I reside at _____.

I am voluntarily giving this affidavit to _____ from the Onondaga County Sheriff's Department. I am giving this statement on _____ at _____ am/pm. I am giving this at _____.

I have read this ___ page affidavit and swear that it is the truth to the best of my knowledge and recollection. I know the meaning of perjury, it is the telling of a lie while under oath and I know that false statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law of the State of New York.

SIGNATURE: _____

WITNESS: _____

Subscribed and sworn to before me this _____ day of _____, 19__.

COMMISSIONER OF DEEDS

DR No. _____

STATE OF NEW
COUNTY OF ONONDAGA

**I, _____, am the *owner/occupant of the premises located at

Between the hours of _____ on _____ and the hours of _____
on _____ I did not give * _____/anyone
permission to enter or remain upon said premises to commit a crime.

**I, _____, am the *owner/bailee of the following property
described below.

No permission was given to * _____/anyone to remove said property
from my care and custody or to damage or tamper with said property. The property so removed
its value or the value of any damage is as follows:

NOTE: False statements made herein are punishable as a Class A Misdemeanor pursuant to
Section 210.45 of the Penal Law of the State of New York.

AFFIRMED UNDER PENALTY OF PERJURY this
_____ day of _____, 19____

DEPONENT

*Cross out word not applicable - enter defendant's name if known.

**Draw a diagonal line through the paragraph if not applicable.

2. The Written Confession*

Discussed/Trained/Performed

A. General

Most confessed criminal offenders will, at some point in time, deny their guilt and claim that they either did not confess or that they were compelled or induced to confess by threats, promises or other illegal means. In some instances a confessor may say that he was compelled to sign a confession without being allowed to read it, or that he was forced to sign a blank sheet of paper and that all that appears above his signature was inserted later. In most cases such claims are rather easily overcome and the prosecution may even secure a conviction based upon an oral confession.

B. Written vs. Tape Recorded Confession

While the sound recorded confession is entirely legal, most prosecutors prefer the written confession. Regardless of the practical advantage attendant with the sound recorded confession, a disadvantage must be taken into account. This is, a failure to continue to tape record confessions after it has become a regular method of recording a confession, affords the defense counsel the opportunity to effectively contend that the reason no recording was made in the case of his client is due to the fact that the investigators employed methods that they could not afford to have revealed by sound recording.

C. Form of Written Confession

1. Written confessions may be prepared in the form of questions by the interrogator with answers by the confessor, or in the form of a narration by the confessor. These may be written out by hand, typed by the interrogator or taken in shorthand by a stenographer and transcribed into typewritten form (in which case the stenographic notes must be retained for record).
2. Nearly all prosecutors prefer the stenographic confession that is subsequently read to or by the confessor and signed by him. Further, most prosecutors prefer the stenographer be a female and that she also sign the confession as a witness. The reasoning for the female stenographic confession is sound in that it is likely that a jury is much less apt to believe that brutality or other illegal activity would have taken place with the female stenographer as a participant in such activity. In other words, a confession, taken and transcribed by a female stenographer is less assailable as evidence than one taken by a male interrogator or a male typist.
3. Some prosecutors prefer the question and answer format while others prefer the narrative confession. In most cases, a combination of question and answer and narrative may be the best course to pursue, whereby the preliminary and concluding aspects of the offense are elicited through specific questions from the interrogator, but the actual details of the offense are given by the confessor in narrative form. For example, the subject may be asked particular questions regarding his name, address, age, place of employment, names of persons who were with him at the time of the crime, thus leading the confessor to the crime itself, where the interrogator may then ask, "What happened then?" Thereafter,

the confessor should be permitted to narrate the details of what happened, so long as his recitation pursues in orderly fashion. If the confessor hesitates or appears to be relating events out of sequence, the interrogator can easily interpose a specific question in order to return the confessor to an orderly sequence.

D. Understandability and Readability

1. The interrogator must constantly take care to insure that the content of the confession will be easily followed and clearly understood by any subsequent reader or listener who has no independent knowledge of the occurrence and to whom, therefore, the confession's contents will be more vague and indefinite. For instance, when a subject has orally confessed to a theft, the interrogator who takes the confession knows exactly what the subject means when he says he did "it," but "it" may be totally meaningless to someone else (judge, jury, prosecutor, etc.). Indefinite words or phrases may be clarified by the interrogator interrupting the confessor and asking him a question which will clarify the uncertainty. For example, "What do you mean by 'it'?" or "By 'it,' you mean the stolen radio?"
2. Early acknowledgement of guilt in any confession tends to arouse immediate interest in the document as it clarifies at the outset that what is being read is a confession of guilt. Another advantage of early acknowledgement of guilt is that once the confessor has committed himself, he is far less likely to hesitate at continuing with details.

E. Avoid Leading Questions

1. A confession in which the interrogator has done most of the talking and the subject has merely answered "yes" or "no" lacks credibility and is less than convincing.
2. It is most important that the interrogator elicit the confessor to provide his own details of the incident. To illustrate, suppose the subject is in the process of confessing a theft in which it is a known fact that the thief carried the stolen merchandise in a box out of the stock area to a waiting automobile. The interrogator, in his effort to inquire about the method of removal of the property from the premises asks, "Then you put the merchandise in a box, took it out the back door and put it in the car, right?" The question calls for a "yes" answer on the part of the confessor, which is unconvincing to say the least. The proper questioning by the interrogator in this instance would be "then what did you do with the merchandise?" "Then what did you do with the box?"

F. Use the Confessor's Own Language

In preparing a written confession, no attempt should be made to improve or "upgrade" the language used by the subject. The document should represent his confession as told by him, and unless it does, a judge or jury may be reluctant to accept it as such.

G. Personal History Questions

In an attempt to attack the validity of his confession during his trial, a subject may allege that he only stated what he "was told to

say"- that the interrogator "put the words in my mouth." As a safeguard against this situation occurring, the interrogator should, as a matter of routine practice, interpose irrelevant type questions calling for answers to which only the confessor himself knows. For example, the name of the grade school he attended; the name of the school's principal, etc. When such accurate personal information is contained in a confession, it may be pointed to by the prosecution as evidence that the subject gave the information contained in his confession and was not merely accommodating the interrogator by repeating what he was told to say.

H. Intentional Errors

It is a sound practice to intentionally incorporate into a written confession, on each page, one or two errors such as an incorrect name of a person, place or thing which will be subject to correction by the confessor when the document is read by or to him. Any such corrections must be in the confessor's own handwriting accompanied by his initials or signature in the margin next to the correction. With any such document, it would be extremely difficult for the confessor to convince a judge or jury that he did not read the document prior to signing it.

I. Reading and Signing of the Confession

1. It is most desirable that the interrogator read aloud from a copy of the confession while the confessor follows along from the original, word for word. When the previously mentioned intentional errors are reached, the confessor, in all probability, will call the interrogator's attention to them; however, should the confessor fail to do so, the interrogator should keep the errors in mind in order to raise questions about them in such an event.
2. In addition to the placing of initials or signatures alongside corrections, the confessor should be asked to place his personal "O.K." followed by his initials or signature at the bottom of each page after the contents have been read to him. At the end of the confession, it is advisable to have the confessor write out, in his own hand, a statement to the effect: "I have read this statement of mine and it is the whole truth. I made it of my own free will, without threats or promises having been made to me by anyone." After this should appear the subject's signature.
3. The person typing the confession should not place a signature line at the end of the confession. The line indicates legalism to the confessor and he may refuse to sign the document. It still may be usable as evidence and in this case, it will appear far better without the unused signature line on it.
4. When the confession is about to be signed, the interrogator must never say, "sign here" or "here, sign this." Instead, for purely psychological reasons, the interrogator should present the document for signature by saying, "put your name here" while pointing to the appropriate place for the confessor to sign.

J. Witnesses

1. In most cases when the subject does not object to his oral confession being committed to writing, he will not object to signing it in the presence of one or more witnesses. In instances where the confessor balks at signing the confession in the presence of

witnesses, he should be allowed to sign in the presence of the interrogator only. Then, a few minutes later, the interrogator should attempt to elicit from the confessor, in front of witnesses, that the signature on the document is, in fact, his (the confessor's), and the confession is valid and voluntary.

2. A written confession need not be signed by any witnesses. It is only necessary to have one person authenticate it. That is, one person who can testify that he/she saw the confessor sign it, and to be able to further testify that the statement was read to the confessor as he (the confessor) followed the contents. All this testimony can be supplied by the interrogator himself.
3. The fact should be borne in mind that aside from the written confession and all of its various considerations, the oral confession itself is as admissible in evidence as the written confession, the primary difference being that greater weight and credibility will be given the written one.

K. One Written Confession

1. An interrogator must always seek to take as full and complete a confession as may be necessary, for evidentiary purposes. However, this does not mean that the confession must necessarily be lengthy. Most confessions can be confined to no more than a few pages, provided the interrogator is knowledgeable as to the essential requirements of a confession.
2. Should the interrogator's confession be inadequate and a second confession become necessary either by another investigator or the prosecutor, the duplication may cause trial problems in that the defense counsel may demand to see the first confession.

L. Restrict Confessions To One Crime

1. When a subject confesses to two or more crimes, separate confessions should be taken for each crime unless the crimes are so closely related that the account of one cannot be related without making reference to the other(s).
2. For much the same reasons a confession should be devoid of any reference to a previous arrest or conviction.

M. Post-Confession Interview

Most persons, after confessing crimes, are very willing to speak further with the interrogator concerning other troubles they may have. Also, very frequently a confessor is willing to discuss why he confessed, even to the extent of answering the interrogator's questions as to which technique or method employed by the interrogator injected the most impact upon his ultimate decision to confess. Such exchange following a confession provides an excellent opportunity for the interrogator to increase his knowledge and improve his skills. What the interrogator learns from the confessor can be a deciding advantage in the interrogation of other offenders. The post-confession interview has been employed with great success in the field of polygraph for many years for the purpose of technique improvement. The interrogator who does not engage in post-confession interviews is greatly restricting the growth of his technique.

The F.T.O. Sergeant shall indicate by signature below that the preceding week's block of material has been reviewed by the F.T.O. and Trainee.

Sgt. Badge #

Comments relative to this review may be recorded by the F.T.O. Sergeant, the F.T.O. or the Trainee.

The following laws will be reviewed during the ninth week of Field Training.

PENAL LAW

Article 165: Other Offenses Relating to Theft

Sect. 165.40 Criminal Possession of Stolen Property in the Third Degree

Article 170: Forgery and Related Offenses

Sect. 170.00 Definition of Terms
Sect. 170.20 Criminal Possession of a Forged Instrument Third Degree
Sect. 170.25 Criminal Possession of a Forged Instrument Second Degree
Sect. 170.27 Criminal Possession of a Forged Instrument Second Degree
Presumption
Sect. 170.30 Criminal Possession of a Forged Instrument First Degree
Sect. 170.35 Criminal Possession of a Forged Instrument No Defense

Article 205: Escape and Other Offenses Relating to Custody

Sect. 205.20 Promoting Prison Contraband Second Degree

Article 220: Controlled Substances Offenses

Sect. 220.00 Controlled Substances; definitions
Sect. 220.03 Criminal Possession of a Controlled Substance Seventh Degree
Sect. 220.25 Criminal Possession of a Controlled Substance Presumption
Sect. 220.45 Criminal Possession of a Hypodermic Instrument

Article 221: Offenses Involving Marihuana

Sect. 221.00 Marihuana Definitions
Sect. 221.05 Unlawful Possession of Marihuana
Sect. 221.10 Criminal Possession of Marihuana Fifth Degree
Sect. 221.15 Criminal Possession of Marihuana Fourth Degree

PUBLIC HEALTH LAW

Sect. 3302 Definitions
Sect. 3304 Prohibited Acts
Sect. 3310 Licenses for Manufacture or Distribution of Controlled
Substances
Sect. 3319 Distribution of Free Samples
Sect. 3320 Authorized Distribution
Sect. 3381 Sale and Possession of Hypodermic Syringes and Hypodermic
Needles
Sect. 3382 Growing of the Plant Known as Cannabis by Unlicensed Persons
Sect. 3380 Inhalation of Certain Toxic Vapors of Fumes; Sale of Glue in
Certain Cases

VEHICLE AND TRAFFIC LAW

Article 31:

- | | |
|--------------|---|
| Sect. 1192 | Driving While Intoxicated and Driving While Under
the Influence of Drugs |
| Sect 1193(A) | Refusal to submit to a breath test (pre-arrest
screening device). |
| Sect 1194 | Procedures after arrest. |

The following material will be covered during the Trainee's ninth week of Field Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date when the review took place.*

1. Narcotics*

Discussed/Trained/Performed

A. The Addict

The following examination should be performed while making an investigation of an addict or a suspected user of narcotics.

1. Examine the veins of the arms and hands very carefully. If no marks are visible, examine the calves, ankles, thighs and groin area.
2. Look for scar tissue. This will often disclose scabs and punctures not previously noted.
3. Make a close inspection of the scabbed area.
4. Press the raised areas gently and inquire about tenderness.
5. Point out blue dots over the veins. They are the result of burning a hypodermic needle with a match, supposedly to clean it. After the injection, the carbon left in the needle from the burned match is deposited under the skin.

Do not mistake a skin rash for needle marks. Rashes usually cover a round or irregular area. Needle marks follow a vein line except when injections are under the skin or intramuscular.

B. Addiction

Drug addiction is a state of periodic or chronic intoxication, detrimental to the individual and to society, produced by the repeated consumption of a drug (nature or synthetic). Addiction characteristics include:

1. An overpowering desire or need (compulsion) to continue taking the drug and to obtain it by any means.
2. A tendency to increase the dosage
3. A psychic (psychological) and physical dependence on the effects of the drug.

2. The Signs of Drug Use*

Discussed/Trained/Performed

Caution should be exercised when determining if a suspect is under the influence of a drug or narcotic. Many symptoms in the below listed symptoms can be the result of a legitimate illness or of someone taking a drug under the direction and prescription of a doctor.

- A. Heroin (Opium, morphine, codeine, demerol, etc.) How used: Needle (preferred), nasally or orally.

1. Cerebral and spinal depressant
2. Lethargic and tranquil state
3. Constricts pupils of the eyes (pinpoint in light or darkness)
4. Pulse and respiration state
5. Highly addictive
6. Tolerance develops rapidly
7. Euphoria
8. Severe withdrawal symptoms if regular use is discontinued
9. Needle marks in the fold of elbows along vein lines or scattered needle marks on the arms, back or hands, legs, between toes, etc.

B. Marihuana (Hashish)

How used: Usually smoked, can be eaten or drunk in tea form.

1. Euphoria, exaltation and dreaminess
2. Sense of; time distorted, distance distorted, vision distorted, hearing distorted
3. Unpredictable behavior
4. Loss of inhibitions
5. Hallucinations when taken in large doses
6. Burning and reddened eyes
7. Nausea and vomiting (sometimes)
8. Abnormal hunger after coming down from the intoxication
9. Odor of smoked marihuana on clothing and/or breath
10. Smell of incense in room or on clothing (used to disguise the smell of marihuana smoke)
11. Non-addictive, however, medical authorities state that there is a danger of subtle drug dependence

C. Barbituates (Seconal, Nembutal, etc.)

How used: Orally or needle

1. Sedation, drowsiness
2. Intoxication, lethargy
3. Reflexes impaired
4. Slurred speech
5. Emotionally erratic (tears or laughter/irritable or antagonistic)
6. Excessive use produces addiction with severe withdrawal symptoms

D. Amphetamines (Methamphetamine, Dexadrine, Dexamyl)

How used: Orally or needle

1. Dilation of the eye pupil
2. Hyperactivity, excitation, stimulation
3. Increased talkativeness, false bravado
4. Loss of appetite
5. Increase pulse rate
6. Dryness of mouth
7. Time and space distortion
8. Non-addictive; tolerance and drug dependence is sometimes developed

E. Hallucinogens (Lysergic Acid Diethylamide - LSD)

How used: Orally

1. Dilated pupils
2. Tremor
3. Strange ideas
4. Emotionally erratic:
 - tears or laughter
 - fear and panic
 - no emotion
 - actions which at times appear to be suicidal
 - impulsive behavior
5. Hallucinations
6. Trips last for about twelve hours
7. Sudden prolonged change of character may indicate the subject is on a trip
8. Hallucinations may occur without further use of LSD

The following material will be covered during the Trainee's ninth week of Field Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date when the review was provided.*

1. Drug Investigations*

(Ref. PDR)

Discussed/Trained/Performed

A. Identification of Drugs

1. Identification of drugs, usually is the most difficult part of the investigation. The drugs can be in a powder form, solid state (chunks) or pill or capsule form. As you gain experience, hopefully, identification will become easier.
2. There are many pills and capsules that are on the street. Some can be identified by use of a physician's desk reference (PDR). Others are of a caffeine base. These are not controlled substances.
3. The average street cop usually does not know the difference between prescription drugs and controlled substances. Depending on the circumstances of the investigation, the officer has the options of:
 - a. Taking the substance in question as contraband and having it analyzed. Place the charges after the results come back from the lab.
 - b. If the circumstances regarding the investigation provide additional probable cause that an offense is being committed, the suspect may be arrested, although the substance is not identified at the time. Some examples of suspicious acts, secreting or attempting to hide small quantities of white powder in glassine envelopes or vials, pills carried loose, not in proper container, etc.
 - c. Notify field supervisor when in doubt
 - d. S.I.U. could be contacted for assistance
 - e. E.T. or Criminalistics may be of assistance in testing or identifying.

Under no circumstances is the Deputy to test the substance by tasting, smelling, sniffing, or otherwise ingesting into the human body.

- f. Suspected controlled substances should be submitted to the lab in accordance with the procedures outlined under Property/Evidence, located in week nine of the Training Manual.

2. Felony/Misdemeanor*

Discussed/Trained/Performed

- A. A person is guilty of criminal possession of a controlled substance in the seventh degree when he knowingly and unlawfully possesses a controlled substance. This is a Misdemeanor.

- B. All other possession charges are felonies. Careful attention should be paid to weight of the substance involved as this will effect the degree of crime charged, i.e., it is not unusual for a person to have one-quarter ($\frac{1}{4}$) ounce or more of concentrated cannabis (hash)-(220.06 sub. 2 Marihuana).
- C. Weight also affects some misdemeanor charges (221.10 sub. 2 Marihuana). This section refers to 25 grams of marihuana. 25 grams is about equal to 6 packets of MacDonal'd's sugar packets.
- D. Regarding Felony charges, field supervisors and S.I.U. will be notified.

IMPORTANT: Clandestine laboratories are dangerous. Deputies should not enter them without a chemist or qualified personnel to assist. Proper investigation has to be conducted to apply for a Search Warrant.

3. Appearance in Public Under the Influence of Narcotics or a Drug other than Alcohol* _____

Discussed/Trained/Performed

- A. Upon occasion a Deputy may come into contact with a person who appears to be intoxicated by something other than alcohol. Because of this intoxication the person may be a danger to himself or others. This intoxication may be the result of drug use. For the person's own benefit and safety, you may want to take the person into custody. Weigh this decision carefully before acting. (Ref. SEct. 240.40 P.L.)

4. Clandestine Laboratories/Recognition* _____

Discussed/Trained/Performed

- A. Complaints of suspicious or unusual activity
- B. Unusual smell
- C. Unusual deliveries
- D. Unusual trash pick-ups
- E. Complaint of large water usage
- F. Notify field supervisor and SIU of your findings

5. Promoting Prison Contraband* _____
(Ref. 205.20)

Discussed/Trained/Performed

- A. Considerable research was done regarding promoting prison contraband by the Department's legal advisor. It was ascertained that all drugs including marihuana are considered contraband, but not dangerous contraband. In promoting prison contraband, the suspect can be charged with both the possession and promoting charge if appropriate.

6. The Alert Program* _____

Discussed/Trained/Performed

The Alert Program is designed to aid local police agencies in the apprehension of suspects who attempt to pass stolen, forged, or altered prescriptions in Onondaga County.

