

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES

SECTION: Organization



Memphis Police Department

Mission Statement

Our Purpose is to create and maintain public safety in the City of Memphis. We do so with focused attention on preventing and reducing crime, enforcing the law, and apprehending criminals.

Vision

To create and maintain for the City of Memphis an environment of public safety recognized for its intolerance for crime and its compassion and responsiveness to the needs, rights, and expectations of all citizens, employees and visitors.

Values

Honesty || Excellence || Integrity || Leadership || Dignity and Respect
Recognition and Reward || Personal Responsibility || Individual Accountability
Continuous Learning || Clarity of Expectations

Every organization requires its own internal procedure for conveying information and instructions, as well as establishing rules and regulations governing employee performance. The most effective method for an agency of our size is to compile relatively permanent material into a single source manual and to supplement that manual when changes in procedure are necessary.

This Policy and Procedure Manual has been established to meet these needs.

The material in this manual governs the action of all departmental personnel. However, it must be remembered that due to the nature of police work, emergency situations may arise that require a temporary deviation from standard policies and procedures. Therefore, operational procedures contained in this manual may temporarily be superseded by an order of the Director of Police Services when necessary.

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I. Regulations for the Governance of the Police Department

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A. Service to the Community

The Memphis Police Department has the primary responsibility of providing complete law enforcement services to the City of Memphis. The Memphis Police Department will respond to all calls for service within the City of Memphis and will enforce all Memphis City Ordinance Codes. MPD officers will investigate and enforce all violations of Tennessee Code Annotated laws, traffic and criminal, within the City of Memphis.

Within the confines of the Memphis city limits, the Memphis Police Department has concurrent jurisdiction with the Shelby County Sheriff's Department, and with various state and federal law enforcement agencies. These agencies have legal authority to perform particular police functions within the City of Memphis. The origin of their office (federal, state, etc.) defines the scope of their authority. Since these organizations share the same primary objective, they may from time to time request assistance from the Memphis Police Department. (2.1.2)

The Memphis Police Department serves the citizens of the City of Memphis by performing the law enforcement function in a professional manner, and it is to these citizens that it is ultimately responsible. The Department protects the rights of all persons within its jurisdiction to be free from criminal attack, to be secure in their possessions and to live in peace.

A large urban society free from crime and disorder remains an unachieved ideal; nevertheless, consistent with the values of a free society, it is the primary objective of the Memphis Police Department to, as closely as possible, approach that ideal. In doing so, the Department's role is to enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of police authority and the constitutional rights of all persons.

The Memphis Police Department recognizes that diversion programs are effective alternatives available to the criminal justice process and will support and assist intervention program administrators, courts and solicitors through funding and/or participation in accordance with State and Federal guidelines.

These programs include but are not limited to: (1.1.3)

Shelby County Drug Court where the department provides funding; and
Shelby County Community Service Work Program where the department provides community service worksites.

B. Standards of Conduct:

1. All non-sworn, civilian personnel of the Memphis Police Department shall abide by the following Civilian Code of Ethics:

"As an employee of the Memphis Police Department, I regard myself as a member of an important and honorable profession. As such, I will not, in the performance of my duties, work for unethical advantage or personal profit and I shall:

- *Perform my duties with efficiency to the best of my ability.*
- *Be truthful at all times. My conduct and performance of duties will be accomplished in an honest manner, and in compliance with the laws; local, county, state, and*

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country.

- *Adhere to the confidentiality of the Law Enforcement profession.*
- *Recognize at all times that I am a public safety employee, and that ultimately I am responsible to the public.*
- *Give the most efficient and impartial service of which I am capable at all times.*
- *Be courteous in all my contacts at all times.*
- *Regard my fellow employees with equality, dignity, and respect.*
- *Be loyal to my fellow employees, my superiors and the Memphis Police Department.*
- *Accept responsibility for my actions.*
- *Strive to do only those things that will reflect honor on my fellow employees, myself, and the Memphis Police Department”*

2. All sworn members of the Memphis Police Department will abide by the standards of conduct set forth in the Law Enforcement Code of Ethics (1.1.2):

"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 persons 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 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."

Police officers are frequently required to make decisions affecting human life and liberty in difficult situations where there is little or no opportunity to seek advice and little time for reflection.

Law enforcement, therefore, requires an officer to have the stamina, intelligence, moral courage and emotional stability necessary to fairly and impartially deal with human beings in the many complicated and potentially explosive situations, which he encounters.

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The public demands that the integrity of its law enforcement officers be above reproach, and the dishonesty of a single officer may impair public confidence and cast suspicion and disrespect upon the entire Department. Succumbing to even minor temptation can be the genesis, which will ultimately destroy an individual's effectiveness and contribute to the corruption of countless others. A member must scrupulously avoid any conduct, which might compromise the integrity of themselves, their fellow members or the Department.

A police officer is the most conspicuous representative of government, and to the majority of the people he is a symbol of stability and authority upon whom they can rely. An officer's conduct is closely scrutinized, and when his actions are found to be excessive, unwarranted or unjustified, he and the Department are criticized far more severely than comparable conduct of persons in other walks of life. Since the conduct of a member, on or off duty, does reflect directly upon the Department, members must at all times conduct themselves in a manner which does not bring discredit to themselves, the Department, or the City.

Effective law enforcement depends upon a high degree of cooperation between the Department and the public it serves. The practice of courtesy in all public contacts encourages understanding and appreciation; discourtesy breeds contempt and resistance. The majority of the public are law-abiding citizens who rightfully expect fair and courteous treatment by members of the Department. While the urgency of a given situation would demand firm action, discourtesy or disrespect shown toward any citizen is indefensible. The practice of courteous and respectful conduct by a member is not a manifestation of weakness; it is, on the contrary, entirely consistent with the firmness and impartiality that characterizes a professional police officer.

Members of the Memphis Police Department are confronted daily with situations where firm control must be exercised to affect arrests and protect the public safety. Control is achieved through advice, persuasion, warnings or the use of physical force. While the use of reasonable physical force may be necessary in situations, which cannot be otherwise controlled, force may not be resorted to unless other reasonable alternatives have been exhausted or would clearly be ineffective under the particular circumstances involved. Officers are permitted to use whatever force is reasonable and necessary to protect others or themselves from bodily harm. The use of excessive and unwarranted force or brutality will not be tolerated under any circumstances.

Recognition of individual dignity is vital in a free system of law. Just as all persons are subject to the law, all persons have a right to dignified treatment under the law, and the protection of this right is a duty, which is binding on the Department and each of its members, as any other.

Every member must treat each person with respect and he must be constantly mindful that the people with whom he is dealing are individuals with human emotions and needs. Such recognition and conduct is not an additional duty imposed to a member's primary responsibilities, it is inherent in them. A citizen's encounter with the police can be a very

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frightening experience, and under such circumstances, the risk of misunderstanding is great. The minimization of this risk is a challenge intrinsic in every public contact by the members of this Department. Each member of the Department must strive to establish a climate where they may perform their sworn duties with the acceptance, understanding, and approval of the public.

It is essential that public confidence be maintained in the ability of the Department to investigate and properly dispose of complaints against its members. Additionally, the Department has the responsibility to seek out and discipline those whose conduct discredits the Department or impairs its effective operation. The rights of the member, as well as those of the public, must be conducted fairly, impartially and efficiently, with the truth as its primary objective."

All personnel shall receive training concerning ethics biennially.

C. Regulations Establishing the Goals of the Department:

To implement the foregoing regulations of the Memphis Police Department, the following goals are hereby established:

1. Protection of life and property in the City of Memphis;
2. Prevention of crime;
3. Preservation of the public peace;
4. Enforcement of all laws and ordinances;
5. Arrest of law violators and assembling competent evidence of the alleged violation;
6. Promotion of respect and cooperation of all citizens for the law and for those sworn to enforce it.

D. Regulations Establishing the Goals of Department Members:

The goals of Department members that embody and implement the policy of the Department are:

1. Maintenance of the highest standards of integrity and ethics;
2. Excellence in the performance of duty;
3. Maintenance of private lives, which inspire respect and admiration and provide an example for the entire community.

In order for members of the Department to fulfill these goals and assist in fulfilling the Department's goals, members who wish to make suggestions for improvement may communicate their suggestions in writing to the Research and Development Office.

E. Use of Discretion by Department Personnel

Discretion is the power of free decision, or latitude of choice within certain legal bounds. It is unrealistic to expect officers to enforce all laws and ordinances regardless of the circumstances that are encountered. Instead, officers must make discretionary choices in

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enforcement action or inaction.

Discretion shall be based on the totality of the circumstances and applied consistently.

The use of discretion requires that an officer make responsible decisions which are predicated on good judgment and can withstand scrutiny by the department, other jurisdictional components of the criminal justice system and the community itself.