- A. Responsibilities of the Pharmacists

1. To notify the proper police agency by the use of a code
2. To detain the suspect if possible
3. To obtain a description of the suspect and his vehicle if suspect leaves
4. To retain the prescription if possible
5. To notify other pharmacies of the attempted passing of the prescription along with description and doctor's name on prescription pad.

B. Deputies Responsibilities

1. To respond as quickly and as safely as possible to detain or apprehend the suspect.
2. If suspect is present on arrival proceed as in a normal investigation
3. If suspect is not present, obtain description of suspect and vehicle if possible and broadcast a point of information
4. Obtain document in question and retain as evidence
5. Complete all necessary reports

C. The purpose of the telephone alert is to accomplish:

1. Getting the forged or altered prescription off the street
2. Enable fast response of the mobile unit
3. Quick apprehension of the suspect
4. Quick notification to all pharmacies throughout Onondaga County that a forged or altered prescription was, or was attempted to be passed

IDENTIFICATION OF THE DRUG ABUSER

No absolutes can be listed which would aid the officer in identifying the drug abuser and the drugs involved in abuse. Chemical tests which can positively identify the drugs in question are not always available; nor is the officer always in possession of the suspected drug at the time when suspicion arises and legal action is desirable. Because the drug user will go to great lengths to conceal his habit, it is important that one officer be able to recognize the outward symptoms and signs of drug abuse.

In the absence of the technical aids, the officer must be able to recognize behavior patterns and the physical and psychological symptoms characterizing a drug addict as well as the implements used to administer drugs. The following chart lists a number of the signs and symptoms of narcotics and dangerous drugs abuse.

We need to stress that all of the symptoms listed may not appear in any one instance of the abuse of a particular drug. Some of them may be evident, but it is possible that none of them will be obvious to the officer. The officer, however, should know the symptoms but he must also realize that the drug problem is so complex that even experts sometimes have difficulty making accurate diagnoses. Premature judgements in the absence of supporting evidence can be harmful to the suspect. Changes in an individual's behavior, personality, work performance and appearance may lead the officer to suspect drug abuse, but there may be other reasons responsible for these changes. Slurred speech and staggered gait may indicate either alcohol or drug abuse. If however, there is no odor of alcohol on the individual's breath, the officer has

greater reason to suspect abuse of barbituates or deliriant. When an individual wears sunglasses at inappropriate times, he maybe trying to conceal dilated or constricted pupils caused by drug abuse. However, certain eye conditions require the use of sunglasses. Tubes of airplane glue around the house might indicate that a youngster's hobby is making models. However, the smell of glue on the youngster's breath or glue smeared on handkerchiefs or in paper or plastic bags indicates drug abuse.

The officer should also learn to recognize the "works" or other equipment addicts use in the administration of narcotics and dangerous drugs. If the officer finds an unknown substance during his investigation, he should never taste it in order to make an identification.

PUBLIC HEALTH LAW - DEFINITIONS

§3302. Definitions of terms of general use in this article.

Except where different meanings are expressly specified in subsequent provisions of this article, the following terms have the following meanings:

1. "Addict" means a person who habitually uses a narcotic drug and who by reason of such use is dependent thereon.
2. "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject.
3. "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. No person may be authorized to so act if under Title VIII of the education law such person would not be permitted to engage in such conduct. It does not include a common or contract carrier, public warehouseman, or employee or the carrier or warehouseman when acting in the usual and lawful course of the carrier's or warehouseman's business.
4. "Bureau" means the Bureau of Narcotics and Dangerous Drugs, United States Department of Justice, or its successor agency.
5. "Concentrated Cannabis" means:
 - a. the separated resin, whether crude or purified, obtained from a plant of the genus cannabis; or
 - b. a material, preparation, mixture, preparation, mixture, compound or other substance which contains more than two and one-half percent by weight of delta-9 tetrahydrocannabinol, or its isomer, delta-8 dibensopyran numbering system, or delta-1 tetrahydrocannabinol or its isomer, delta-1(6) monoterpene numbering system.
6. "Controlled substance" means a substance or substances listed in section thirty-three hundred six of this chapter.
7. "Commissioner" means commissioner of health of the state of New York.
8. "Deliver" or "delivery" means the actual constructive or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.
9. "Department" means the department of health of the state of New York.
10. "Dispense" means to deliver a controlled substance to an ultimate user or research subject by lawful means and includes the packaging, labeling, or compounding necessary to prepare the substance for such deliver.
11. "Institutional dispenser" means a hospital, veterinary hospital, clinic, dispensary, maternity home, nursing home, mental hospital or similar facility approved and certified by the Department as authorized to obtain

controlled substances by distribution and to dispense and administer such substances pursuant to the order of a practitioner.

12. "Distribute" means to deliver a controlled substance other than by administering or dispensing.
13. "Distributor" means a person who distributes a controlled substance.
14. "Diversion" means manufacture, possession, delivery or use of a controlled substance by a person or in a manner not specifically authorized by law.
15. "Drug" means:
 - a. substances recognized as drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them.
 - b. substances intended for use in the diagnosis, cure, mitigation treatment, or prevention of disease in man or animals.
 - c. substances (other than food) intended to affect the structure of a function of the body of man or animal. It does not include devices or or their components, parts, or accessories.
16. "Federal controlled substances act" means the Comprehensive Drug Abuse Prevention and Control Act of 1970, Public Law 91-513¹, and any act or acts amendatory or supplemental thereto or regulations promulgated thereunder.
17. "Habitual User" means any person who is, or by reason or repeated use of any controlled substance in danger of becoming, dependent upon such substance.
18. "License" means a written authorization issued by the department or the New York State Department of Education permitting persons to engage in a specified activity with respect to controlled substance.
19. "Manufacture" means the production, preparation, propagation, compounding, cultivation, conversion or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation, compounding, packaging or labeling of a controlled substance:
 - a. by a practitioner as an incident to his administering or dispensing, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.
 - b. by a practitioner, or by his authorized agency under his supervision, for the purpose of, or as an incident to, research teaching, or chemical analysis and not for sale.
 - c. by a pharmacist as an incident to his dispensing of a controlled substance in the course of his professional practice.

20. "Marihuana" means all parts of the plant of the genus cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.
21. "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination or extraction and chemical synthesis:
 - a. opium and opiate, and any salt, compound, isomer, derivative, or preparation of opium or opiate.
 - b. any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subdivision (a), but not including the isoquinoline alkaloids of opium.
 - c. Opium poppy and poppy straw.
23. "Opium poppy" means the plant of the species papaver somniferum L., except its seeds.
24. "Person" means individual, institution, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.
25. "Poppy straw" means all parts, except seeds, of the opium poppy, after mowing.
26. "Pharmacy" means any place registered as such by the New York State board of pharmacy and registered with the Bureau pursuant to the federal controlled substances act.
27. "Pharmacist" means any person licensed by the state department of education to practice pharmacy.
28. "Practitioner" means a physician, dentist, podiatrist, veterinarian, scientific investigator, or other person licensed, or otherwise permitted to dispense, administer or conduct research with respect to a controlled substance in the course of a licensed professional practice or research licensed pursuant to this article. Such person shall be deemed a "practitioner" only as to such substances, or conduct relating to such substances, as is permitted by his license, permit or otherwise permitted by law.
29. "Prescribe" means a direction or authorization, by prescription, permitting an ultimate user lawfully to obtain controlled substances from any person authorized by law to dispense such substances.

30. "Prescription" shall mean an official New York State prescription, a written prescription, an oral prescription, or any one.
31. "Registration number" means such number assigned by the Bureau to any person authorized to manufacture, distribute, sell dispense or administer controlled substances.
32. "Sell" means to sell, exchange, give or dispose of to another, or offer or agree to do the same.
33. "Ultimate user" means a person who lawfully obtains and possesses a controlled substance for his own use or the use by a member of his household or for an animal owned by him or in his custody. It shall also mean and include a person designated, by a practitioner on a prescription, to obtain such substance on behalf of the patient from whom such substance is intended.

[Added L.1972, c.878, §2; amended L.1973, c.163, §§1-3.] [¹21 U.S.C.A. §801 et seq.]

§3304. Prohibited Acts

- A.
 1. It shall be unlawful for any person to manufacture, sell, prescribe, distribute, dispense, administer, possess, have under his control, abandon, or transport a controlled substance except as expressly allowed by this article.
 2. It shall be unlawful for any person to possess or have under his control an official New York state prescription form except as expressly allowed by this article. (Eff. 9/1/81, Ch.547.L.1981)
- B. It shall be unlawful for any physician practicing medicine as defined in section sixty-five hundred twenty-one of the education law to prescribe, dispense or administer any amphetamines or sympathomimetic amine drug or compound thereof, designated as a schedule II controlled substance pursuant to section thirty-three hundred six of this article for the exclusive treatment of obesity, weight control or weight loss. A violation of the provisions of this subdivision shall not be grounds for prosecution under article two hundred twenty of the penal law. (Eff. 9/1/81, Ch.795,L.1981)

TITLE II - MANUFACTURE AND DISTRIBUTION OF CONTROLLED SUBSTANCES

§3310. Licenses for Manufacture or Distribution of Controlled Substances

1. No person shall manufacture or distribute a controlled substance in this state without first having obtained a license to do so from the Department. (Remainder of Section not reproduced.)

§3319. Distribution of Free Samples

It shall be unlawful to distribute free samples of controlled substances, except to persons licensed pursuant to Title III of this article.

[Added L.1972,c.878,§2]

§3320. Authorized Distribution

1. Controlled substances may be lawfully distributed within this state only to licensed distributors or manufacturers, practitioners, pharmacists, pharmacies, institutional dispensers, and laboratory, research or instructional facilities authorized by law to possess the particular substance distributed.
2. A person authorized to obtain a controlled substance by distribution may lawfully receive such substance only from a distributor licensed pursuant to this article.
[Added L.1972,c.878,§2]

TITLE III - RESEARCH, INSTRUCTIONAL, ACTIVITIES, & CHEMICAL ANALYSIS
RELATING TO CONTROLLED SUBSTANCES

TITLE IV - DISPENSING TO ULTIMATE USERS

§3330. Schedule I Substances

No prescription may be made or filled for any controlled substance in Schedule I nor may such substances be possessed, distributed, dispensed or administered except pursuant to Title III of this article.

TITLE VII - OFFENSES, VIOLATIONS AND ENFORCEMENT

§3380. Inhalation of Certain Toxic Vapors of Fumes; Sale of Glue in Certain Cases

1. As used in this section the phrase "glue containing a solvent having the property of releasing toxic vapors or fumes" shall mean and include any glue, cement, or other adhesive containing one or more of the following chemical compounds; acetone, cellulose acetate, benzene, butyl alcohol, ethyl alcohol, ethylene dichloride, ethylene trichloride, isopropyl alcohol, methyl alcohol, methyl ethyl ketone, pentachlorophenol, petroleum ether, touene or such other similar material as the commissioner shall be regulation prescribe.

2. No person shall, for the purpose of causing a condition or intoxication, inebriation, excitement, stupefaction, or the dulling of his brain or nervous system, intentionally smell or inhale the fumes from any glue containing a solvent having the property of releasing toxic vapors or fumes; provided that nothing in this section shall be interpreted as applying to the inhalation of any anesthesia for medical or dental purposes.
3. No person shall, for the purpose of violating subdivision two, use, or possess for the purpose of so using, any glues containing a solvent having the property of releasing toxic vapors or fumes.
4. No person shall sell, or offer to sell, to any other person any tube or other container of glue containing a solvent having the property of releasing toxic vapors or fumes:
 - a. If he has knowledge that the product sold, or offered for sale, will be used for the purpose set forth in subdivision two of this section;
 - b. Unless there has been added to such glue a sufficient quantity of an additive, approved by the commission, which shall act as a deterrent to inhalation, and not be harmful or toxic to the human body. This provision shall not apply to glue manufactured and sold for industrial use.
5. a. Any person who violates any provision of subdivisions two or three of this section shall be guilty of an offense and upon conviction thereof shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than five days, or by both such fine and imprisonment.
 - b. Any person who violates any provision of subdivision four of this section shall be guilty of a Class A Misdemeanor.
[Added L.1972,c.878,§2: Amended L.1972,c.880,§1]

§3381. Sale and Possession of Hypodermic Syringes and Hypodermic Needles

1. It shall be unlawful for any person to sell or furnish to another person or persons, a hypodermic syringe or hypodermic needle except:
 - a. pursuant to a written prescription of a practitioner;
 - b. to persons who have been authorized by the commissioner to obtain and possess such instruments.
2. It shall be unlawful for any person to obtain or possess a hypodermic syringe or hypodermic needle unless such possession has been authorized by the commissioner or is pursuant to a written prescription.
3. Any person selling or furnishing a hypodermic syringe or hypodermic needle pursuant to prescription, shall record upon the face of the prescription, over his signature, the date of the sale or furnishing of the hypodermic syringe or hypodermic needle. Such prescription shall be retained on file for a period of five years and be readily accessible for inspection by a public officer or employee engaged in the enforcement of this section. Such prescription may be refilled not more than the number of times specifically authorized by the prescriber upon the prescription, provided however no such authorization shall be

effective for a period greater than two years from the date of the prescription is signed.

4. The commissioner shall designate persons, or by regulation, classes of persons who may obtain hypodermic syringes and hypodermic needles without prescription and the manner in which such transactions may take place and the records thereof which shall be maintained.

[Added L.1972,c.878,§2: amended L.1973,c.163,§20]

§3382. Growing of the Plant known as Cannabis by Unlicensed Persons

A person who, without being licensed so to do under this article, grows the plant of the genus cannabis or knowingly allows it to grow in his land without destroying the same, shall be guilty of a Class A Misdemeanor.

[Added L. 1972,c.878,§2]

Controlled Substances: Uses and Effects

	Drugs	Schedule*	Often Prescribed Brand Names	Medical Uses	Dependence Physical
Narcotics	Opium	II	Dover's Powder, Paregoric	Analgesic, antidiarrheal	High
	Morphine	II	Morphine	Analgesic	High
	Codeine	II III V	Codeine	Analgesic, antitussive	Moderate
	Heroin	I	None	None	High
	Meperidine (Pethidine)	II	Demerol, Pethadol	Analgesic	High
	Methadone	II	Delophine, Methadone, Methadose	Analgesic, heroin substitute	High
	Other Narcotics	I II III V	Dilaudid, Loritine, Numorphan, Percodan	Analgesic, antidiarrheal, antitussive	High
Depressants	Chloral Hydrate	IV	Noctec, Somnos	Hypnotic	Moderate
	Barbiturates	II III IV	Amytal, Butisol, Nembutal, Phenobarbital, Seconal, Tuinal	Anesthetic, anti-convulsant, sedation, sleep	High
	Glutethimide	III	Doriden	Sedation, sleep	High
	Methaqualone	II	Optimil, Prorest, Quaalude, Somnatac, Sopor	Sedation, sleep	High
	Meprobamate	IV	Equanil, Meprospan, Milltown Kesso-Bamate, SK-Bamate	Anti-anxiety, muscle relaxant, sedation	Moderate
	Other Depressants	III IV	Dormate, Noludar, Placidyl, Valmid	Anti-anxiety, sedation, sleep	Possible
Stimulants	Cocaine†	II	Cocaine	Local anesthetic	Possible
	Amphetamines	II III	Benzedrine, Biphedamine, Desoxyn, Dexedrine	Hyperkinesis, narcolepsy, weight control	Possible
	Phenmetrazine	II	Pretudin	Weight control	Possible
	Methylphenidate	II	Ritalin	Hyperkinesis	Possible
	Other Stimulants	III IV	Bacarate, Cylert, Didrex, Ionamin, Plegine, Pondimin, Pre-Sate, Sanorex, Voramil	Weight control	Possible
Hallucinogens	LSD	I	None	None	None
	Mescaline	I	None	None	None
	Psilocybin-Psilocyn	I	None	None	None
	MDA	I	None	None	None
	PCP‡	III	Sernylan	Veterinary anesthetic	None
	Other Hallucinogens	I	None	None	None
Cannabis	Marihuana Hashish Hashish Oil	I	None	None	Degree unknown

Potential: Psychological	Tolerance	Duration of Effects (in hours)	Usual Methods of Administration	Possible Effects	Effects of Overdose	Withdrawal Syndrome
High	Yes	3 to 6	Oral, smoked	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, chills and sweating, cramps, nausea
High	Yes	3 to 6	Injected, smoked			
Moderate	Yes	3 to 6	Oral, injected			
High	Yes	3 to 6	Injected, sniffed			
High	Yes	3 to 6	Oral, injected			
High	Yes	12 to 24	Oral, injected			
High	Yes	3 to 6	Oral, injected	Slurred speech, disorientation, drunken behavior without odor of alcohol	Shallow respiration, cold and clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Moderate	Probable	5 to 8	Oral			
High	Yes	1 to 16	Oral, injected			
High	Yes	4 to 8	Oral			
High	Yes	4 to 8	Oral			
Moderate	Yes	4 to 8	Oral			
Possible	Yes	4 to 8	Oral	Increased alertness, excitation, euphoria, dilated pupils, increased pulse rate and blood pressure, insomnia, loss of appetite	Agitation, increase in body temperature, hallucinations, convulsions, possible death	Apathy, long periods of sleep, irritability, depression, disorientation
High	Yes	2	Injected, sniffed			
High	Yes	2 to 4	Oral, injected			
High	Yes	2 to 4	Oral			
High	Yes	2 to 4	Oral			
Possible	Yes	2 to 4	Oral			
Degree unknown	Yes	Variable	Oral	Illusions and hallucinations (with exception of MDAI); poor perception of time and distance	Longer, more intense "trip" episodes, psychosis, possible death	Withdrawal syndrome not reported
Degree unknown	Yes	Variable	Oral, injected			
Degree unknown	Yes	Variable	Oral			
Degree unknown	Yes	Variable	Oral, injected, sniffed			
Degree unknown	Yes	Variable	Oral, injected, smoked			
Degree unknown	Yes	Variable	Oral, injected, sniffed			
Moderate	Yes	2 to 4	Oral, smoked	Euphoria, relaxed inhibitions, increased appetite, disoriented behavior	Fatigue, paranoia, possible psychosis	Insomnia, hyperactivity, and increased appetite reported in limited number of individuals

The following material will be covered during the ninth week of the Trainee's Field Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date the review took place.*

1. The Handling and Submission of Evidence and Property*

Disc/Trained/Performed

Section 450.10 of the Penal Law governs the release of Recovered Stolen Property.

Definitions

- a. Evidence - material or property of a probative nature which, when linked with proper testimony, would tend to prove or disprove a point of fact.
- b. Property - all items of either monetary or personal value to be held in safekeeping until returned to owner or otherwise properly disposed of.
- c. Legal seal - a unique seal placed on any container which prevents contamination of evidence therein and will readily reveal any alteration or tampering of the seal or intrusion into the container itself. The seal must show date and time, as an integral part of the seal, along with the initials and badge number of the person sealing the evidence.

A. Kinds of Evidence/Property

1. Found property with known owner
2. Found property with civilian finder
3. Found property by police
4. Property held for safekeeping
5. Property belonging to defendant
6. Recovered stolen property with a criminal action pending
7. Recovered stolen property with a criminal action completed
8. Recovered stolen property with no criminal action forthcoming
9. Perishable property
10. Instruments
11. Firearms
12. Evidence without an owner; i.e., rape kits, paint chips, plaster cast, etc.
13. Evidence with an owner; i.e., tools, clothes, vehicles, etc.
14. Impounded vehicles
15. Alcoholic beverages recovered as a result of an illegal sale
16. Alcoholic beverages recovered from persons under 18 years of age
17. Alcoholic beverages recovered from persons over 18 years of age
18. Property of deceased
19. Fireworks

B. Personal Property of Arrested Persons

1. The arresting Deputy is responsible for the personal property of all arrested persons until such time as he/she is booked.