Consistent and wise use of discretion will do much to preserve good relationships and retain the confidence of the public. On the contrary, when discretionary power is poorly exercised, the actions may be viewed by the public as favoritism, bias or corruption.

Officers will use discretion consistent with the laws that they are charged to enforce, and will not exercise discretion when certain activities are mandated by statutes, department policy or supervisory direction. Officers will take enforcement action whenever the criminal act endangers or has the potential to endanger the lives, safety, property and well-being of the public. If an officer needs guidance in exercising discretion, the officer should refer to state law, city ordinance code, or the MPD Policy and Procedures Manual. If the situation is beyond the officer's scope of responsibility, the officer should contact a supervisor for assistance. (1.2.7)

Nothing in this directive is to be construed as permission to disregard any state law, ordinance or rule and regulation of the department. Each officer will be held accountable for their actions in these circumstances.

II. Organizational Functions, Command Authority and Rank Structure

- A. Organizational Functions** – The Memphis Police Department utilizes the chain of command principle. Each organizational component is under the direct command of only one supervisor. The department's organizational structure is to be depicted graphically on an organizational chart, which will be reviewed and updated, as necessary, by the Director. The organizational chart is to be posted at each precinct/bureau and is available to all personnel. (11.1.2, 11.2.2)

The Memphis Police Department is divided into six (6) branches of management: (11.1.1)

1. **Executive Branch:** The Executive Branch of the Memphis Police Department is the primary management arm of the organization and is controlled by of the Director of Police Services and the Deputy Director. The Executive Branch will handle all functions of critical importance to the department, or which have a high community concern.

The following will report directly to the Director of Police Services:

- Directors Executive Assistants
- Deputy Director
- Finance Administration
- Grants Administration
- Inspectional Services
- Internal Affairs
- Security Squad
- Media Relations
- Communications Administrator

2. **Administrative Services:** The Police Administrative Services Branch consists of Support Services and is commanded by the Deputy Chief of Administrative Services.

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Support Services provides all employee services, interacts with the City of Memphis to coordinate hiring and employee benefits, and coordinates - capital projects and purchases for the department.

The following units will report to the Deputy Chief of Administrative Services:

- | | | |
|------------------------------|------------------------------|-------------------------|
| • Accreditation and Research | Terminal Agency Coordinators | • Legal Liaison |
| • Arrest Data Entry | • Compstat/Report Center | • Photo Lab |
| • Special Projects | • Fleet/Building Maintenance | • Property and Evidence |
| • Central Records | • Health and Safety | • Radio Maintenance |
| • Central Supply | • Human Resources | • Special Projects |
| • Communications | | |

3. **Police Information Technology:** The Police Information Technology Branch is commanded by the Deputy Chief of Police Information Technology. Information Technology plans and implements projects to introduce the use of new technology into law enforcement operating procedures. It also includes Information Systems which is responsible for providing and maintaining all communication services, police records, and reporting system and provides technical support to maintain these services.

The following units will report to the Deputy Chief of Police Information Technology:

- | | | |
|-----------------------------------|-----------------------|---------------------------------|
| • Application Development Support | • Information Systems | • Real Time Crime Center (RTCC) |
| • Crime Stoppers | • Network Manager | Crime Stoppers |
| • Crime Analysis | • RMS Administrator | Crime Analysis |
| | • Video Analysis | |

4. **Investigative Services:** The Investigative Services Branch is a 24-hour operation and has the responsibility of investigating all felony crimes. It is commanded by the Deputy Chief of Investigative Services.

The following Bureaus/Units will report to the Deputy Chief of Investigative Services:

- | | | |
|---------------------------------|------------------------------|-------------------------------------|
| • Child Exploitation Task Force | • COMEC | • USM Mid-South Fugitive Task Force |
| • Crime Scene | • Joint Terrorism Task Force | • USS Economic Crimes Task Force |
| • Domestic Violence | • Quality Assurance | |
| • Economic Crimes | • Safe Streets Task Force | • Vehicle Storage |
| • Felony Response | • Sex Crimes/ Juvenile Abuse | |
| • Homicide | | |
| • Metro Alarm Office | | |
| • Missing Persons | | |

5. **Special Operations:** The Special Operations Branch is commanded by the Deputy Chief of Special Operations. This Branch includes specialized units, which serve within the Memphis Police Department.

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The following units will report to the Deputy Chief of Special Operations:

- | | | |
|-----------------------|------------------------|-----------------------|
| • Air Support | • Organized Crime Unit | • Reserve Division |
| • Bomb Unit | Vice | Special Events |
| • Canine Unit | Criminal Apprehension | • T.A.C.T. |
| • City Court Officers | P.S.N. | • Traffic Division |
| • Crime Prevention | Investigative Support | D.U.I. |
| Boxing Gym | Unit | S.T.I.S. |
| • Harbor Patrol | Destruction Team | Motors |
| • Homeland Security | Complaint Team | Civilian Traffic Aide |
| • Juvenile Court | DARE/GREAT | Police Service |
| Officers | Gang Unit | Technicians |
| • Mounted Patrol | Criminal Enterprise | • Warrant Squad |
| • O.I.S. | Team | • Wrecker Coordinator |
| | DEA Task Force | |
| | Drug Response Team | |

The department is committed to the development and perpetuation of programs designed to deter and control juvenile delinquency. The responsibility for participating in or supporting the agency's juvenile operational function is shared by all agency components and personnel. (44.1.1.a, b) The department will encourage review and comment by other elements of the juvenile justice system in the development and implementation of new policies and procedures relating to juveniles. (44.1.2)

6. **Uniform Patrol:** The Uniform Patrol Branch is a 24-hour operation and is comprised of two districts, District 1 and District 2. Each District is commanded by its respective Deputy Chief. Uniform Patrol is the most visible representative of City government, and is responsible for the delivery of all basic police services, including responding to calls for assistance.

The following work stations comprise Uniform Patrol District I:

- | | |
|-----------------------------|---------------------------|
| • Mt. Moriah Station/G.I.B. | • Airways Station/G.I.B. |
| • Raines Station/G.I.B. | • Ridgeway Station/G.I.B. |

The following work stations comprise Uniform Patrol District II:

- | | |
|---|--|
| • Tillman Station/G.I.B. | • Old Allen Station/G.I.B. |
| • South Main Station/G.I.B./ EDU/
Regional One Health Hospital | • Union Station/G.I.B./ Public Housing |
| | • Appling Farm Station/G.I.B. |

B. MPD Acronyms and Unit Names

No acronym or name is to be assigned to any unit or team within a bureau of the department without the permission of the Director of Police Services. Examples of approved acronyms are – OCU, ISU, ISB and RTCC. OCU has teams with approved acronyms such as CAT, PSN, and UC.

C. Command Authority

Date: 08-27-18

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It is the goal of The Memphis Police Department to be organized in such a manner so as to ensure unity of command, to see that each member of the department is assigned responsibility which is equal to his or her authority, and to make certain that each member is held accountable for the use of the authority that he or she has been assigned. (11.3.1)

1. The Director of Police Services shall have general care of the peace of the city, and shall see that all subordinates do their duty in preserving the safety of the citizens of Memphis. The Director shall have control over the entire police force and shall exercise and discharge all powers and functions necessary to create and maintain public safety in the City of Memphis. The Director will have command authority of all members and employees of the department. Various units that handle functions of critical importance to the Department, or have a high community concern, will report directly to the Director of Police Services. In order to ensure that accountable leadership is available when the Director is incapacitated, or in exceptional situations which render the Director unable to act, the following order of command precedence is designated, unless instructed otherwise by the Director:

Deputy Director of Police Services
Deputy Chief Administrative Services
Deputy Chief Uniform Patrol Division I
Deputy Chief Uniform Patrol Division II
Deputy Chief Uniform of Investigative Services
Deputy Chief Uniform of Special Operations
Deputy Chief of Police Information Technology
Colonels (12.1.2.a, b)

2. The Deputy Director is accountable to the Director of Police Services and will assist the Director in the day-to-day operations of the Memphis Police Department. The Deputy Director shall see that the goals and objectives set forth by the Director are carried out. The Deputy Director will have command authority over the Deputy Chiefs and their subordinates. (12.1.2d)

3. The six Deputy Chiefs are responsible for their respective divisions and functions:

Administrative Services
Uniform Patrol District I
Uniform Patrol District II
Investigative Services
Special Operations
Police Information Technology

The Deputy Chiefs will have command authority over the rank of Colonel and their subordinates.

4. The Colonel is the executive manager over the organizational component(s) to which they are assigned. The Colonels will determine the operational needs and goals of their assigned components. The Colonels will have command authority over the Lieutenant Colonel of their respective organizational component and their subordinates.