2. Upon booking the person, the booking officer becomes responsible for all personal property taken from the prisoner.
3. If the prisoner is able, he/she shall be present while the searching officer and the booking officer examines their property.
4. The booking officer may return articles essential for personal convenience and health to the arrested person. Such returned articles shall not include potential weapons.
5. Articles from the prisoner's property to be taken and booked as evidence shall be identified in the police investigation report and on an Evidence/Property Receipt.
 - a. The white and yellow copies of the Evidence/Property receipt will accompany all evidence or property unless stated differently elsewhere in this directive.

C. Submission of Evidence/Property

1. The Evidence/Property receipt form shall be used for documentation of all evidence and property collected or received by members of the department. It will also serve as the official crime laboratory request form for evidence submitted to the Criminalistics Unit for examination. All items are to be individually itemized on the form. If additional space is needed use additional Evidence/Property receipts.
2. No Deputy shall accept evidence or property from another Deputy unless and until the Evidence/Property receipt is properly completed along with a consistent chain of custody and the evidence or property is properly packaged and labeled as indicated in this training guide.
3. All Evidence/Property that is intended for the evidence intake unit or Criminalistics Unit, must be secured in the clear plastic bags provided when practical.
4. The size of the bag will not be altered in anyway.
5. Prior to sealing the clear plastic bag, a blue Evidence/Property card must be completed in its entirety and put inside the bag.
6. Once sealed, the member will use the black marker provided and put his initials, badge number, date and time sealed, above the sealed portion of the bag, not over the seal.
7. An electric sealing machine is provided in the report writing room for the sealing of bags. The machine is to be applied to the bag for no longer than three (3) seconds nor set any higher than one quarter ($\frac{1}{4}$) turn of the knob.
8. All Evidence/Property that will not fit in the clear plastic bag will have a completed manila card affixed to it (see sample)

9. Place the Evidence/Property in either an evidence locker or property locker depending on the purpose for recovering the item(s).
10. If the item(s) is too large for the locker, it may be turned in directly to the Criminalistics/Property Unit during normal duty hours of the Criminalistics/Property Unit.
11. During the hours t the criminalistics/property unit is not on duty, the Deputy who recovered the Evidence/Property is responsible for its safe keeping.
12. He/she must safeguard the item(s) in a secure place, NOT alongside the outside of the lockers. He/she may keep the item(s) in their possession in order to safeguard them.
13. If the Deputy keeps the item(s) in his/her possession, note the information in the report and notify field supervisor.

D. Disposal of Evidence/Property

1. The investigating Deputy will note on the bottom of the Evidence/Property receipt under Remarks/Special instructions, that the property can be
 - a. released (returned to owner, etc.)
 - b. destroyed:
If this information is known at the time he submits the Evidence/Property.
2. If status of the Evidence/Property changes at a later time he/she will complete a Property Release form upon notification or request by the Criminalistic/Property Unit. (See Sample)
3. The Criminalistics/Property Unit will have the sole responsibility for sending the Application for Release of Property to the property owner.
4. The Criminalistics/Property Unit will have the sole responsibility for sending the Application for Release of Property to the District Attorney's Office on other evidence.
5. On impounded vehicles, the release of said vehicles will be on a case by case basis, but in general, if the vehicle is confiscated because of an arrest, an Application for Release of Evidence will be sent to the vehicle owner by the Criminalistics/Property Unit.
6. The Criminalistics/Property unit will insure all evidence/property is disposed of according to set procedures.

E. Perishables

1. If item(s) are recovered stolen property, have item(s) photographed and return item(s) to owner with instructions to keep item(s) stored in one section of cooling unit until they are contacted by the District Attorney's office or the Criminalistics/Property Unit. The white copy

of the evidence/property receipt is to stay with the property. The yellow copy is to be forwarded to the Criminalistics/Property Unit.

2. If perishables are found property, no crime involved, and owner is known, return item(s) to owner. If owner is not known, have finder secure item(s) in their cooling unit until contacted by the Criminalistics/Property Unit. Leave the white copy of the evidence/property receipt with the property, and forward the yellow copy to the Criminalistics/Property Unit. Keep pink copy with the report.

F. Monies

1. All monies are to be removed from wallets, clothing and other like containers when possible, and secured separately in a clear plastic bag, following the procedures set forth for the submission of evidence/property.

- a. wallet and papers in one bag
- b. money in a second bag

- G. Time limit for found property before it can be given to finder, including money.

\$ 1 to \$ 100	3 months and 10 days
\$ 101 to \$ 500	6 months and 10 days
\$ 501 to \$5,000	1 year and 10 days
\$5,000 and up	3 years and 10 days

H. Long guns and handguns

1. All handguns recovered by any member of this department for any reasons, are to be submitted to the Criminalistics Unit to be test fired. Each handgun is to be packaged as evidence and readily marked if loaded.
2. Long guns (rifles and shotguns) are to be submitted to the Criminalistics Unit when of an evidentiary nature only (i.e., when used during a crime, to facilitate a crime, as the means of a suicide or attempted suicide or when confiscated because of illegal possession). Mark type of case on Evidence/Property receipt.
3. Long guns taken for safekeeping need not be submitted to this Unit and should go directly to property.
4. Any weapon recovered and submitted to the Criminalistics Unit should be complete. Any magazines, clips, ammunition, bolts, or actions necessary to fire the weapon should be submitted with the weapon when possible.
5. Any firearm being held by this department which is subject to examination or test fire will not be released until that examination is complete.

The following training material will be covered during the ninth week of the Trainee's period of field training and evaluation. The F.T.O. who provides the review of the material shall note his/her initials, badge number and date when the review took place.*

1. Drunk Driving Arrest*

Discussed/Trained/Performed

- A. Review V&T Law, Sect. 1192, 1193, 1193a, 1194, 1195
- B. The most recent studies by the National Safety Council tell us that alcohol is involved in more than half of all traffic collisions. When we look at traffic collisions involving injuries or death, we find that alcohol was a factor 89% of the time. If drunk drivers are involved in that high a percentage of all collisions, those collisions seem to be more probable than accidental.
- C. Driving safely requires certain minimum levels of coordination, vision, reflex action and judgement. Alcohol impairs all of these functions. The degree of impairment depends on several factors, including the rate at which the alcohol was consumed, the person's general health and when the person last ate or slept. Experiments with racing drivers have shown that no matter how skillfully a person can drive when sober, driving skills will deteriorate as blood-alcohol level rises.
- D. A drunk driver, although possibly well intentioned, is a criminal driver. It is your responsibility, as a Deputy Sheriff, to be able to recognize and arrest the drunk driver, gather and record evidence of the crime, and present that evidence to the District Attorney for prosecution.
- E. The information needed for the arrest and prosecution of drunk drivers.
 - 1. driving observations
 - 2. objective symptoms of intoxication
 - 3. analyzed evidence
 - 4. statements

2. Driving Observations*

Discussed/Trained/Performed

The first category of evidence, driving observations, are simply the actions of the driver which attracted your attention in the first place. The driver may have been driving too fast, pulled out of a parking space without looking, made an unsafe lane change, or failed to stop for a red light. Any of these actions give you probable cause to make a traffic stop. Typical actions of a drunk driver are: using excessive caution, stopping way short of the limit line, straddling lane dividers, illogical variations in speed and poorly executed turning movements.

3. Objective Symptoms*

Discussed/Trained/Performed

The driver's speech may be thick or slurred, face may be flushed, odor of alcoholic beverage on breath and eyes may be glassy or bloodshot. If you observe any of these symptoms ask the driver to get out of the car and take a Field Coordination Test (F.C.T.). The F.C.T. is not a legal requirement. The driver has the right to refuse to perform it, although very few people do refuse. If the driver is very drunk, and has difficulty walking or maintaining balance while standing there talking with you, it's not necessary to perform the Field Coordination Test. In that case, just record your observations of the driver's actions in your incident report. The F.C.T. should be performed on a level surface with adequate lighting. You must explain, and demonstrate to the driver, each part of the test. Keep officer safety in mind.

4. Basic Coordination Tests are Balance, Walk Line and Nose Tests*
Disc/Trnd/Prf
- A. On the balance test the feet must be together, arms at sides, eyes closed and head tilted back. This position should be maintained for 15 seconds. In this test, look for any significant swaying motions, side to side, or rocking back and forth. The driver must keep eyes closed during this test.
 - B. On the walk line test use a straight line of some sort. Have the driver take six steps, touching the heel of the leading foot to the toe of the following foot. Each step must be on the line. In this test, the driver must touch heel to toe with each step, and each step must be on the line. If the driver takes tentative, testing steps, or excessively slow steps it's a good indication of being intoxicated. Also, pay attention to the ability to make the turning movement without stumbling or losing balance. Have the driver count, outloud, the steps as he/she takes them.
 - C. The nose test is performed standing with the feet together, the head tilted back slightly and the eyes closed. At your command, the driver touches the tip of his/her nose. A failing performance on this test would be touching the side or top of the nose, touching the upper lip, or any other part of the face. The driver must keep the eyes closed throughout the test and use the hand you have instructed him/her to use, each time. Keep safety of suspect in mind.
 - D. If the driver has an infirmity which makes it difficult to walk and balance normally you may ask for a recitation of the alphabet or count backwards from 20 to 1.
 - E. If the driver fails to perform any one of the coordination tests, you have reasonable cause to believe the driver is under the influence of alcohol. Some of the general symptoms of intoxication which are commonly seen during the Field Coordination tests are; the driver attempting to perform all three at the same time, or not comprehending what it is that's required or perhaps asking you repeatedly to demonstrate it again, and thus stalling for time to sober up.

- F. The Deputy should make note in his/her report on the ability of the suspect driver to comprehend the instructions as well as the ability to perform the tasks assigned.
- G. Upon completing the field coordination tests, if doubt still exists as to the intoxication of the suspect driver, the pre-arrest screening device (alco-sensor) can be used.
- H. The Deputy, at his/her discretion, may elect to use the pre-arrest screening device (alco-sensor).

5. Arrest and the Implied Consent Law*

Discussed/Trained/Performed

- A. When you have established reasonable cause, tell the driver he/she is under arrest for driving under the influence of alcohol. Advise him/her of the D.W.I. Warning and Implied Consent Law. (1194-1)
- B. Implied consent requires that every driver who has been placed under arrest for drunk driving, to submit to a chemical test to determine the alcoholic content of the blood.
- C. The chemical test to be given will be determined by the arresting Deputy. If the defendant refuses to submit to a test or fails to complete a test, a New York State Refusal Form will be completed.

6. Analyzed Evidence*

Discussed/Trained/Performed

- A. If blood is to be drawn from the defendant, take him/her to any hospital's Emergency Room (except Veterans). The hospital will make a record of the driver's visit just as they would with any patient. You will sign the hospital's authorization form requesting the hospital to draw blood.
- B. The defendant may be required to complete a hospital form giving his/her authorization. If the defendant should refuse to sign this authorization, and the hospital in turn refuses to take a blood sample, this constitutes a refusal.
- C. If a blood sample is obtained, record the date and time and physicians or nurse taking the sample. Properly fill out the lab request and seal the blood vial.
- D. Blood vials are provided by this Department and are obtained from Patrol Supervisors or Evidence Technicians.
- E. If a urine test is administered, it can be obtained at Headquarters. Two samples are necessary and must be taken within thirty minutes of one another. Each sample is individually marked and the process of securing them is the same as securing blood. Urine jars (1 pt. Mason Jars) are obtained from the Watch Commander's office, the Report Writing Room, or the Sheriff's Department District Stations.

- F. Remember, the dignity of the individual giving the urine sample must be maintained, but to insure that you obtain an undiluted urine sample, a Deputy of the same sex of the arrestee must accompany the driver into the restroom.
- G. A urine sample obtained from a female may be obtained at Booking with the aid of a Jail matron.
- H. The breath test may be administered by any New York State Health Department certified operator in the Sheriff's Department. The test must be given on the appropriate testing device that the operator is certified for and will be given on Sheriff's Department equipment.
- I. If a Breath Test is to be given, the driver is not allowed to smoke, chew or eat anything twenty minutes prior to the test. It may interfere with obtaining an accurate reading. The Breathalyzer will give you a reading of the driver's blood alcohol level expressed as a percentage of the total volume of blood.
- J. The operator will give you a copy of the results of the test along with a copy of the work sheet which will be submitted with your report.
- K. A D.W.I. Report/Supporting Deposition form shall be completed.

7. Presumptive Limits*

Discussed/Trained/Performed

- A. The Vehicle and Traffic Law established as a matter of law, certain presumptive limits for evaluating, as evidence, the results of a chemical analysis of a person's blood, breath or urine. The limits established may be used in a trial or preliminary hearing. In other words, if a person's blood has a quantity of alcohol in it equal to, or surpassing the limits set by law, then that person is presumed to be under the influence of an intoxicating beverage.
 - 1. .00% to less than .05%--prima facie evidence that the ability of such person to operate a motor vehicle was not impaired by the consumption of alcohol and that such person was not in an intoxicated condition.
 - 2. .05% but no more than .07%--prima facie evidence that such person was not in an intoxicated condition, but such evidence shall be relevant evidence but shall not be given prima facie effect in determining whether the ability of such person to operate a motor vehicle was impaired by the consumption of alcohol.
 - 3. .07% but less than .10%--shall be prima facie evidence that such person was not in an intoxicated condition, but such evidence shall be given prima facie effect in determining whether the ability of such person to operate a motor vehicle was impaired by the consumption of alcohol.

8. What constitutes a Refusal*

Discussed/Trained/Performed

- A. What if the driver refuses the chemical test? Let us determine what constitutes a refusal. You have placed the driver under arrest for D.W.I. and you read him/her the D.W.I. warning. If he/she refuses to speak and make a decision then that is a refusal. If he/she wants to take all three tests or have his attorney or personal physician administer the test, then that is a refusal.
- B. If blood is to be drawn and the defendant fails to sign the required hospital authorization, then this is a refusal.
- C. If the defendant agrees to take a breath test but upon taking the test he attempts to deceive the instrument or the operator by failing to give a proper breath sample, then this is a refusal.
- D. Due to the driver's intoxicated condition, the D.W.I. warning may have to be further explained to him/her for their comprehension.
- E. The defendant has the right to contact his/her attorney before making his/her decision as to whether or not they will submit to the chemical test. The defendant is ultimately responsible to make the decision if an attorney cannot be contacted.
- F. If the defendant refuses, but changes his/her mind while still in custody, before the two hour time limit expires, the test should be administered if possible.
- G. Remember, you have two hours from the time of the arrest to administer the test. Be aware that some defendants may purposely attempt to delay you by failing to make a decision within a timely fashion.

9. Refusal to Submit to a Chemical Test*

Discussed/Trained/Performed

- A. Should a defendant refuse a chemical test, immediate arraignment should be considered, but it is not an absolute necessity. Keep in mind that the purpose of the arraignment is to temporarily suspend the defendant's license so that he/she no longer has the privilege to drive until the issue is decided at D.W.I. hearing or in the Courts.
- B. Complete Refusal Form (4 copies)
 - 1. Note direction on form as to distribution.
 - 2. Complete other paperwork as needed (Accident Report, Arrest Report, and D.W.I. Supporting Deposition and other statements as necessary).

10. D.W.I. - Accident

- A. In addition to the information and evidence (pre-arrest screening, coordination tests, observations, etc.) collected to substantiate a D.W.I. case, the following information and documents are necessary:

1. How did you determine that the defendant was the operator?
 - a. Verbal admission by the defendant. Note statements made by the defendant verbatim and include in report.
 - b. Observed behind wheel upon arrival.
 - c. If observed behind the wheel by others, obtain statements.
2. Ascertain if defendant made admission to operating to others at scene (i.e., fire, rescue or ambulance personnel). If so, obtain statements.
3. Look for consistency of injury to damage on vehicle (i.e., lacerated forehead, broken or cracked windshield with blood or hair in the damaged area).
 - a. Summon E.T. to photograph and collect evidence.

The following material will be covered during the ninth week of the Trainee's Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date the review took place.*

1. Bad Checks*

Discussed/Trained/Performed

- A. Upon arrival the Deputy should determine if in fact a crime did occur (i.e., insufficient funds, post date, stop payment.) Ref. 190.05 P.L.
- B. Knowledge of the following terms will prove beneficial in determining if a crime was committed:
 - 1. Drawer-primary obligator-one who draws-maker of the check
 - 2. Drawee-the bank
 - 3. Dishonor-refuses to pay
 - 4. Pass-being a payee presents to a third person
 - 5. Payee-person check made out to (pay to the order of) First Holder
 - 6. Post dated-dated at a later date
 - 7. Utter-drawer delivers or causes it to be delivered to payee
- C. Post dated check; is not a "bad check" but a promissory note, holder is not entitled to present it or to demand payment (Civil matter).
- D. Delivery: means more than making, drawing or uttering of a check and involves receipt of the check by the payee.
- E. Protest: Formal declaration in writing executed by a notary to the effect that a check was presented at a certain time and place.
- F. Certificate of protest: is presumptive evidence of insufficiency of drawer's funds at time of utterance.
- G. Stopped payment: not a criminal matter but a civil matter.
- H. Dishonored check: A check is dishonored when the drawee (bank returns the check to the payee or holder in due course [third party]). Upon this dishonor defendant has a defense if full payment is made within 10 days.

2. Investigative Steps*

Discussed/Trained/Performed

- A. Determine if in fact a crime did occur (i.e., insufficient funds, post dated, stop payment, etc.).
- B. Examine check. Determine if it has been protested.
- C. Determine reason for protest.
- D. Check must be dated.
- E. If post-dated it becomes a promissory note and the incident is now a civil matter.

- F. If check has been protested secure certificate of protest. Issue property receipt.
- G. Determine who accepted the check.
- H. Obtain a deposition from that person.
- I. Deposition should be a description of the perpetrator, what was purchased or if cash was received.
- J. The police report must contain the same information.
- K. The deposition must contain the efforts made by the victim to collect the funds due prior to applying for a warrant.

3. Restitution*

Discussed/Trained/Performed

- A. The Sheriff's Department does not act as a collection agency.
- B. If the initial investigation reveals that the victim's primary concern is restitution refer to the following:
 - 1. Their own attorney
 - 2. The Onondaga County District Attorney's Victim, Witness Assistance Center
 - a. Advise the victim that the D.A. office then sends out a form letter to the drawer of the check, advising the drawer of the complaint and that if payment is not received by the victim within ten (10) days the victim may commence criminal action.
 - b. The D.A.'s office does not follow-up the letter. If no payment is received by the victim, the victim must then contact the original police department if criminal prosecution is desired.
 - c. At no time should a Deputy contact the drawer of the check requesting the drawer to make payment to the complainant. (Ref. Duty Manual Sect. 5.25)

4. Form and Content Bad Check Information*

Discussed/Trained/Performed

- A. ...said defendant did commit the misdemeanor of issuing a bad check, contrary to the provisions of Section 190.05 intentionally and knowingly and unlawfully as a representative drawer, he utters a check, knowing that he does or his principal, as the case may be, does not then have sufficient funds with the drawee, to cover it and he intends or believes at the time of utterance, payment will be refused by the drawee upon presentation and payment is refused by the drawee upon presentation.
- B. To Wit: The accused did utter a check # _____ in his account, drawn on _____ Bank, dated _____, in the amount of _____ signed _____, whereby the

accused did receive property or cash in the amount of said check. The check was presented for payment and payment was refused by the drawee, reason _____.

- C. The above is based on information and belief (*and my own personal knowledge), source of information and grounds for belief being the (*attached deposition or affidavit), the certificate of protest verifying at the time of utterance, the drawer did not have sufficient funds upon deposit, to cover the check, and the check being signed by the drawee upon presentation (*strike all words not applicable).

5. Common Scheme* _____

Discussed/Trained/Performed

- A. One victim/complainant when a complainant (i.e., store) receives numerous checks by the same drawer, one information may be used listing dates/times etc., and charging numerous counts of 190.05 (number of check)reference to total amount and larceny (see below).
- B. Petit Larceny - Grand Larceny : Since certificate of protest is presumptive evidence that a check was dishonored, but is not presumptive evidence of insufficiency of drawer's funds at time of utterance; the larceny should be be charged.
- C. If the Deputy determines that the total amount of the check(s) exceeds \$250.00 the case should be forwarded to the Criminal Investigation Section since the bank records would have to be subpoenaed (showing insufficiency at utterance) or if common scheme numerous checks different victims T.O.T. to C.I.S.

Securing of checks and certificates of protest - on any investigation the check and certificate should be secured and a property receipt issued, some judges want the check and certificate turned over to them. If they do not, turn in to Criminalistics/Property Unit according to procedure.

6. Forgeries* _____

Discussed/Trained/Performed

The check should be secured and turned over to the property room. Do not turn in to the lab since other tests may be necessary prior to latent examination.

7. Third Party Checks* _____

Discussed/Trained/Performed

- A. If the complaint is in reference to the passing of the check, that being a third party check - the payee endorses the check and negotiates it with the complainant, then to commence criminal prosecution against the passer, it would have to be shown that he had knowledge that the drawer had insufficient funds with the drawee (the bank) to cover, and he intends or believes at the time the check is passed, that payment will be refused by the drawee on presentation.

The F.T.O. Sergeant shall indicate by signature below that the preceding week's block of material has been reviewed by the F.T.O. and Trainee.

Sgt. Badge #

Comments relative to this review may be recorded here by the F.T.O. Sergeant, the F.T.O. or the Trainee.

The following laws will be reviewed during the tenth week of Field Training.

C.P.L. LAW

Article 60: Rules of Evidence and Related Matters

Sect. 60.20	Rules of Evidence; testimonial capacity; evidence given by children
Sect. 60.22	Rules of Evidence; corroboration of accomplice testimony
Sect. 60.35	Rules of Evidence; Impeachment of own witness by proof of prior contradictory statement
Sect. 60.45	Rules of Evidence; Admissibility of statements of defendants
Sect. 60.50	Rules of Evidence; Statements of defendants, corroboration

NOTE WELL: IT IS IMPORTANT TO REMEMBER THAT WE ARE BOUND BY TWO KINDS OF LAW:
STATUTORY AND CASE LAW.

The following is intended as a general overview of Federal and New York Case Law with respect to taking testimonial evidence.

Article 140: Arrest Without a Warrant

Sect. 140.50	Temporary questioning of persons in public places: Searches for Weapons
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Article 690: Search Warrants

Sect. 690.05	Search Warrants in general; definition
Sect. 690.10	Search Warrants; Property subject to seizure thereunder
Sect. 690.15	Search Warrants; What and Who are subject to search thereunder
Sect. 690.20	Search Warrants; Where executable
Sect. 690.25	Search Warrants; To whom addressable and to whom executable
Sect. 690.30	Search Warrants; When Executable
Sect. 690.35	Search Warrants; The application
Sect. 690.40	Search Warrants; Determination of Application
Sect. 690.45	Search Warrants; Form and Content
Sect. 690.50	Search Warrants; Execution thereof
Sect. 690.55	Search Warrants; Disposition of Property Seized

MENTAL HYGIENE LAW

Section 9.41: Emergency Admissions for Immediate Observations

PENAL LAW

Article 125: Homicides, Abortions and Related Offenses

Sect. 125	Homicide Defined
Sect. 125.05	Homicide, Abortion and related offenses, definition of terms
Sect. 125.10	Criminally negligent homicide
Sect. 125.12	Vehicular Manslaughter
Sect. 125.15	Manslaughter in the Second Degree
Sect. 125.20	Manslaughter in the First Degree
Sect. 125.25	Murder in the Second Degree
Sect. 125.27	Murder in the First Degree

The following material will be covered during the tenth week of the Trainee's Field Training and Evaluation. The F.T.O. who reviews the material shall note his/her badge number, initials and date the review took place.*

1. Mental Illness Cases*

Discussed/Trained/Performed

A. Authority:

9.41 MHL. Emergency admissions for immediate observation, care and treatment powers of certain peace officers and police officers.

Any peace officer, when acting pursuant to his special duties or police officer who is a member of the State Police or of an authorized Police Department or force or of a Sheriff's Department may take into custody any person who appears to be mentally ill and is conducting himself in a manner which is likely to result in serious harm to himself or others. "likelihood to result in serious harm" shall mean (1) substantial risk of physical harm to himself as manifested by threats of or attempts at suicide or serious bodily harm or other conduct demonstrating that he is dangerous to himself, or (2) a substantial risk of physical harm to other persons as manifested by homicidal or other violent behavior by which others are placed in reasonable fear of serious physical harm. Such officer may direct the removal of such person or remove him to any hospital specified in subdivision (a) of Section 9.39 or, pending his examination or admission to any such hospital, temporarily detain any such person in another safe and comfortable place, in which event, such officer shall immediately notify the director of community services or, if there be none, the health officer of the city or county of such action.

2. Special Situations at Hutchings Out-Patient Clinics*

Disc/Trained/Performed

A. Hutchings has several outpatient clinics throughout the county. These clinics provide voluntary patients with counseling. They do not have the legal right to order the involuntary admission of a patient that they deem to be an immediate danger to themselves. If the staff cannot persuade the patient to commit themselves, they will call a police agency to take the patient into custody under Sect. 9.41 M.H.L. The staff will provide the responding Deputy with grounds for the 9.41 arrest. They will do this by:

1. Arranging an interview with the patient and Deputy.
2. If the patient does not display any dangerous tendencies in this interview the staff will provide the Deputy with a deposition of their observations.
3. The staff will contact Crouse-Irving Memorial Hospital staff and advise of any pertinent patient history or information.
4. A police investigation report will be completed.
5. An arrest report will be completed.
6. The judicial portion of the arrest report need not be completed.

B. Admissions and Crisis Unit

This Unit is better known as the Special Mobile Evaluation Unit. Its hours are 0800 hrs - 2400 hrs. Mon - Fri. No weekends. Phone #473-4080

1. To be used when it is unclear whether the individual will harm him/herself. (Always contact Supervisor before calling.)
2. The Unit may be used for consultation and expert advice.
3. Caseworker may interview over phone and then make recommendation.
4. Get name of Caseworker.
5. Caseworker may or may not respond.
 - a. This would depend on the facts and circumstances of the incident. In many cases it may depend on the workload and personnel available.
6. AGAIN - NOTIFY SUPERVISOR!

C. Mental Illness Symptoms

1. Change in attitude towards friends/relatives
2. Radical change in personal habits
3. Absentmindedness or radical change in work activity
4. Argumentative and uncooperative
5. Hostility and distrust
6. Disorganized thinking and morbid interest in self destructive weapons
7. Hallucinations and delusions

D. Handling disturbed persons

Never rush blindly into the situation. Take time to look over the situation. Ask questions, find out all you can about the sick person. Call for assistance. Delay of time will often serve a double purpose. If the mentally disturbed person is excited, the passage of time will permit the person to calm down. While waiting for the arrival of additional assistance formulate a plan of action. How will the person be removed? Who shall enter the room? Are the escape routes from the house properly covered? Keep cool, calm and wait.

1. Use as little force as possible
2. Ignore verbal abuse
3. Avoid excitement
4. Do not deceive
5. Restrain and calm down

Always bear in mind that the help you give to a mentally ill person is just as vital as giving first aid to an injured person.

E. Detentions

When a person is taken into custody for 9.41 it is more of a detention than arrest (like protective custody). Upon taking a person into custody for 9.41 the Deputy will:

1. Notify field supervisor
2. Transport subject to C.I.M. for evaluation
3. If necessary, stay with victim until evaluation is complete, then

- transport to Hutchings
4. Complete a police investigation report
 5. Complete arrest report omitting the judicial portion. The arrest report is necessary for statistical information which goes into OLEIS for future use.

ALWAYS USE CAUTION WHEN HANDLING A MENTALLY ILL PERSON.

F. Voluntary Commitments

1. While investigating a mental illness the subject may indicate that they want to voluntarily commit themselves to Hutchings or another facility. Treat and handle the person as you would any other mentally ill person (according to the above procedures). Once the person is admitted to a facility, complete the following:
 - a. P.I.R.

The following material will be covered during the Trainee's tenth week of Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date the review took place.*

1. Search and Seizure*

Discussed/Trained/Performed

The Fourth Amendment, as applied to the States through the Fourteenth Amendment, governs searches and seizures.

NOTE WELL: ONE REMEDY FOR UNCONSTITUTIONAL POLICE ACTION IS TO EXCLUDE THE ILLEGALLY PROCURED EVIDENCE FROM ADMISSION AT A CRIMINAL PROSECUTION.

A. The Exclusionary Rule:

"The deterrent values of preventing the incrimination of those whose rights the police have violated have been considered sufficient to justify the suppression of probative evidence even though the case against the defendant is weakened or destroyed."

Alderman v. United States, 394 U.S. 165, 174 (1969)

B. A warrantless search is presumed to be unlawful

"There is no more basic constitutional rule in the Fourth Amendment area than that which makes a warrantless search unreasonable except in a few jealously and carefully drawn exceptional circumstances."

United States v. Anderson, 533 F. 2d 1210, 1216 (D.C. Cir. 1976)

1. Exceptions: To the Warrant Requirement

2. Search Incident to Arrest*

Discussed/Trained/Performed

A. "When an arrest is made, it is reasonable for the arresting officer to search the person arrested in order to remove any weapons that the latter might seek to use in order to resist arrest or effect his escape. Otherwise, the officer's safety might well be endangered, and the arrest itself frustrated. In addition, it is entirely reasonable for the arresting officer to search for and seize any evidence on the arrestee's person in order to prevent its concealment or destruction. The area into which an arrestee might reach in order to grab a weapon or evidentiary items must, of course, be governed by a like rule. A gun on a table or in a drawer in front of one who is arrested can be as dangerous to the arresting officer as one concealed in the clothing of the person arrested. There is ample justification, therefore, for a search of the arrestee's person and the area 'within his immediate control' - construing that phrase to mean the area from within he might gain possession of a weapon or destructible evidence."

[Chimel v. California, 395 U.S. 752, 762.63(1969)]

1. A search incident to a lawful arrest must be contemporaneous in time.

2. "A search can be incident to an arrest only if it is substantially contemporaneous with the arrest."

3. However, "the property...[may be] physically taken from the defendant...after his incarceration."

- United States v. Edwards, 415 U.S. 800, 808 (1974)
4. Once an accused is under arrest and in custody, then a search made at another place, without a warrant, is simply not incident to the arrest."
[Person v. United States 376 U.S. 364-367(1964)]

3. Plain View*

Discussed/Trained/Performed

- A. The item must be in plain view and the police officer must be lawfully present when he sees the seized item.
- B. The plain view doctrine will support a warrantless search and seizure if...three conditions are satisfied: 1. The agents must be lawfully on the premises; 2. The discovery must be inadvertent; and 3. its incriminating nature must be immediately apparent."
[United States v. Diaz, 577 F.2d 821,823(2nd Cir. 1978)]

4. Abandonment*

Discussed/Trained/Performed

- A. "Abandonment here is not meant in the strict property-right sense, but rests instead on whether the n so relinquished his interest in the property that he no longer retained a reasonable expectation of privacy in it at the time of the search."
[United States v. Jackson, 544 F.2d 407, 409(9th Cir. 1976)]
- B. "The requisite intent has been held to be present by such acts as: Throwing contraband out of a moving vehicle when pursued by police; or a denial of ownership when questioned, [when] the defendant is seen previously in possession of the item."
[United States v. Cella, 568 F.2d 1266, 1283(9th Cir. 1978)]

5. The Open Field Doctrine*

Discussed/Trained/Performed

- A. The Fourth Amendment protections do not extend to the "open fields" surrounding the curtilage and the home.
- B. "The special protection accorded by the Fourth Amendment to the people in their 'persons, houses, papers and effects' is not extended to the open fields. The distinction between the latter and the house is as old as the common law."
[Hester v. United States 265 U.S. 57, 59(1924)]

6. Consent

Discussed/Trained/Performed

- A. Voluntariness: The state must show that defendants' consent to a warrantless search was given freely and voluntarily. The voluntariness of a person's consent is measured by the totality of the circumstances.
- B. "The specifics necessary to sustain the burden required of the government to establish justification for a warrantless search...may be paraphrased in the following manner:
1. There must be a clear and positive testimony that consent was unequivocal and specific, and freely and intelligently given;

2. The government must prove consent was given without duress or coercion, express or implied;
 3. The courts indulge every reasonable presumption against the waiver of fundamental constitutional rights and there must be a convincing evidence that such rights were waived."
[United States v. Abbott. 546 F 2d 883-885 (10th Cir. 1977)]
7. Consent for a Warrantless Search may be given by a Third Party* Disc/Trnd/Perf
- A. Where two persons have equal rights to the use or occupation of premises either may give consent to a search, and the evidence thus disclosed can be used against either."
[United States v. Stone 471 F2d 170,173 (5th Cir 1973)]
 - B. "Common Authority...rests...on mutual use of the property by persons generally having joint access or control for most purposes, so that it is reasonable to recognize that any of the co-inhabitants has the right to permit the inspection in his own right and that the others have assumed the risk that one of their number might permit the common areas to be searched."
[United States v. Canada 527 F 2d 1374, 1379 (9th Cir. 1976)]
8. Stop and Frisk* Discussed/Trained/Performed
- A. To lawfully stop an individual, the officer must have a reasonable suspicion that the person stopped is involved in criminal activity.
 - B. "A police officer may, in appropriate circumstances and in an appropriate manner, approach a person for purposes of investigating possible criminal behavior even though there is no probable cause to make an arrest."
[Terry v. Ohio, 392 U.S. 1,22(1968)]
 - C. "The officer need not be absolutely certain that the individual is armed; the issue is whether a reasonable prudent man in the circumstances would be warranted in the belief that his safety or that of others was in danger."
[Terry v. Ohio 392 U.S. 1, 27 (1968)]
 - D. "The purpose of this limited search is not to discover evidence of crime, but to allow the officer to pursue his investigation without fear of violence and thus the frisk for weapons must be equally necessary and reasonable..."
[Adams v. Williams, 407 U.S. 143, 146 (1972)]
 - E. "The officer was looking for narcotics and he found them. The search was not reasonably limited in scope to the accomplishment of the only goal which might conceivably have justified its inception - the protection of the officer by disarming a potentially dangerous man."
[Sibron v. New York, 392 U.S. 40, 65 (1968)]
 - F. "The officer confined his search strictly to what was minimally necessary to learn whether the men were armed and to disarm them once he

discovered the weapons. He did not conduct a general exploratory search for whatever evidence of criminal activity he might find...such a search is a reasonable search under the Fourth Amendment..." [Terry v. Ohio 392 U.S. 1, 30-31 (1968)]

9. Vehicle Stops*

Discussed/Trained/Performed

- A. "The stop of a moving vehicle, even if their period of detention is brief, involves a 'seizure' within the meaning of the Fourth Amendment." [United States v. Montgomery, 561 F.2d 875, 878(D.C.Cir.1977)]
- B. "Except in these situations in which there is at least articulable and reasonable suspicion that a motorist is unlicensed or that an automobile is not registered, or that either the vehicle or an occupant is otherwise, subject to seizure for violation of law, stopping an automobile and detaining the driver in order to check his driver's license and registration of the automobile are unreasonable under the Fourth Amendment." [Delaware v. Prouse 440 U.S. 648,663(1979)]
- C. "This holding does not preclude the...States from developing methods for spot checks that involve less intrusion or that do not involve the unconstrained exercise of discretion. Questioning of all oncoming traffic at road block-type stops is one possible alternative." [Delaware v. Prouse 440 U.S. 648,663 (1979)]
- D. "The officer may prudently prefer to ask the driver of the vehicle to step out of the car and off onto the shoulder of the road." [Pennsylvania v. Mimms, 434 U.S. 106,111 (1977)]
- E. Further Intrusion: If the officer has a reasonable belief that the person stopped is presently armed and dangerous, he or she may conduct a limited protective search.
- F. "[The pat-down seeking concealed weapons] must...be confined in scope to an intrusion reasonably designed to discover guns, knives, clubs, or other hidden instruments for the assault of the police officer." [Terry v. Ohio 392 U.S. 1,29 (1968)]
- G. Vehicle searches incident to arrest. If a person is arrested after a vehicle stop, accessible portions of the vehicle may be searched incident to the arrest.
- H. "When a policeman has made a lawful custodial arrest of the occupant of an automobile, he may, as a contemporaneous incident of that arrest, search the passenger compartment of that automobile. It follows from this conclusion that the police may also examine the contents of any containers found within the passenger compartment, for if the passenger compartment is within reach of the arrestee, so also will containers in it be within his reach...Such a container may, of course, be searched whether it is open or closed, since the justification for the search is not that the arrestee has no privacy interest in the container, but

that the lawful custodial arrest justifies the infringement of any privacy interest the arrestee may have."
[New York v. Belton - U.S. - 101 S.Ct.2860,2864(1981)]

10. Vehicle Searches*

Discussed/Trained/Performed

- A. Exigent circumstances: The mobility of motor vehicles often constitutes exigent circumstances authorizing a warrantless search.
- B. "The automobile exception...is thus also supported by "the diminished expectation of privacy which surrounds the automobile and which arises from the facts that a car is used for transportation and not as a residence or a repository of personal effects, that a car's occupants and contents travel in plain view and that automobiles are necessarily regulated by the government."
[Robbins v. California __U.S.__ 101 S.Ct.2841,2845 (1981)]
- C. If the search and seizure without a warrant are made upon probable cause, that is, upon a belief reasonably arising out of circumstances known to the seizing officer, that an automobile or other vehicle contains that which by law is subject to seizure...the search and seizure are valid."
[Carroll v. United States 267,U.S. 132, 149(1925)]
- D. "A lawful search of luggage generally may be performed only pursuant to a Warrant...luggage is a common repository for one's personal effects and therefore is inevitably associated with the expectation of privacy."
[Arkansas v. Sanders 442 U.S. 753, 762(1979)]
- E. "One is not less inclined to place private, personal possessions in a suitcase merely because the suitcase is to be carried in an automobile rather than transported by other means or temporarily checked or stored. Indeed, the very purpose of a suitcase is to serve as a repository for personal items when one wishes to transport them. Accordingly, the reasons for not requiring a warrant for the search of an automobile do not apply to searches of personal luggage taken by police from automobiles. We therefore find no justification for the extension of Carroll and its progeny to the warrantless search of one's personal luggage merely because it was located in an automobile lawfully stopped by the police."
[Arkansas v. Sanders 442 U.S. 753,764-65(1979)]
- F. "The automobile and the attache case were within the area of Frick's immediate control. The attache case was not isolated or hidden in some distant room of the house or securely locked in the trunk of the car. It was in plain view and readily accessible to Frick. The possibility of it housing, not only the evidence found, but also a dangerous weapon was not remote."
[U.S. v. Frick 490 F.2d 666,669 (5th Cir. 1973) cert.denied,419 U.S. 831 (1974)]

CAUTION: When in doubt contact your patrol supervisor. If your safety or that of others is at risk, take action.

The following material will be covered during the Trainee's tenth week of Field Training and Evaluation. The F.T.O. who provided the review shall note his/her badge number, initials, and date the review took place.*

1. Miranda Warning* _____
Discussed/Trained/Performed

INTERROGATION AND MIRANDA

United States Supreme Court and New York State Court of Appeals decisions in recent times have restricted the questioning of suspects in criminal cases.

A Police Officer cannot question a suspect as follows:

1. If Miranda Warnings have not been administered and understood.
2. If the suspect asks for an attorney.
3. If an accusatory instrument has been filed before the court.
4. If the suspect has been through the process of arraignment.
5. If the suspect has an attorney of record from another case.

If the suspect fits any of the above categories, he cannot be questioned under any circumstances.

The MIRANDA WARNINGS must be given to any person who is to be:

1. Subjected to interrogation.
2. Initiated by the Police.
3. For evidence of his own guilt.
4. After he has been taken into custody or otherwise deprived of his freedom of action in any significant way.

All four factors must CO-EXIST in order for the Miranda to become operative.

2. Miranda Warning and Related N.Y. Law Relative to Interview and Interrogation of Suspects* _____

Discussed/Trained/Performed

Miranda v. ARizona 384 U.S. 436(1966)

In part the Fifth Amendment to the United States Constitutional provides: "No person shall...be compelled in any criminal case to be a witness against himself."

Mr. Chief Justice Warren delivered the opinion of the Court...The Fifth Amendment privilege is so fundamental to our system of Constitutional rule and the expedient of giving an adequate warning as to the availability of the privilege so simple, we will not pause to inquire in individual cases whether the defendant was aware of his rights without a warning being given.

This does not deprive the police officer in any way shape or form of the long established common law power to inquire. The following is intended as a general review of the appropriate case law.

- A. Warning: Suspects must be informed of their Constitutional Rights before they are interviewed.

1. "Prior to any questioning, the person must be warned that he has the right to remain silent, that any statement he does make may be used as evidence against him, and that he has the right to the presence of an attorney, either retained or appointed." *Miranda v. Arizona*, 384 U.S.436,444(1966).
2. "The warnings...a prophylactic means of safeguarding Fifth Amendment rights...require that a person taken into custody be advised immediately that he has the right to remain silent, that anything he says may be used against him and that he has a right to retained or appointed counsel before submitting to interrogation." *Doyle v. Ohio*, 426 U.S. 610,617(1976)
3. "...(T)he admission of testimony...obtained in the absence of the required warnings (is) a flat violation of the Self-Incrimination Clause of the Fifth Amendment..."*Orozco v. Texas*, 394 U.S. 324,326(1969)
4. "Miranda requires a clear and unequivocal warning to an accused of his constitutional rights, prior to the taking of any statements, whether exculpatory or inculpatory, during the interrogation occurring after an accused is taken into custody." *United States ex. rel. Williams v. Twomey*, 467 F 2d 1248,1250 (7th Cir.1972).
5. "...Miranda...(is not) applicable only to questioning one who is in custody in connection with the very case under investigation. There is no substance to such a distinction, and in effect, it goes against the whole purpose of...Fifth Amendment rights." *Mathis v. United States*, 391 U.S. 1,4(1968)

B. Before Custodial Interrogation: An individual who is in custody or otherwise restricted in freedom of action must be so advised.

1. "By custodial interrogation, we mean questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of action in any significant way." *Miranda v. Arizona*, supra. 426 U.S. at 444.
2. "General on-the-scene questioning as to facts surrounding a crime or other general questioning of citizens in the fact-finding process is not affected by our holding." *Id.* at 477.
3. "No Miranda warning was necessary before the officers questioned defendants...as to their identity and places of residence. Disclosure of name and address is an essentially neutral act. It identifies but does not by itself implicate anyone in criminal conduct." *United States v. Jackson*, 448 F.2d 963,970 (9th Cir.), cert. denied 405 U.S. 924(1972).
4. "Volunteered statements of any kind are not barred by the Fifth Amendment and their admissibility is not affected by our holding today." *Miranda v. Arizona* supra, 426 U.S. at 478.

C. Waiver: Suspects may relinquish their constitutional rights and confess, but the government must establish that the waiver is made voluntarily, knowingly and intelligently.

1. "After...(the required) warnings have been given, and such opportunity (to exercise these rights) afforded him, the individual may knowingly and intelligently waive these rights and agree to answer questions or make a statement...Any statement given freely and voluntarily without any compelling influences is, of course, admissible in evidence." *Miranda v. Arizona*, supra, 426 U.S. at 478-79.
2. However, "(i)f the individual indicates in any manner at any time prior to or during questioning, that he wishes to remain silent, the interrogation must cease...(and), (i)f the individual states that he wants an attorney, the interrogation must cease..."*Miranda v. Arizona*, supra, 426, U.S. at 473-74.
3. "If the interrogation continues without the presence of an attorney and a statement is taken, a heavy burden rests on the government to demonstrate that the defendant knowingly and intelligently waived his privilege against self-incrimination and his right to retained or appointed counsel." *Id.* at 475.
4. "... (A) valid waiver will not be presumed simply from the silence of the accused after warnings are given or simply from the fact that a confession was in fact eventually obtained." *Id.* at 475.
5. "... (F)ail(ure) to sign the waiver of rights form is not enough in itself to bar admission of the confessions, where other circumstances indicate that the statement was voluntarily given." *United States v. Willis*, 525 F.2d 657 (5th Cir. 1976).

D. Warning:

1. Suspects may not relinquish their rights without presence of counsel when...
"The defendant is entitled to counsel at all critical stages of the criminal prosecution. People v. Settles 35 N.Y. 2d 154,165. The right to counsel attaches...once the criminal action has been commenced People v. Blake 35 N.Y. 2d 331,339. ...By statute, a criminal action now commences with the filing of an accusatory instrument. (C.P.L. 1.20(17) see also C.P.L. 100.05). Once the accusation has been made in court, the case is no longer merely a subject of investigation. It is a matter in litigation and...this is precisely the juncture at which legal advice is crucial.
2. People v. Settles
"...there may be no waiver of the right to counsel unless an attorney is present" (only after criminal action has commenced).
3. People v. Rogers

N.Y. 2d(10/79). The Court of Appeals said "once (the police know or should know that) a defendant is represented by an attorney, the police may not elicit from him any statements, except those necessary for processing or his physical needs. Nor may they seek a waiver of this right, except in the presence of counsel."

4. People v. Hobson 39 N.Y. 2d 479:

"Once a lawyer has entered the proceedings in connection with charges under investigation, a person in custody may validly waive the assistance of counsel only in the presence of a lawyer."

E. Admissibility:

Statements made by a defendant in circumstances violating the strictures of Miranda are admissible for impeachment if they are shown to be trustworthy.

1. "Evidence inadmissible against an accused in the prosecution's case in chief is (not) barred for all purposes, provided of course that the trustworthiness of the evidence satisfies legal standards." Harris v. New York, 401 U.S. 222,224(1971).
2. "...(T)he shield provided by Miranda is not to be perverted to a license to testify inconsistently, or even perjurally, free from the risk of confrontation with prior inconsistent utterances...(I)nadmissibility would pervert the constitutional right into a right to falsify free from the embarrassment of impeachment evidence from the defendant's own mouth." Oregon v. Hass, 420 U.S. 714, 720 and 723 (1975).
3. "But any criminal trial use against defendant of his involuntary statement is a denial of due process of law even though there is ample evidence aside from the confession to support the conviction." Mincey v. Arizona, U.S., 57 L.Ed.2d 290,303(1978).

F. Silence:

The right to remain silent is a safeguard against self-incrimination.

1. "The Fourteenth Amendment secures against state invasion the same privilege that the Fifth Amendment guarantees against Federal infringement-the right of a person to remain silent unless he chooses to speak in the unfettered exercise of his own will, and to suffer no penalty...for such silence." Malloy v. Hogan, 378 U.S. 1,8(1964).
2. "(T)he same standards must determine whether an accused's silence in either a federal or state proceeding is justified...(T)he Fifth Amendment, in its direct application to the Federal Government, and in its bearing on the States by reason of the Fourteenth Amendment, forbids either comment by the prosecution on the accused's silence or instructions by the court that such silence is evidence of guilt." Griffin v. California, 380 U.S. 609,615(1965)

3. "(W)hen a person under arrest is informed...that he may remain silent, that anything he says may be used against him, and that he may have an attorney if he wishes,...it does not comport with due process to permit the prosecution during the trial to call attention to his silence at the time of arrest and to insist that because he did not speak about the facts of the case at that time, as he was told he need not do an unfavorable inference might be drawn as to the truth of his trial testimony. United States v. Hale, 422, U.S. 171,182-83(1975).
4. "(W)hile it is true that the Miranda warnings contain no express assurance that silence will carry no penalty, such assurance is implicit to any person who receives the warning. In such circumstances, it would be fundamentally unfair and a deprivation of due process to allow the arrested person's silence to be used to impeach an explanation subsequently offered at trial." Doyle v. Ohio, supra, 426 U.S. at 618.
5. "However, when a defendant sponsors a defense at trial to the accusation laid against him, which common sense and good reason assert is totally inconsistent with pretrial silence of the testifying defendant or his witness, the pursuit of truth may allow penetration of what is otherwise shielded to test the credibility of the defense he offers." United States v. Harp 513 F.2d 786,790 (5th Cir.) cert. denied 423 U.S. 939 (1975). Knowledge by the interrogating officer that the defendant being questioned had been arrested by the same law enforcement agency one week before on an unrelated charge, causes any statements obtained as a result of that interrogation to be suppressed if, in fact the defendant is represented by an attorney with respect to the prior unrelated charge, even though the fact of such representation is unknown to the officer. People v. Bartholomew, N.Y.2d (1981) (Court of Appeals)
6. Knowledge that one in custody is represented by counsel, be it on a separate unrelated charge precludes interrogation in the absence of counsel and renders ineffective any waiver out of the presence of the attorney. People v. Miller N.Y. 2d(1981).

G. Warning: Rules of Evidence: Admissibility of Statements of a Defendant:

1. Evidence of a written or oral confession, admission of other statement made by a defendant with respect to his participation or lack of participation in the offense charged may not be received in evidence against him in a criminal proceeding if such statement was involuntarily made.
2. A confession, statement, admission is involuntarily made by a defendant when it is obtained from him:
 - a. By any person by the use of threatened use of physical force upon the defendant or another person or by means of any other improper conduct or undue pressure which impaired the defendant's physical or mental condition to the extent of undermining his ability to make a choice whether or not to make a statement; or

- b. By a public statement engaged in law enforcement activity or by a person then acting under his direction or in cooperation with him.
 - 1. by means of any promise or statement of facts, which statement or promise creates a substantial risk that the defendant might falsely incriminate himself; or
 - 2. in violation of such rights as the defendant might derive from the Constitution of this state or of the United States of America.

H. Fourteenth Amendment: The three principal federal laws which may be used against police officers who deprive any citizen of any of his constitutional rights are:

1. Crimes:

A. Section 241 (10 years and/or \$1,000)

- 1. "If two or more persons conspire to injure, oppress, threaten or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or
- 2. Note: This is a conspiracy law.

B. Section 242 (1 yr. and/or \$1,000)

- 1. "Whoever, under color of any law, statute, ordinance, regulation or custom, willfully subjects any inhabitant of any State, Territory or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States."

2. Civil Action:

- A. Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit inequity, or other proper proceeding for redress."
- B. This action is directed against the individual officer, not to the police agency or governmental entity that hired the officer.

The following material will be covered during the Trainee's tenth week of training and evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date review took place.*

1. Basic Interviewing Skills*

Discussed/Trained/Performed

- A. In your contact with citizens as a patrol officer there are some basic rules that we should keep in mind:
1. Treat all people equally, remember you are a professional. Do not compromise your integrity.
 2. Be assertive in your attitude and behavior. Be firm and fair.
 3. Listen, then question. People love to talk, take advantage of this human trait.
 4. Do not give up more than you get. You are looking for information, not giving it, be able to say and mean, "I am not at liberty to discuss this with you."
 5. Observe the person you are talking to. Experts tell us that as much as 85% of communications is non-verbal. Body Language.
 6. Do not make promises you cannot live with. Never say or do anything that you cannot live up to or live with.
 7. Always leave the door open. Remember that you may want or need to come back to talk to someone again.
 8. Document it. The worst notebook can be much better than the best memory.
- B. Use the following training supplement as a guide in basic interview skills.

INTERVIEWING WITNESSES

As an investigator you will get most of the information that you need to close a case from talking to people. Some authorities believe that as much as 85% of the information that is gathered during the course of an investigation comes from talking to people...from interviews. And even when your case is based primarily on physical evidence such as fingerprints, you still must interview the expert witnesses who will explain the evidence to the jury.

DEFINITIONS

The terms INTERVIEW and INTERROGATION are sometimes confused. We interview victims, complainants, ordinary witnesses and others who may provide useful information. We interrogate hostile witnesses and suspects from whom we try to obtain admissions and confessions.

This section is confined to interviewing techniques, however, such techniques often prove effective when interrogating a suspect. In fact, you will frequently talk with someone before you can determine whether to regard him as a witness or as a suspect.

A word of caution is due at this point. If, at any time you decide that a person is a suspect, you must warn him of his rights before you proceed to interrogate him.

BASIC PROCEDURES

Some interviews are brief and simple, others are extremely complex. Some witnesses are intelligent and helpful, others are dull or uncooperative. In spite of these differences, you will find that the same basic principles apply in virtually every case. The way you use them will vary with your needs, but the principles themselves remain the same. The objective of every interview is to obtain information that will aid the investigation. You will be most successful when you have a clear idea of what you need to learn in each particular case. The simplest way to do this is to think in terms of the six key questions: Who? What? Where? When? How? Why?

PRELIMINARIES

Your interviews will proceed more smoothly and be more effective when you take a few precautions in advance.

Isolation: Separate the witnesses. If they have a chance to talk, they will influence each other at least subconsciously. When you cannot isolate them, keep them together. Have an officer watch them and prevent them from talking to each other about the case.

Setting: Interviews at headquarters are best conducted in a special room from which telephone and all other possible distractions have been removed. If the interview must be held elsewhere, try to find a place where distractions will be at a minimum.

You will have the maximum influence over the witness when you are as close to him as possible but far enough away to get a good view of his entire body. Sit beside a desk or table so that you can take notes when this seems desirable.

Urgency vs. Preparation:

Try to get the witnesses' statements as soon as possible while the facts are still fresh in their minds. Any delay gives witnesses a chance to change their stories or to think of unpleasant consequences that may result from cooperation with you. It also gives other people opportunities to influence or threaten them.

On the other hand, the more thoroughly you prepare for an interview the better. It pays to learn all you can about the case and about the person you plan to interview. Even when you interview witnesses at the scene of a crime or accident, you have at least a few seconds to prepare. Use them. You can almost always form some idea of what happened and who was involved. In many cases, you can pick up additional information from other officers who may be present. Anything one witness says can prepare you for the next witness.

When a witness has been hurt or badly upset by the incident, you may decide to postpone the interview. In any case, you will talk to some people later. Prepare for these as thoroughly as your time permits. Review all available reports, photographs and sketches. Learn everything you can about the witness. Is he related to the parties in any way? Has he a criminal record? Thorough preparation helps you to impress the witness with your knowledge and convince him that it will be futile to lie. It also equips you to evaluate both him and his story.

OPENING THE INTERVIEW

Your success in any interview will be materially influenced by the first impression you make on the witness. A neat appearance and a friendly but dignified, thoroughly professional attitude will get you off to a good start. When you seek information, you are putting the witness to a good deal of trouble and perhaps subjecting him to danger. You need all the cooperation you can get. He is most likely to give it willingly when you show understanding and consideration and when you convince him that you are sincere and unbiased.

On the other hand, if you treat him with contempt, or try to browbeat him, he may deliberately withhold key facts. He may even try to revenge himself by going out of his way to mislead you. Never let yourself forget the old saying: You can catch more flies with honey than you can with vinegar.

Introduction: You may occasionally use some pretext that will let you gather information without seeming to conduct an interview. Ordinarily, however, it pays to introduce yourself openly. Smile and offer to shake hands when that seems appropriate. Call the witness by his name and ask if you have pronounced it correctly. Use Mr., Mrs., Ms., or whatever title you think the witness will prefer.

Never omit a courtesy because of the subject's race or nationality, or because of his social or economic status. The less accustomed a witness is to receiving courteous treatment, the more likely he is to repay you by talking freely. If the situation permits, offer the person a chair and perhaps a cigarette. Experienced interviewers have found that even the most trivial "gift" of this sort tend to break the ice and make the witness more cooperative. Also, a person who hesitates or refuses to accept serves notice that he may resist your attempt to question him.

Relaxation: Take a minute or two to create a relaxed atmosphere and get the conversation started on a friendly note. Introduce any topic that may get the witness talking. Chat about such casual topics as the weather, sports, or television. If the witness has already cooperated in any way, thank him. Explain why you need his help to get at the truth. Let him know that you value his high standard of citizenship.

With some witnesses, establishing a relaxed, friendly atmosphere is a progressive process. You may not succeed completely until you are more than halfway through the interview. Keep trying. The more relaxed a witness becomes, the more freely he will talk.

PRELIMINARY ACCOUNT

When the witness begins to relax, ask him to tell his story in his own words. Avoid taking notes or making comments at this time. Try not to ask a specific question. If

you do, you may cause him to freeze. However, if he either stops or gets off the track, ask a general question, such as, "What happened next?" or "Why did you do that?" If you cannot get a coherent account of what happened, ask questions that the witness can answer without hesitation. For example, "What's your name?" and "Where do you live?" If something seems to trouble him, drop it for the time being and return to it later.

DETAILED ACCOUNT

After the witness finishes his story, go over it with him again - point by point. This time, take notes and ask questions.

Questions: Keep your questions simple. Ask only one at a time. Many people will say that they do not know the answer when the truth is that they do not understand the question.

Be Patient: Never insist on "Yes" or "No" answers. Let witnesses reply in their own words. Give them plenty of time to answer each question. Many people are nervous while being interviewed. Pressure only makes things worse. The more thoughtful and considerate you are, the more information you will get.

An effective way to ask specific questions is to assume a fact and then inquire about some detail. Instead of "Was Tom Bates there?" say "Where was Tom Bates standing?" Or offer a choice. Instead of, "Did he have a beard?" ask, "Did he have a beard, or was he clean-shaven?"

Avoid assumptions which the witness may know are false. When you have strong reason to believe that Bates was there, you may safely ask about him. However, if you are merely guessing, the witness may know that Bates was not present. This may lead him to realize that you are trying to trap him. If he does, you will have lost his cooperation.

Avoid leading questions which provide or suggest information: "Did he have a beard?", "Was Tom Bates there?" Such questions supply a liar with facts around which he can build his account. They give an imaginative witness materials for weaving a fantasy.

Be especially careful with the type of witness who agrees with everything you say. Ask, "Did you see a red car?" He will say, "Yes." Ask, "You didn't see a red car did you?", and he will reply, "Oh no."

However, some leading questions can be used to test the honesty of a witness. If you ask a question to which you already know the answer, his reply will tell you a good deal about his sincerity.

False leading questions can be used in much the same way. When a witness gives you his address, and you suspect him of lying, try saying, "Maybe I know that house. Isn't it next to Gino's Delicatessen?" If he agrees or hesitates, you can be fairly sure that he is either lying or prepared to lie.

Memory Aids: A skillful interviewer can do wonders to help a witness remember things he thought he had forgotten. Questions like, "What time does your bus usually come?" or "Was this before or after your coffee break?" will often enable someone to narrow

down the time when an event happened to within a few minutes. ONce he has recalled some reference point, he may then be able to remember the whole incident.

If the witness has trouble fixing the sequence of events, say "You told me you heard a scream and a shot." Which came first?" If he can get two or three key items in order, he may be able to straighten out the rest.

Descriptions: Few people can accurately describe anyone from memory. However, you can help them if you go at it systematically. Start at the head and work down. "Was the suspect wearing a hat?" "What about his hair?" "Did you notice anything special about his face?" Continue until you come to his shoes.

Comparisons can help. "Was the suspect older or younger than I am?" When you spoke to him, did you look up or down?"

Notes: Take detailed notes of all the answers you receive during this stage. Begin with the identifying data, including the witness's full name, address(es), and phone number(s). Get a similar facts about anyone else he mentions if you can. When the witness quotes a statement made by him or by someone else, write down the exact words.

RE-ENACTMENT

Have the witness act out the incident if this is appropriate. When he was the victim, ask what he did and what the culprit did. When he is a witness, have him go through his own moves as well as those of the victim and the criminal.

Re-enactment helps a person remember the event. It may clarify points or reveal mistakes in his narrated version. It also gives you a "feel" for the incident. This can be extremely helpful.

Discrepancies: During both the detailed account and the re-enactment, the witness may say or do things that conflict with his previous statements. This may mean that he is lying. However, it may also mean that he is mistaken or confused. In most cases, your best plan is to say something like, "I don't understand. You told me that ...Now you say...straighten me out." This lets the honest person correct his error without arousing his antagonism.

When the witness is lying, his attempts to reconcile discrepancies will often lead him into more blunders. Let him talk until you have caught him in a number of flat contradictions. Point these out to him. Explain that if he repeats such obvious falsehoods on the witness stand, he will be guilty of perjury. Tell him the penalty for this or read it to him, word for word. Say that he is already guilty of obstructing justice and of giving false evidence to a police officer. Then take his inconsistencies, one at a time and ask him what the truth is in each case.

Completeness: When his account seems finished, go over it in your mind to make sure that you have gotten answers to the six key questions: Who? What? Where? When? How? and Why? If some answers are missing, get them or make sure that the person either cannot or will not supply them.

WRITTEN STATEMENT

Put the witness's statement in writing as soon as you can. Try to arrange the material in some logical order, but use his own words as much as possible. When you are not at headquarters, but the witness is cooperative, take him immediately to some place where his statement can be transcribed. This also applies to cooperative suspects. In either case, keep the person isolated during the trip and while his statement is being prepared. If you fail to take this precaution, some outside influence may lead him to change his mind.

Checking: Have the witness read his statement. If there is any doubt about his ability to read English fluently, read it to him, sentence by sentence. Have him point out any mistakes and correct them.

Signing: Have the person initial each correction and then initial it yourself. After all corrections have been initialed, get the witness to initial each page and sign his name at the end.

EVALUATION

To some extent, you can evaluate a witness and what he tells you during the interview. Watch for clues that will guide your evaluation. Does the witness appear frank and open? Does he seem to talk freely and willingly? Does he impress you as making an honest effort to be helpful? Are there any points on which he shows a tendency to hold back information or to slide over it without giving details?

Body Language: Learn to read body language. Few people can control their whole bodies. Watch for signs of nervousness which are not due to the mere fact that the subject is being interviewed. Excessive perspiration, fidgeting, a dry mouth, or an unsteady Adam's apple may indicate that the person has something to conceal. An honest person's body language matches his words; liars' bodies often contradict what they say with their mouths. Experienced liars may control their faces, but other parts are likely to give them away. A man's face may remain calm while he talks. However, if he keeps shifting his position, he has something to hide. When a woman smiles sweetly but clenches her hands until her knuckles show white, do not put much trust in what she says. Pay attention to the witness's feet. Even liars who succeed in relaxing their faces and hands completely will often give themselves away by twisting their feet into unnatural positions.

Qualities: At the end of the interview, try to evaluate the statement for four basic qualities.

Is it complete? Does it contain all the witness knows about the incident? Has he held something back? Does it reveal gaps in his knowledge that you must fill from other sources? Is the witness sincere? Does he really believe what he has told you? Honest people can be wrong. They sometimes make unwarranted assumptions and jump to conclusions. Without deliberately lying, they tend to put themselves and those with whom they sympathize in the most favorable light. Some of them have fertile imaginations that can turn a commonplace incident into a dramatic event. Nevertheless, although you cannot always rely on what a sincere witness tells you you take a step forward when you are able to decide whether or not he believes his own account of what took place. Is the statement true in fact? You can never be sure of this. The most you can do is to decide that it is worth accepting until something contradicts it. You can then use it to guide your investigation if you remember that it may prove false at any time.

The following material will be covered during the Trainee's tenth week of training and evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date the review took place.*

1. Death Cases*

Discussed/Trained/Performed

- A. Upon responding to a possible death call (D.O.A.), determine if the victim is alive. Call an ambulance if necessary and not already done, administer first aid if necessary. The immediate signs of death are:
1. No breathing
 2. No pulse
 3. Eyes do not react to light
 4. Excretion of body fluids
 5. Post mortem lividity (settling of blood to lowest point)
 6. Decomposition
 7. Rigormortis
 8. Touch eye - no reaction, use light.

2. Investigation of Deaths by Natural Causes*

Discussed/Trained/Performed

- A. Notify field supervisors
- B. Obtain name of attending physician, if any
- C. Only a licensed physician can sign death certificate
- D. Notify the medical examiner's office in all cases of death
- E. If the attending physician will sign death certificate, and upon approval of M.E., we may release to a licensed funeral director. Obtain name of physician.
- F. When there is no attending physician the body must go to the Medical Examiner's office.
- G. In cases where death resulted from other than obviously natural causes, notify D.C. and Criminalistic Unit (normally handled by field supervisor).
- H. Ascertain medical history of victim, i.e., heart condition, terminal illness, etc., and include in report.
- I. Include time of pronouncement and who made it in report.

3. Investigation of Deaths by Unnatural Causes*

Discussed/Trained/Performed

- A. Protect the scene. In homicide cases nothing shall be touched until it has been identified, measured, and photographed.
- B. Locate and detain all witnesses.
- C. It is preferable that C.I.S. investigators interview/interrogate witnesses and suspects.
- D. Notify field supervisor.
- E. Suicide note shall be quoted in the report. If note is lengthy, it can be quoted in substance.
- F. The Criminalistics Unit has the responsibility of collecting evidence.
- G. Refer to physical evidence guidelines in week eight of the Training Guide.
- H. The medical examiner or the Sheriff's Department is responsible for the property of the deceased (in all death cases natural or unnatural).
- I. The body shall not be searched or moved except for identification, except by the medical examiner (unnatural death cases).

The following laws will be reviewed during the eleventh week of Field Training.

PENAL LAW

Article 150: Arson

Sect. 150.00	Arson definitions
Sect. 150.05	Arson in the Fourth Degree
Sect. 150.10	Arson in the Third Degree
Sect. 150.15	Arson in the Second Degree
Sect. 150.20	Arson in the First Degree

Article 240: Offenses Against Public Order

Sect. 240.00	Offenses Against Public Order: Definitions
Sect. 240.05	Riot in the Second Degree
Sect. 240.06	Riot in the First Degree
Sect. 240.08	Inciting to Riot
Sect. 240.10	Unlawful Assembly
Sect. 240.20	Disorderly Conduct

VEHICLE AND TRAFFIC LAW

Article 27: Pedestrian's Rights and Duties

Sect. 1150	Pedestrian's Subject to Traffic Regulations
Sect. 1152	Crossing at Other Than Crosswalks

Article 32: Stopping, Standing, Parking

Sect. 1202	Stopping, Standing or Parking in Prohibited Specified Places.
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Article 47: Registration of Snowmobiles

Sect. 2220	Jurisdiction of Department
Sect. 2221	Definitions
Sect. 2222	Registration
Sect. 2223	Display of registration numbers
Sect. 2224	Registration record
Sect. 2225	Certificate of registration
Sect. 2226	Licensing by municipalities
Sect. 2227	Rules and regulations
Sect. 2228	Special events
Sect. 2229	Snowmobile, not a motor vehicle
Sect. 2230	Suspension and revocation of registrations; offenses; penalties

PARKS AND RECREATION LAW

- Sect. 25.03(1) Imprudent speed
- Sect. 25.03(2) Reckless operation
- Sect. 25.03(3) Intoxication and Drugs
- Sect. 25.03(4) Lights
- Sect. 25.03(5) Railroad tracks
- Sect. 25.03(6) Plantings
- Sect. 25.03(7) On Lands of Another
- Sect. 25.03(8) Snowmobile Towing, sleigh, sled, toboggan without rigid towbar
- Sect. 25.05(1) Operation on Thruway, interstate highways and controlled access state highways
- Sect. 25.05(3a) Road crossing at other than 90° angle
- Sect. 25.05(3b) Failing to stop before crossing highway
- Sect. 25.05(3c) Failing to yield right of way in crossing highway
- Sect. 25.05(7a) Operating snowmobile on roadway, shoulder or inside banks of undesignated and unposted highway
- Sect. 25.05(7a) Operating snowmobile on roadway of highway designated and posted for snowmobile travel on shoulders and inside banks ONLY
- Sect. 25.05(8a) Operating snowmobile on left side of highway during darkness
- Sect. 25.05(8b) Operating snowmobiles abreast of each other on roadway
- Sect. 25.05(8b) Operating snowmobile on roadway and failing to travel on right side of roadway in same direction as traffic
- Sect. 25.13(4) Operating or permitting the operation of a snowmobile on the roadway or shoulder of a highway without the required liability insurance coverage

Also listed as Misdemeanors in Sect. 25.24 are:

- Sect. 25.24(b) Operating a snowmobile on a street or highway while having .10 of one percentum or more by weight of alcohol in the blood as shown by chemical analysis of the blood, breath, urine or saliva.
- Sect. 25.24(c) Operating a snowmobile on a street or highway while in an intoxicating condition.
- Sect. 25.24(d) Operating a snowmobile on a street or highway while ability to operate such vehicle is impaired by the use of a drug as defined in this chapter (this section is not enforceable since no definition of "drug" is provided in this chapter).
- Sect. 25.24(e) Provides that violations of b,c, and d above are Misdemeanors punishable by imprisonment in a penitentiary or county jail for not more than one year, or by a fine of not more than one year, or by a fine of not more than \$500, or by both such fine and imprisonment.

The following material will be covered during the Trainee's eleventh week of training and evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date the review took place.*

1. Demonstrations/Crowd Control*

Discussed/Trained/Performed

A. As police officers, the primary concern at any critical incident, riot or demonstration, is to maintain the peace. This can be accomplished by the careful enforcement of laws. More specifically, the police are to maintain an impartial, non-personal position and to protect the rights of those individuals who are exercising their rights to free expression. While maintaining this idea, we must keep in mind that the laws enforced are designed to protect society from those who would express themselves irresponsibly and with no regard to the rights of others.

B. Police Actions at the Scene of a Disturbance

Each officer at the scene of a civil disturbance must keep in mind that the news media is very concerned with what happens. The press cameras react as we do, to the acts of the demonstrators and as a result they do not see the actions of the demonstrators, but focus on the actions of the police. Since their actions are not on film and yours are, there are several rules to follow:

1. Act in unison and only on command by the officer in charge.
2. When you act, act with restraint, temper your actions keeping in mind that the cameras are on you.
3. Once you have a person down, restrain him. Do not hit him. If you do it is sure to be filmed and possibly used against you if charges of brutality are made.

C. Individual Breaches of Peace:

At a demonstration, individual breaches of the peace are not necessarily a reflection of the entire group. Because one or more persons in a picket line engages in illegal activity is no basis for the arrest or dispersal of the entire group. The action by officers must be confined to the responsible individual rather than extend to the group. It is also imperative to advise the individuals that their activity is illegal, and if it continues that they will be arrested. If the acts are, however, malicious or violent, then there is no need to warn prior to arrest.

D. Group Breaches of the Peace:

1. At certain times an entire group can be in violation of the law, such as blocking building entrances, driveways, etc. If these circumstances occur, a warning should be given as follows using the vehicle P.A. system.
 - a. This is Deputy Smith, O.C.S.D.
 - b. You are acting in a disorderly manner.
 - c. You are being ordered to disperse.

- d. If you do not, you will be arrested.
- e. You have 10 minutes to clear the area starting now (give time).
- f. Depending on the amount of time you have given, periodically give time.
- g. At the conclusion of your deadline, once more order the crowd to disperse or be subject to arrest.
- h. Start moving crowd out.
- i. Those that remain or refuse to move, arrest.

2. Arrests*

Discussed/Trained/Performed

- A. When making arrests, deputies should fill out arrest reports, be photographed with suspects and attempt to have evidence (i.e., rocks, bottles, etc.) photographed. Preferable, but not always possible.
- B. Although specialized units (SOCT) will primarily be handling demonstrations, it is imperative that Deputies familiarize themselves with the necessary procedures for handling major disturbances. Officers must maintain their composure during demonstrations. Sometimes this will mean taking verbal abuse which normally would not be tolerated. An officer's behavior could prevent a minor incident from escalating into a major one.

3. Types of Crowds*

Discussed/Trained/Performed

A. Definition

- 1. A large number of persons collected into a close body without order. (This implies a loss of individuality in the unit.)

B. Physical Crowd

- 1. An assemblage of people showing no group behavior but merely denseness of contact.

Example: Crowd of shoppers
Crowd waiting at station

C. Psychological Crowd

- 1. An assemblage of people who have a common intent or respond emotionally to the same stimuli.

Example: Ballgame
Political speech audience
Parade
Fires
Accidents
Disturbances

(Psychological type crowd is the group discussed in this lecture)

4. Types of Psychological Crowds*

Discuss/Trained/Performed

A. Friendly Crowd

Example: Ballgame, Church, Parade

1. This type of crowd is well behaved and requires only the simplest control by the police.
2. It can become riotous from improper handling.

B. Sighting Crowd

Example: Fire, Accident, etc.

1. People gather together from nowhere at the scene of an accident fire or disaster.
2. This crowd is curious, cooperative and anxious to assist.
3. Frequently becomes overzealous and becomes a liability to the officers.
4. Officer must retain cooperation of the crowd—firm but diplomatic.
5. As crowd gathers, officers should attempt to remove from area.
6. Crowd often interferes with rescue operations, increases problem of looting, destroys evidence at crime scene, and place themselves in danger.

C. Agitated Crowd

Example: Accident scene where ambulance does not arrive promptly

1. Friendly or sightseer crowd which becomes disturbed by emotional influences or swayed by irresponsible party.

D. Hostile Crowd

Example: Disturbance

1. A disorderly crowd is a throng willing to be led into lawlessness, but lacks the courage and unity of purpose.
2. Mob develops from this type of crowd.
3. As long as disorderly crowd can be controlled, it remains a crowd.
4. Hostile crowd is composed of:
 - a. A few determined leaders
 - b. Active participants
 - c. A large number of spectators
5. Hostile crowd is unorganized, is hesitant, and lacks unity of purpose and organization.

6. This group is noisy and threatening and will taunt and harass the police.
7. Officer must use judgement, tact, and diplomacy in dealing with group.
8. Acts of arrogance, violence or viciousness by an officer may encourage mob action.
9. Responsibility of police is to disperse crowd before it becomes mob.
10. Friendly, sightseers, and agitated type crowds can all become hostile crowds.

5. Psychological Aspects of Crowd Control*

Discussed/Trained/Performed

- A. Police Officers/Deputy Sheriffs formerly believed that psychology had no place in police operations. Many used it but under different name.
- B. Psychology now has definite place in police work, especially with crowd control.
 1. A Police Officer/Deputy Sheriff makes his/her job easier by knowledge of human behavior and methods of handling individuals and crowds.
- C. Certain knowledge necessary.
 1. Area involved
 2. Psychological background of population involved
 3. Knowledge of incident or event
- D. If tactful, officer can handle crowd easily - may lose control of crowd if temper is lost.
- E. Availability of manpower important.
- F. Use of tall man for crowd control is psychological factor.
- G. It is much easier to hold crowd back than to push them back later.
- H. Use of ropes and barricades are psychological factors often overlooked or neglected.
- I. The amount of force authorized for the use in the control of a crowd is "that force necessary to keep the situation in hand."

6. Types of Incidents*

Discussed/Trained/Performed

- A. Athletic Events

1. Crowd viewing athletic event is friendly type crowd.
2. Normally requires only a minimum of policing.
 - a. Knowledge of expected crowd is important - school rivalries, minority groups, reputed rowdies likely to attend, etc.
3. Officers should arrive at event early.
4. Establish command post at field office.
5. Drinking is greatest problem.
 - a. Have P.A. system make announcement of ordinance prohibiting drinking.
 - b. Make arrests as last resort.
 - c. Annoying persons should be requested to leave.
 - d. Remove drunks as quietly as possible.
 - e. If arrest is necessary, request presence of additional officers.
 - f. Remove from location immediately.
6. Juveniles can become problem if not properly handled.
 - a. Handle with tact and care.
 - b. Impound footballs and baseballs recovered by juveniles to prevent assaults.
7. Officer must at all times keep crowd under observation.
8. Handle all situations in a friendly but firm manner.

B. Parades

1. Persons viewing parade make up crowd.
 - a. Friendly type crowd
2. Extensive planning necessary to facilitate problem, flow of traffic, etc.
 - a. Each officer's detail should be arranged to make it easy for him to control the crowd.
 - b. Officers assigned to adjacent post should coordinate activities.
3. Officers should eat before reporting.
4. Officers are on display.
 - a. Appearance, uniform and equipment are important
 - b. Neat appearance has psychological effect
5. Report promptly to assigned post.

- a. Crowd can be formed in proper place
 - b. Route can be kept clear of unauthorized vehicles and pedestrians
6. Safety of spectators.
- a. Do not allow people to stray from behind defined boundaries.
 - b. Prevent movement into the streets as others will follow.
 - c. In event ropes are used - prevent surging against rope.
 - d. Keep intersections clear - have people view parade from curb.
 - e. Seat children on curb as parents in rear resist being pushed forward.
7. Officer should face crowd.
- a. Can observe and anticipate any problems that may arise.
 - b. Back to crowd reduces effectiveness and makes officer simply another spectator.
8. Saluting the colors.
- a. Salute massed colors.
 - b. Smaller groups of colors following may be saluted but is not necessary.
 - c. Begin salute when colors approach within six paces and hold until flag has passed officer a distance of six paces.
9. Officer must be firm but friendly at all times.

C. Fires

- 1. Sightseer type crowd
- 2. Fire personnel are in charge at location of fire
 - a. Deputies assist and make firemen's job easier
- 3. Purpose of Deputies at scene of fire
 - a. Assist in traffic and movement of emergency vehicles
 - b. Prevent movement over hose lines
 - c. Assist investigation and check for possible arsonists
 - d. Crowd control
- 4. Speed is essential in blocking off street intersection
- 5. Use ropes to establish fire lines
 - a. Rope has psychological value
- 6. Isolate hysterical people present at scene
- 7. Crowd must be kept from rear of premises and from unsafe place

8. Officers must be alert for looters
9. Much easier to keep crowd back than to push back later

D. Traffic Accidents

1. Accidents attract sightseer type of crowd
 - a. Can become an agitated crowd
2. Parking by curious drivers is greatest problem
 - a. If possible, prevent parking in immediate area
 - b. Parking at distance discourages many from returning to view scene
 - c. Establish traffic control some distance on either side of accident scene
 - d. Make use of dependable volunteers - service personnel, etc.
 - e. Officer must be particularly observant of persons crossing street
3. Smoking must be prevented due to the possibility of a fire/explosion from gas spills
4. Evidence must be preserved

E. Disturbances and crime locations

1. Sightseer type of crowd gathers at disturbances and crime scene
2. Crowd can become agitated or hostile
3. This is the most difficult type of minor crowd control problem
4. No rigid set of rules can be devised for handling these situations
5. Make reconnaissance of disturbance involving large number of persons
 - a. Call necessary reinforcements
6. Determine if crime committed
 - a. Misdemeanor - take report
 - b. Felony - make arrest if possible
 - c. Contact witnesses immediately
7. Isolate disturbing parties and witnesses
8. If arrest made - remove from area as quickly as possible
9. Officers must not become isolated in hostile crowd
10. Dispersal of crowd

- a. Cut crowd off at edges
- b. Disperse crowd quickly

11. Crime scenes must be preserved

- a. Use rope in lieu of personnel

7. Conclusions*

Discussed/Trained/Performed

- A. Every crowd should be viewed as a possible police problem
- B. Psychological type of crowd generally requires some police attention
- C. Friendly and sightseer crowds can become agitated with improper handling
- D. Most valuable asset in crowd control is knowledge of human behavior and the application of practical psychology
- E. Policing of special events require considerable planning
- F. Sightseer type of crowds cannot be planned for, therefore, use of excellent judgement required
- G. Crowds at disturbances are most difficult type to police
- H. Finally, success of officer in controlling crowds depends greatly upon the attitude of the officer towards his job

8. Tactic*

Discussed/Trained/Performed

After the initial planning phase, there are three basic tactical principles that must be taken into consideration by the commander at the scene of a disturbance.

Success of any Riot Control situation is dependent on the proper enforcement of these tactical principles.

1. Rapid Dispersion - The first tactical principle that must be considered is the rapid dispersion of the rioters. The mob, if permitted to operate over a long period of time, commit acts of violence, become bold, dangerous and uncontrollable. Law enforcement personnel must disperse the rioting at its conception and prior to its organization to successfully accomplish this principle.
2. Prevention of Assemblies - When the tactical principle of dispersal has been successfully accomplished the professional agitators and leaders will attempt to re-organize the mob. It is important, therefore, to prevent further gatherings, eliminating additional policing problems. The following methods can be used.
 - a. Mobile units patrolling area
 - b. Develop a system of guards on fixed posts

- c. Roving foot patrol
- d. Develop system of communications

The above methods serve two main purposes:

- a. Place the law enforcement personnel in a constant view of the public.
- b. Provides liaison through communications system which enables reserve and support groups to be called up immediately if necessary.

When the rioters are not permitted to gather, re-organization is impossible. The leaders, if not permitted to operate, will then go underground, turning to acts of sabotage and harassment.

- 3. Arrest of Leaders - It is a known fact that a job without a leader is not a major problem, therefore, agitators should be arrested or removed from the scene of the disturbance as soon as possible. The professional agitator normally operates well back in the crowd, in a safe place. This agitator uses the indigenous leader to do his "dirty work" remaining comparatively safe himself. These agitators and leaders are normally recognized by their activities within the crowds. Prior information should be supplied in reference to the professional agitators who might be difficult to recognize. The undercover agents that will be working within the actual crowd will help supply this information.

9. Formations Used In Dispersing Crowds*

Discussed/Trained/Performed

- A. These are generally based on standard infantry formations. Police with knowledge and training in normal drill formations will have no difficulty in adapting to the small variations needed for more efficient mob and riot control.
- B. There are four basic formations that are used for riot control. These are the COLUMN, the SKIRMISH LINE, the WEDGE, and the DIAGONAL formations. The last three are combat formations.
 - 1. COLUMN - generally used for approach to the riot area. When coming into the view of the rioters for the first time and in approaching them, this formation should always be moving in double time. This fast tempo of march is very impressive, psychologically, to the mob members. In fact, all changes of formation in front of the mob are best performed in the faster tempo. This is not only for the visual effect but also for tactical reasons when formations must be changed rapidly in close contact. All practice should be conducted likewise at double time.
 - 2. LINE OF SKIRMISHERS - for use when confronting the mob, to advance against it, for a display of force, or to block off an area. This is the usual formation when the unit is in line confronting the

mob but not in action or contact. From this formation gas can be launched and the wedge or other formation can be assumed rapidly.

3. WEDGE - used in clearing streets and splitting the mob. It is an offensive formation. In case of change of direction or of withdrawal, the wedge can be converted into a triangle or diamond by using the reserves to fill in the base.
4. DIAGONAL - ("right echelon" or "left echelon") - formation is assumed from the line of skirmishers or from the wedge. Its principal use is in movement against the mob when it is desired for the entire unit or elements of it to drive the mob members in a given direction, such as down a particular street.

10. Rules for Use of Formations*

Discussed/Trained/Performed

- A. The formation must be such that it can be maintained and the line held in the face of direct mob action and physical contact. The guiding principle is that movement in the action, whether it be offensive, defensive, or static, is always to be undertaken as a unit. Individual members of the police units must never be permitted to operate separately, both for reasons of safety and efficiency. The strength of the police unit is the strength of its combat formations, much more than the individual prowess of the men.
- B. Each formation should have a reserve, which will serve under the officer in command as he dictates, to meet the demands of the situation. It is never advisable to commit all the reserves to the action, if this can possibly be avoided.
- C. The officer commanding the unit must always be in the rear of the line of contact during action. The leader's exact position behind his unit during the action is not fixed; it is the position from which he can best perform his command duties.
- D. The choice of formation and tactics used must always be such that no members of the mob can get to the rear of the unit. If a situation develops that makes this a strong probability, the formation should withdraw.
- E. It is never advisable to commit a small formation too deeply into a mob or crowd; otherwise the unit may lose maneuverability and control and its avenue of retreat cut off.
- F. If the unit formation is small and the crowd or mob very large, contact should be avoided and the mob handled from a distance, taking advantage of the use of smoke, long-range gas guns, and other tactical means.
- G. If a retreat becomes necessary because of an unforeseen change in the situation, this retreat should always be made in formation, slowly so as not to give any indication of panic, and with the men facing toward the mob. Any situation that will indicate panic on the part of the police unit will only encourage the mob and make it more aggressive.

Even the members of the mob will initially respect the uniform worn by the unit, and the unit formation and discipline must be maintained to keep this respect.

- H. Changes in formations and movements are always made quickly. Surprise is to be achieved whenever possible. The offensive is always to be maintained once an action has begun.
- I. Should any member of a mob lay hands on a member of the unit and try to capture him or withdraw him from the formation, other members must instantly converge on the spot and overwhelm the opponent.

11. Forming Up*

Discussed/Trained/Performed

- A. The men to be used in the formations should be assembled at a point near the scene of the disturbance, but yet out of sight of the mob. No attempt should be made against the mob until sufficient personnel are on hand to make any attempted action meaningful. The mob's first view of the police should show them a uniformed and equipped body of men, formed and marching smartly in a disciplined military formation. The psychological shock upon the mob can be very effective in taking the heart out of the hangers-on and the undecided.
 - 1. Upon the command from the SQUAD LEADER to FALL IN, each member of the squad will fall into a line on the LEFT or the SQUAD LEADER. The ASSISTANT SQUAD LEADER is the last man in the line.
 - 2. To establish the correct interval, or space, between each man, the left arm should be extended, at shoulder level, until it touches the shoulder of the next man. Each man should also "dress" the line by turning his head to the right. When the line is "dressed" and spaced, arms are dropped and heads brought back to the front.
 - 3. The SQUAD LEADER will now give the command COUNT OFF. The SQUAD LEADER will sound off with "1" and each member of the squad will sound off with the next number in sequence. Each man keeps his number whatever formation is being used.
 - 4. To form the squad into a column from the front formation, the SQUAD LEADER gives the command RIGHT FACE. It is from the column that the tactical formations are formed.

12. Wedge*

Discussed/Trained/Performed

- A. PREPARATORY COMMAND ---- "SQUAD WEDGE"
- B. COMMAND OF EXECUTION --- "MOVE"

At the command of execution, the BASE MAN (#2 man) advances to spot indicated by the Squad Leader. EVEN NUMBERED men align themselves in sequence on the BASE MAN, ONE pace to the RIGHT and ONE pace to the REAR of each preceding man. ODD NUMBERED men align themselves in

sequence on the BASE MAN, ONE pace to the LEFT and ONE pace to the REAR of each preceding man. The SQUAD LEADER takes a position behind the men in formation from which he will have the best observation of the scene.

- C. HAND SIGNAL PREPARATORY --- Extend both hands over the head with fingers joined together at a peak

HAND SIGNAL EXECUTION --- Bring arms down sharply to the side

13. Diagonal (Echelon)*

Discussed/Trained/Performed

- A. PREPARATORY COMMAND --- "SQUAD DIAGONAL (ECHELON) RIGHT (LEFT)"

- B. COMMAND OF EXECUTION --- "MOVE"

At the command of execution, the BASE MAN advances to the position indicated by the Squad Leader. EVEN NUMBERED men align themselves in sequence on line with the BASE MAN, ONE pace to the RIGHT of the preceding man. ODD NUMBERED men align themselves similarly to the LEFT of the BASE MAN. If desired, a specific number of spaces between men in the formation may be indicated in the preparatory command. The Squad Leader takes his position of observation behind the line.

- C. HAND SIGNAL PREPARATORY --- Fully extend both arms on a horizontal line with the shoulders

- D. HAND SIGNAL EXECUTION --- Bring the arms down sharply to the side.

14. Tactics*

Discussed/Trained/Performed

The following suggestions and ideas, of necessity, should be adapted to meet each individual situation. They will not all apply to all cases. Each situation will be different from any other.

- A. Never try to bluff a mob. Do not threaten to do things that you cannot do or enforce. Should your bluff be "called," the mob thereafter becomes more lawless and dangerous. A threat is always antagonizing and may be accepted as a dare. Be able to back-up what you say or don't say it.

- B. Do not attempt to do more than you can reasonably expect to accomplish with the forces available. If the mob is too large, split it up. Use gas munitions in quantity or create delay by using obscuring smoke while awaiting reinforcements.

- C. Keep your men under tight discipline and control when facing a mob. Do not let the members of the mob aggravate your men into premature action by "name calling." Begin any offensive action on your own orders. Do not let mob members set things off by "baiting" individual members of your forces. The reasons and need for this should be clearly covered during the training program and reiterated, if possible, just before any mob contact or action.

- D. You should always anticipate that bricks, stones, clubs and other missiles will be thrown or used. Protective helmets are a must.
- E. The commanding officers should always be at a vantage point where they can see the entire action. Do not make the mistake, if you are the leader, of mixing into the action with your men. You lose control of the situation as you cannot see what is going on.
- F. The least violent and courageous members of the mob will be found in the rear, where there will also be spectators. It is often a good tactic to launch a surprise attack by gas against these rear elements. Normally, such attacks will cause panic and these rear elements will disperse more easily. Fear is highly contagious. If a part of the mob takes flight, the remainder will tend to panic and confusion. The sight of fleeing members can also demoralize the more determined mob members.
- G. Escape routes must always be available when using gas to disperse crowds or mobs. It is obvious that the mob members, in order to get away, must have free avenues of escape against gas concentrations.
- H. When it is apparent that mob members in front in contact with the police cannot retreat, because of pressure from the rear mob elements, the pressure on the front is retained while the rear and the center of the mob is attacked with gas.
- I. Extreme discipline must be maintained before and during the action to gain and keep respect of the mob members and spectators. A well-disciplined silent, well-armed unit with every member intent on the mission of controlling the mob, creates the impression of a powerful, competent machine.
- J. An effort should always be made to previously identify the leaders of the mob or the professional agitators. If they can be taken from the mob by use of formations and tactics at the early beginning, this is the best procedure, providing the unit is not endangered or does not have to penetrate too deeply into the mob. An organized mob will probably have a number of agitators simultaneously operating at different locations in the mob body. Apprehension of agitators and leaders before the mob has even formed is a basic tactic.
- K. Every disorderly assemblage should be first dealt with as a crowd until the point is reached when orders to disperse are disobeyed and actual physical resistance, such as the throwing of missiles, is encountered. At this time offensive action should be taken.
- L. Always use the element of surprise when possible. If sufficient units are available and the location is favorable, hit the mob simultaneously from the rear and flanks. If the mob has been faced on its front with police units for some time during a static period, send units to hit it from unexpected quarters in conjunction with a frontal assault. This applies to the launching of gas as well as offensive movements by baton-wielding formations.

- M. If it can be anticipated where a mob action will take place, close all possible businesses in the area and order people to stay inside the buildings. Be sure that liquor stores, bars, gun stores, and hardware stores are closed and guarded.
- N. Do not split your unit into a number of small detachments and try to quell minor diversionary disorders at scattered points. Concentrate on the main body of the mob, maintaining sufficient strength to handle it.
- O. Don't send small bodies of men into areas where they can be surrounded. You'll then be forced to rescue them and thus fail to concentrate on the main mob element. Protect your flanks and rear. Do not permit the mob to surround your unit. Maneuverability must be maintained.
- P. The use of a tear gas concentration, obscuring smoke, or a combination of both, is highly recommended to block a street or deny an area that is the target of a moving mob on the route to its objective.
- Q. Much has been written in the press about the use of water cannon, fire hoses, and similar high-pressure hose devices in crowd and mob control. These vehicles with high-pressure hose nozzles mounted on them that can carry their own water supply are useful but they can usually operate only on the fringes of the mob. If they penetrate too deeply into the mob, they are vulnerable to Molotov cocktails and other damage from the crowd. They must always be accompanied by mobile or foot units to protect them. Fire hoses are not only limited in range but are especially vulnerable to being cut by rioters. Conventional fire-fighting equipment is costly and generally should not be committed too deeply into mob actions. It's better conserved for fighting mob-caused fires. There is also a certain amount of danger present that must be considered high-pressure water streams against rioters at close range. The tremendous pressure of the water column striking individual rioters, especially women and children, is capable of sweeping them off their feet and producing serious injury. In the many riots taking place under warm, humid climatic conditions, the water hose application also loses a great deal of its effectiveness.

The following material will be covered during the recruit's eleventh week of training. The F.T.O. who provides the review shall note his/her initials, badge number and date the review took place.*

1. Strikes* _____
(Ref: Departmental Handout) Discussed/Trained/Performed
 - A. Outside of the city and within the County of Onondaga, the Sheriff's Department has the responsibility of policing strikes.
2. Duties of Sheriff Regarding Strikes* _____
Discussed/Trained/Performed
 - A. The general duties of the Sheriff's Department in connection with strikes and labor controversies are the same as under usual conditions more common occurrences; i.e., to protect life and property and to maintain order.
 - B. The Sheriff's Department alone is also charged with the duty of directing traffic. Outsiders shall not be permitted to assist.
 - C. Strikes and pickets, peacefully conducted, are legal.
3. Rules of Conduct by Strikers/Pickers* _____
Discussed/Trained/Performed
 - A. The following rules of conduct will be enforced by the Sheriff's Department and will be observed by those conducting or participating in labor controversies, strikes or picket lines:
 1. Picket lines shall form on the sidewalks and shall confine themselves to the outside or curbside of the sidewalks so as not to obstruct the passage of anyone wishing to pass along the sidewalk.
 2. Pickets shall not form along streets or roads.
 3. Picket does not have to be an employee of the company that is on strike in order to act as a picket.
 4. No specific number has been set for pickets. Unions may have as many pickets as they wish, provided they are peaceful and orderly and do not stop or impede persons or vehicles going in or out of the plant or along the sidewalk, street, or area walks.
 5. Pickets must keep moving.
 6. When a picket line stops or becomes unruly it becomes a mob and as such is subject to arrest. A mob consists of three or more persons.
 7. People working in, or having any business with, plants which are on strike have a right to freely pass.

- a. Anyone who desires to go into or out of a house or place of business where there is a labor controversy may do so without being impeded, stopped, or threatened with bodily harm.
 - b. Anyone desiring to take merchandise in or out of a house or place of business where there is a labor controversy may do so without being impeded, stopped or threatened with bodily harm. This applies to pedestrians, vehicles, railroad trains, etc.
8. Pickets may not in any way block a door, passageway, driveway, crosswalk or other entrance or exit to a struck plant, house, or place of business.
- a. Pickets may not impede traffic, pedestrians, vehicles or railroad.
9. Union officials or pickets have a right to talk to people going in and out of a struck plant; they may go to their homes and talk to them; or they may talk to them anywhere, provided they are orderly, intimidation threats and coercion will not be permitted and they cannot require anyone to listen.
- a. On the other hand, if a non-striker or non-picket does not want to talk to union officials or pickets, he does not have to and may freely go about his business without being stopped, impeded, intimidated, coerced or threatened.
10. Fighting, assault, violence, threat or intimidation will not be permitted.
11. Firearms, knives, clubs and other weapons will not be permitted.
12. A person may stand alongside of doors or entranceways and pass out leaflets or pamphlets to persons going in or out of the plant, house or place of business, but they are not permitted to stand in front of the door or passageway or in any way to block any entrance or impede traffic.
13. Sound trucks are legal providing they are not too noisy; volume must be kept within reason, and the sound truck must keep moving.
14. Profanity is not permitted.

4. Arrests*

Discussed/Trained/Performed

A. Prior to making arrests or taking affirmative action:

- 1. Identify picket captain
- 2. Advise him of the rules
- 3. Identify to him the trouble makers
- 4. Allow him/her the opportunity to solve problem
- 5. Advise him/her of the consequences
- 6. After warnings, problem is not solved take affirmative action

- B. When making arrests, Deputies will complete arrest reports, be photographed with suspects and attempt to have evidence, if any, photographed. (Photographs are preferable but not always possible.)

The following material will be covered during the Trainee's eleventh week of training. The F.T.O. who provides the review shall note his/her badge number, initials and date the review took place.*

1. Bombs/Hazardous Devices*
(Ref: G-D-1002-81) _____
Discussed/Trained/Performed
 - A. Every Code X (bomb threat) must be taken seriously. Always assume that a real bomb is present. Take your time. Don't take short cuts. Perform at your maximum level. Stay alive.
 - B. Investigative Steps
 1. Bomb threats
 - a. Patrol personnel are responsible for the initial investigation and completion of the report on a bomb threat. Notify field supervisor.
 - b. Obtain the basic information
 1. who received the threat
 2. how received
 3. when received
 4. what was said
 5. what kind of bomb
 6. what time will it go off
 7. obtain description of suspects voice
 8. background noises, etc.
 2. Evacuation
 - a. Unless a device is located, members of the Department may not order an evacuation of the effected area, but should inform the person in charge of the property of the need to evacuate. Some considerations are:
 1. Strength of the possibility of the bomb being present
 2. Difficulty of evacuation
 3. Loss of production
 3. The Search
 - a. Assign search teams to specific areas.
 1. If possible, use someone from the facility who is familiar with the facility (public access, etc.) accompanied by a Deputy if possible.
 2. Turn off portable radios inside facility.
 3. Search outside first (perimeter).

4. Interior searches start from bottom, work up checking areas easily accessible by public.
 5. Establish a pattern, i.e., grid, strip, etc.
 6. All other patrol units not assigned to call shall remain away from immediate area.
4. When a suspected destructive device is found
- A. A suspected destructive device is any unknown, unidentified, or suspicious package, parcel, briefcase, etc. If found by a Deputy they should:
1. not touch or attempt to move the item
 2. avoid the use of two-way radio equipment
 3. obtain as much information as possible concerning the item, including:
 - a. ownership
 - b. method by which the item arrived at or entered the scene
 - c. those persons having any association with the item
 4. If investigation fails to reasonably justify the presence of suspected item, exercise the following:
 - a. secure a safe area around the item
 - b. request Comm/Info by telephone to make proper notification
 - c. assess the immediate situation by taking into account the possible hazards and reasonable precautions, such as;
 1. threat of detonation/evacuate
 2. possibility of other suspected items/search
 3. no immediate danger/continue normal operations
- B. Unexploded ordnance devices
- Upon discovery of unexploded ordnance devices such as bombs, rockets, artillery shells, mortars, etc., the following procedures shall apply:
1. do not touch or attempt to move the device
 2. secure a safe area around the device
 3. request notifications through Comm/Info
 4. maintain secure perimeter until arrival of E.O.D. Personnel
- C. Surrender of hazardous material
- Upon the surrender by a citizen of a hazardous material the following procedures shall apply:

1. Do not allow the item into the Headquarters Bldg. or other occupied facility.
 - a. If item is delivered to the building or facility, have the complainant transport item to the nearest unoccupied area
2. Secure the item in a safe area and maintain a secure perimeter.
3. Request proper notifications via Comm/Info
4. Under no circumstances should non-E.O.D. personnel attempt to transport, dismantle, clean, render safe, or in any manner, alter or tamper with any explosive or hazardous items or materials.
5. Precautions

Should a Department member become involved in an explosive or hazardous material investigation, the following precautions are suggested.

- a. Remain calm. Take control of the situation until arrival of E.O.D. personnel.
- b. Do not smoke or permit smoking in the immediate vicinity of suspected materials.
- c. Turn off two-way radio equipment including patrol vehicle radio immediately prior to arriving at the location of the call.
- d. Do not accept identification markings as legitimate. Suspected materials or devices may be camouflaged.
- e. Do not take for granted that a device is non-explosive because it came through the mail.
- f. Do not move, jar, tip or , in any way, disturb a suspected device nor cut any strings or wires which may be attached to it.

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1. Hostage Situations*

(Ref: G-C-4001-81

Discussed/Trained/Performed

Trained hostage negotiators are available to you 24 hours per day. It is your job as a patrol officer to respond safely to an unconfirmed hostage situation and to control the scene until such help arrives.

A. Response to Unconfirmed Hostage Incidents

1. Respond (Second week T.G.)
2. Be equipped with portable radio
3. Plan and coordinate your approach with other personnel
4. Drive to within safe walking distance and proceed on foot
5. Notify field supervisor

B. Procedure when Hostage Situation is Confirmed

1. Communicate information to communications. Notify a field supervisor.
2. Establish a tight inner perimeter which affords you relative cover and which prevents entrance or exit from hostage location.
 - a. Report any activity
 - b. Await supervisor's instructions

NOTE: When enough officers are present to establish an inner perimeter, all other officers requested are to respond to the command post. This will be controlled by a supervisor.

3. Back-up units response shall be without red light and siren.
4. Establish outer perimeter to control movement into the general area. This will be done by a field supervisor.
5. Response to the command post or either perimeter of control shall be by order of the field supervisor.
6. Refrain from use of gunfire unless directed except for immediate protection of life or serious injury.

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I. The Sniper/Barricaded Gunman*

Discussed/Trained/Performed

The violent "sniping" or "ambush" activities by an individual or a group of individuals pose an extremely serious threat to any community. This threat is not only expressed as a danger to the lives and safety of all citizens but to the psychological well-being of the community.

- A. The first step to be taken by a Deputy when he/she is fired upon by a sniper/barricaded gunman is to take cover and announce the presence of a sniper/barricaded gunman to fellow officers. The officer should, at the same time, make sure that other officers in the area are made aware of the sniper/barricaded gunman's location, if discernible. It shall also be stressed that cover means a place that is safe from rifle fire, i.e., tree telephone pole, concrete building, etc. The use of automobiles and other thin material should be avoided. Notify a field supervisor.
- B. Officers who are under sniper/barricaded gunman fire and have established positions of secure cover should remain in those positions rather than attempt to maneuver away. This minimizes the chances of the officer being shot while attempting to maneuver. It also provides actual on the scene information from those officers equipped with portable radios to Headquarters and the command post. Remember, If you have a position of cover, stay there! If you do not - get one!
- C. Officers shall communicate to control.
- D. Officers shall not attempt to return the sniper's fire with their handguns unless they are able to meet all of the following conditions:
 1. They are within the effective firing range of their handguns.
 2. The officers do not unnecessarily expose themselves to the sniper/barricaded gunman.
 3. There is a limited danger of hitting uninvolved citizens.
- E. Officers at the scene shall attempt to block egress of the sniper, if possible. They shall advise headquarters if there is a need to send another unit(s) to establish a perimeter around the sniper/barricaded gunman's location. ONLY THOSE UNITS WHICH ARE SENT SHALL RESPOND. Any persons leaving the building must be considered suspect and must be identified and interrogated as to any knowledge of the incident. Witnesses will be taken to command post.
- F. Aid to wounded officers shall not be attempted with reckless abandon; proper precautions shall be maintained before wounded or dead officers are removed. This is best accomplished after Specialist and Advance

Teams are in position, the sniper/barricaded gunman has been isolated, and his effectiveness neutralized.

- G. A temporary command post must be established by the first field supervisor who responds to the scene, once a sniper/barricaded gunman incident has been confirmed. The Watch Commander will respond to the temporary command post and assume command until such time as relieved by competent authority.
- H. Other responding patrol units shall not go to the location of the sniping. They shall set up control points which limit ingress and egress by civilians and others (including curious police units) in a perimeter of at least a four (4) block area. This perimeter will be established by the command post and will be in the nature of quadrant responsibility. The control points are not necessarily limited to any specific location within the quadrant area, for they must be determined by the unit(s) given control responsibility as to those points that limit ingress and egress and also afford adequate cover for the officers.
- I. Specialist teams respond to the command post where they are briefed.
- J. Specialist teams maneuver into position.
- K. S.W.A.T. will be requested by the Watch Commander or ranking Deputy in charge (i.e. Sgt.). They will respond to Command Post unless otherwise ordered.
- L. In unconfirmed sniper/barricaded gunman incidents, it will be necessary to send two patrol units to the general scene of the alleged incident to either confirm the incident or ascertain that there is no merit to the incident. The responding Deputies will:
 - 1. Notify a field supervisor.
 - 2. Shall not respond directly to the scene of the alleged incident. They shall drive to within walking distance and proceed on foot with caution.
 - 3. They shall be equipped with portable radios and have them on. Request the use of channel one.
 - 4. The officers shall plan their response to the general area prior to responding on foot. By planning, it is meant that there shall be a coordinated plan of approach between all personnel responding.
 - 5. Officers shall communicate that they are responding to the general area of the incident and by what route.
 - 6. Officers maneuvering on foot shall use techniques of approach which include maneuvering by stealth, using cover and concealment, team maneuvering; i.e., one officer observing or covering while the other officer maneuvers.
 - 7. At any time the officer becomes aware of the fact that a sniper/barricaded gunman is actually present, the OFFICERS SHALL RETREAT TO SAFETY.

8. They shall communicate the fact that there is a confirmed sniper/barricaded gunman incident immediately to Control or the Command Post
 9. They shall communicate all information regarding the incident that is possible for them to discern, i.e., location of sniper, type of building, if there are any injured, etc.
 10. The officers shall secure the area so that specialized units can perform their mission.
- M. Response by all units shall be without red light and siren.
- N. Members of this Department who are dressed in civilian clothes shall not operate within the inner or outer perimeter with respect to performing anti-sniper tactics.

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1. Arson*

Discussed/Trained/Performed

A. The hardest part of an arson investigation is establishing the fact that the fire was in fact set.

B. Who sets fires:

1. Burglars - to cover their crime
2. A person who destroys his own business or home (fraud fire)
3. Pyromaniac - mentally disturbed person (usually)

C. Motives for Arson:

1. Profit
2. Revenge

D. Methods used to start fires:

This is left to the fire investigators to determine.

E. Response

1. Respond quickly and safely
2. Upon arrival determine life hazard, if any (people trapped inside)
3. Be aware of extremely toxic atmosphere that you may be entering.
4. Set-up traffic control if necessary

F. Role of Deputy at fire scene:

The duties/responsibilities of a Deputy at a fire scene is to rescue endangered persons and to observe.

G. What to observe:

1. General fire scene conditions
2. Weather conditions, including wind speed, direction and temperature, if possible
3. Automobiles or persons on foot leaving the fire scene (plate numbers and descriptions of persons should be recorded if possible)
4. Smoke and flame colors at time of arrival
5. The extent of involvement of the structure upon arrival
6. Bulk of the fire to left, right, or straight ahead
7. Fire at the floor level, part way up wall, overhead, or throughout the room
8. The rapidity and direction of fire spread
9. Any unusual odors or other signs of accelerants.
10. Multiple fires

11. Plants or fire starters which did not function (usually found by firefighters or investigators after fire has been put out)
12. Location of victim

G. The following are usually found by firefighters or investigators and should be included in the report if known:

1. Unusual wood charring or uneven burning
2. Holes in floors, walls or ceilings made before the fire
3. Windows open or closed and, if closed, whether locked
4. Doors open or closed and, if closed, whether locked
5. Any evidence of forced entry, burglary, or vandalism
6. Any evidence of tampering with fire protective systems, such as sprinkler systems (shut valves), fire detection and alarm systems, fire doors (blocked open), standpipes, fire extinguishers and burglary systems.
7. Any contents foreign to the occupancy (particularly those not indicated in the development of the pre-plan)
8. Any contents missing which would be expected to be present (for example, missing clothing, empty closets, shelves, drawers, missing furniture, TV sets)
9. Any evidence of tampering with the utilities such as, open gas cocks, broken gas piping, alteration of electrical equipment (to produce or enhance an ignition)
10. Candles, or remains thereof, matches or matchbooks (boxes) in the debris

H. Evidence

With regard to the protection and preservation of evidence, it is preferable that only the investigator handle the evidence so that the chain-of-custody of evidence can be maintained. If evidence must be moved, the item and its exact location before removal should be recorded (photographs are helpful). Utilize the E.T. in the collection of evidence.

I. Vehicles now come under the Arson Law

The following material will be covered during the eleventh week of the Trainee's Training and Evaluation. The F.T.O. who provides the review shall note his/her badge number, initials and date the review took place*

1. Snowmobile Accidents*

Discussed/Trained/Performed

A. Snowmobile Patrol Personnel On-Duty Status

1. Snowmobile patrols should be dispatched to all incidents involving snowmobiles reported to the Department.
2. In the event patrols are out of service or their location will cause a delayed response, the appropriate post patrol should be dispatched to the incident.
3. The patrol will investigate as in any 10-79, 10-80 investigation or normal investigation.
 - a. A written or penciled snowmobile accident report will be submitted by the patrol Deputy with two signed, but otherwise blank, accident reports. Records personnel will ensure a copy of the penciled report and the two signed reports are forwarded to the Special Enforcement Unit.
 - b. Snowmobile personnel will then complete and submit to records, the typewritten report as required.
 - c. Excluding felony investigations, normally continued by the Criminal Investigation, snowmobile patrols will be responsible for completing all investigations not concluded on the initial response.

B. Snowmobile Patrol Personnel Off-Duty Status

1. Personnel, for the purposes of being available to answer questions requiring immediate attention or for responding to incidents requiring their presence will rotate as the on-call officer and be available via pager.
 - a. Requests for snowmobile personnel to respond from an Off-duty status will receive prior authorization from the Special Enforcement Supervisor or Commander.

2. Investigation Report/Complaint Card Distribution*

Discussed/Trained/Performed

- A. Investigation reports relating to snowmobiles will be distributed to the Special Enforcement Unit.
- B. Records personnel will forward copies of all complaint memo cards, relating to non-reportable snowmobile incidents, to the Special Enforcement Unit.

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1. A.B.C. Investigations*

Discussed/Trained/Performed

- A. Primary responsibility for the enforcement of the Alcoholic Beverage Control Law is incumbent upon the law enforcement officials of the State.
- B. The State Liquor Authority as an administrative body, is empowered to revoke, cancel or suspend licenses or permits for cause after a formal hearing. Usually, cause arises from violations committed or suffered and permitted by the licensee or his agent. The Authority depends upon duly constituted law enforcement agencies to police the liquor industry, particularly the retail branch, to detect and apprehend violators and to give evidence against them. This is consistent with the letter and spirit of the law which defines as a misdemeanor "any violation by any person of any provision of this Chapter for which no penalty or punishment is otherwise provided." (Section 130, subdivision 3)
- C. Every violation of the Alcoholic Beverage Control Law known to police officers including those which have resulted in the arrest of, or service of, a summons upon licensee, his agent or employee, should be reported to the State Liquor Authority at the earliest practicable date. The report should set forth all pertinent facts, evidence and information in order that the Authority may promptly take such disciplinary action as the facts warrant.
 - 1. This is accomplished by the referral form.
- D. Common violations (ref: ABC Manual for Law Enforcement Official)
 - 1. Sales to minors
 - 2. Employment of minors
 - 3. Sales to intoxicated persons
 - 4. Habitual drunkards
 - 5. Prohibited hours (Sale-Bars, Taverns, etc.)
 - 6. Consumption after hours
 - 7. Gambling
 - 8. Disorderly premises (includes traffic in drugs and prostitution)
 - 9. Employment of felons and misdemeanants
 - 10. Sales during suspension period
 - 11. Visibility
 - 12. Display of license
- E. Disqualified Persons: Generally (Section 126)

The following are forbidden to traffic in alcoholic beverages:

- 1. A person convicted of a felony or certain misdemeanors such as keeping a disorderly house or promoting prostitution unless he has received an executive pardon or a certificate of good conduct.

2. A person under the age of 21.
3. A person who is not a citizen of the U.S. (or of a country having reciprocal treaty with the U.S.)
4. Certain corporations and partnerships whose principals or partners are disqualified.
5.
 - a. A person who has had a license revoked in the last two years
 - b. A person who, within the last two years, was convicted of a violation of the A.B.C. Law while not a licensee (or then in the employ of a licensee).
6. A corporation or co-partnership whose officer, director or partner would be disqualified under subdivision 5(a) or 5(b) above."

F. Disqualified Persons: Police Officers (Section 128)

It shall be unlawful for any police commissioner, police inspector, captain sergeant, roundsman, patrolman or other police official or subordinate of any police department in the several villages, towns and cities of this state, to be either directly or indirectly interested in the manufacture or sale of alcoholic beverages or to offer for sale, or recommend to any licensee any alcoholic beverages. The solicitation or recommendation made to any licensee, to purchase any alcoholic beverages by any police official or subordinate as hereinabove described, shall be presumptive evidence of the interest of such official or subordinate in the manufacture or sale of alcoholic beverages.

G. A.B.C. Checks

Any licensed establishment should be checked periodically.

H. Indicators which warrant an A.B.C. check

1. During operating hours
 - a. Any unusual activity
 - b. Complaints (citizen)
 - c. Fights
 - d. Frequent requests for police assistance
2. After hours
 - a. Any unusual activity
 - b. Lights still on
 - c. Music or noise emanating from the establishment

I. Making the A.B.C. Check

1. Notify field supervisor
2. Approach quietly
3. Make observations prior to entering (thru window)
4. Note sale (if any)

5. Note consumption (if any)
6. Locate and identify evidence
7. Obtain evidence (if any)
8. Submit evidence to lab for analysis
9. Complete incident card (always)
10. Complete reports when necessary (includes incident card and referral) prior to going off duty
11. Issue appearance ticket when applicable
12. Take into custody and arraign when necessary

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1. Landlord-Tenant Disputes*

Discussed/Trained/Performed

- A. The Deputy's role of peace-keeper involves all areas of human conflict. This includes the common landlord-tenant dispute which can, if not successfully mediated, escalate into violence and an arrest situation.

This material, while primarily civil in nature, is intended as an overview in this area.

- B. It should be noted that every person enjoys the right to be secure in his person and property. In any landlord-tenant dispute, resist the temptation to immediately pronounce the matter "civil", conduct an inquiry to determine that no crime has been committed, i.e., assault, harassment, criminal mischief, etc., and then attempt to have reason prevail.

- C. In most instances, landlord and tenant are parties to a contract that involves certain obligations and responsibilities. While we do not suggest that you read the lease or rental agreement, generally, we can say the tenant has what is called a Warrant of Habitability.

Essentially this means the premises are liveable, e.g., heat, light, plumbing, etc. Any action on the part of the landlord, such as turning off heat, water, removing doors, can amount to "constructive eviction."

2. The Usual Grounds for Eviction Are*

Discussed/Trained/Performed

- A. Holdover tenant - a tenant can be evicted if he continues in possession of any portion of the premises after the expiration of his term without the permission of the landlord.

- B. Non-payment of rent - A tenant can be evicted if he has defaulted in the payment of rent after the landlord has made a demand for the rent or has given him three days notice in writing.

- C. Bankruptcy of Tenant - A tenant may be evicted if he is in possession of the property under a lease of 3 years or less and has become insolvent or bankrupt.

- D. Illegal Use of Premises - A tenant maybe evicted if he uses the premises for any illegal business purpose.

3. The Landlord who desires to evict a Tenant must do so through the Courts of an Attorney*

Discussed/Trained/Performed

A variety of legal requirements must be met. In any event, the Court alone can issue a warrant to dispossess (eviction proceeding - NOT SMALL CLAIMS COURT).

4. The Officer to whom the Warrant is directed shall give the Respondent at least 72 hours notice in writing before he evicts them*

Disc/Trnd/Performed

The notice requirement can be met:

- a. Handed to tenant personally.
- b. Handed to an adult on the premises and a copy sent to the tenant by mail.
- c. If no one is home, the notice may be posted in a conspicuous place and a copy sent by mail.

5. Real Property Actions and Proceedings*

Discussed/Trained/Performed

Section 749: Warrant

- A. Upon rendering a final judgement for petitioner, the court shall issue a warrant directed to the Sheriff of the county...describing the property...commanding the officer to remove all persons...to put the petitioner in full possession.
- B. — The officer to whom the warrant is directed and delivered shall give at least seventy-two hours notice, in writing and in the manner prescribed in this article for service of a notice of petition, to the person or persons to be evicted or dispossessed and shall execute the warrant between the hours of sunrise and sunset.
- C. The issuing of a warrant for the removal of a tenant cancels the agreement under which the person removed held the premises and annuls the relation of landlord and tenant. But nothing contained herein shall deprive the court of the power to vacate such warrant for good cause shown prior to the execution thereof. Petitioner may recover by action any sum of money which was payable at the time when the special proceeding was commenced and the reasonable value of the use and occupation to the time when the warrant was issued for any periods of time with respect to which agreement does not make any provision for payment of rent.

6. Real Property Law*

Discussed/Trained/Performed

Section 223-B: Retaliation by Landlord against Tenant

- A. No landlord of premises or units to which this section is applicable shall serve a notice to quit upon any tenant or commence any action to recover real property or summary proceeding to recover possession of real property in retaliation for:
 1. A good faith complaint, by or in behalf of a tenant, to a governmental authority of the landlords alleged violation of any health

or safety law or regulation which has as its objective the regulation of premises used for dwelling purposes; or

2. Actions taken in good faith, by or in behalf of the tenant, to secure or enforce any rights under the lease or rental agreement, under Section 235B of this Chapter, or under any other law of the State of New York...
3. The tenant's participation in the activities of a tenant's organization.

B. A landlord shall be subject to a civil action for damages and other appropriate relief, including injunctive and other equitable remedies.

7. Real Property Law*

Discussed/Trained/Performed

Section 235: Willful Violations

A. Any lessor, agent, manager, superintendent or janitor of any building or part thereof, the lease or rental agreement whereof by its terms, expressed or implied, requires the furnishing of hot or cold water, heat, light, power, elevator service, telephone service or any other service or facility to any occupant of said building who willfully or intentionally fails to furnish such water, heat, light, power, elevator service, telephone service or other service or facility at any time when the same are necessary to the proper and customary use of such building or part thereof, or any lessor, agent, manager, superintendent or janitor who willfully and intentionally interferes with the quiet enjoyment of the leased premises by such occupant is guilty of a violation.

8. The Landlord may enter an apartment or rental dwelling without Tenant's consent in the following situations*

Discussed/Trained/Performed

- A. In an emergency.
- B. To make necessary repairs or agreed on repairs, or to show apartment to prospective tenants, purchases, workman or contractors or mortgage holder.
- C. When the tenant has moved out.
- D. When a court order authorizing entry is in effect.
- E. Section (A) provides for entry at any time if emergency conditions exist, (e.g., smoke, leaking water, etc.). Section (B) during normal business hours with reasonable notice to Tenant.

9. Small Claims Court

A. Small Claims Court is a court in which citizens may resolve a money matter of a civil nature. It is advised that they consult an attorney

prior to commencing any action, however, this is not an absolute necessity

B. In small claims actions the claim may not exceed \$1,000.00

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- A. Week #1 Use of Firearms
 - B. Week #2 Methods of Response - Radio Procedures
 - C. Week #3 Family Disputes - Assaults
Traffic and Felony Stops
 - D. Week #4 Searches, Handcuffing and Transporting of Prisoners
 - E. Week #5 Arrests
 - F. Week #6 Rights-Stop & Frisk, Burglary
 - G. Week #7 Robbery - Sexual Assaults
 - H. Week #8 Warrants - Juvenile Cases, Crime Scene Preservation
 - I. Week #9 Drugs-Evidence/Property, Checks, D.W.I.
 - J. Week #10 Mental Illness Cases - Death Cases
 - K. Week #11 Hostage/Barricaded Gunman Situations - A.B.C. Checks
 - L. Week #12 Final Examination

The F.T.O. Sergeant shall indicate by signature below that the preceding week's block of material has been reviewed by the F.T.O. and the Trainee.

Sgt. Badge #

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