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5. The rank of Lieutenant Colonel will act as the immediate executive supervisor over the organizational component to which they are assigned. Lieutenant Colonels will make operational decisions for their assigned components. Night Duty Lieutenant Colonels will make operational decisions after regular operating hours and on weekends. Lieutenant Colonels have command authority over the Major of the respective organizational component and their subordinates.
6. Majors, Lieutenants, Sergeants and Patrol Officers will be staffed accordingly within each unit/precinct/bureau, and all personnel will be accountable to only one supervisor at any given time. Majors have command authority over Lieutenants; Lieutenants have command authority over Sergeants, Patrol Officers, Police Recruits, Police Service Technicians, and other Civilians. (11.2.1)

D. Command/Rank Structure:

The command/rank Structure for sworn personnel is as follows:

- | | | |
|--------------------|-----------------------|---------------------------------|
| 1. Director | 5. Lieutenant Colonel | 9. Patrol Officer |
| 2. Deputy Director | 6. Major | 10. Patrol Officer/Probationary |
| 3. Deputy Chief | 7. Lieutenant | 11. Police Recruit |
| 4. Colonel | 8. Sergeant | 12. Police Service Technicians |

The command structure for civilian personnel is as follows :

- | | | |
|--------------------|-----------------------|------------------------|
| 1. Director | 4. Colonel | 7. Manager |
| 2. Deputy Director | 5. Lieutenant Colonel | 8. Supervisor |
| 3. Deputy Chief | 6. Major | 9. All other employees |

Members shall utilize, recognize and respect the chain of command in all official actions as designated in the rank structure. Each member shall be responsible or accountable to his regular immediate supervisor, except when working on a special assignment, incident, or temporarily assigned to another unit. In such cases, the member shall be accountable to the supervisor in charge of the assignment or incident. In exceptional situations, the highest-ranking officer shall assume command of the scene. Subsequently, a supervising officer may be required to give a lawful order to a member or component that is outside of his normal chain of command. In such cases, rank will be respected and the order shall be obeyed.

Members receiving conflicting orders shall advise the person issuing the conflicting order of the previous instructions. The responsibility for countermanding the first order rests with the person issuing the second order. If a conflict remains, the last order given shall be the one obeyed. (12.1.3)

No member shall be required to obey an unlawful order. The responsibility to refuse to obey an unlawful order rests with the individual member and shall require justification. Members receiving an unlawful or unjust order shall report this fact, in writing, to the next higher level or authority through the chain of command, as soon as possible.

When specialty unit investigators are requested, they shall assume control of the investigation or scene until their services are no longer required. (12.1.3)

When two or more components within the Department are engaged in a joint operation, the commander of the unit initiating the operation will clearly identify the person in charge of the

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operation to all participants at the beginning of the operation. (12.1.2c)

III. Regulations Establishing The Duties Of Members:

To attain the Department's goals, the member's goals and to implement the regulation of the Department, the following duties are established for the Director, supervisory members, sworn, and civilian members of the Department.

A. Director

The Director of Police will plan, organize, staff, direct and control the personnel and resources of the Department to attain the goals and implement the regulations set forth herein.

B. Supervisory Members

Supervisory members will be responsible for adherence to the Department's policies, regulations, orders, and procedures. They are responsible and accountable for the maintenance of discipline and will provide leadership, supervision, training, and ensure the efficiency of unit operations. They have the responsibility to influence subordinate members and to motivate them to perform at a high level of efficiency. They have the responsibility for the performance of all subordinates placed under them and while they can delegate authority and functions to subordinates, they cannot delegate responsibility.

They remain answerable and accountable for failures or inadequacies on the part of their subordinates. Shift assignments for all supervisory and management personnel will be determined by the Director of Police Services. (PM 62-02) (11.3.2)

Supervisory members are members who are at the rank of Lieutenant and above. Pursuant to Article 4, Bargaining Unit, of the Memorandum of Understanding (MOU), the MOU applies to "all commissioned officers below the rank of Lieutenant."

The rank of Lieutenant and higher (management) are not covered by this agreement. As such, members of management will not hold an elected office with the Memphis Police Association. Any member of management that has/ will be elected as an MPA officer will hold the position of Sergeant or patrolman. This complies with the negotiated agreement between the City of Memphis and the Memphis Police Association.

Supervisory members will:

1. Lead, direct, train, supervise, and evaluate members in their assigned duties.
2. Provide leadership and guidance in developing loyalty and dedication to the police profession.
3. Perform specific duties and functions as assigned by the Director or a superior officer.
4. Uphold a member who is properly performing his duty, deal fairly and equitably with all members and, when necessary, correct a subordinate in a dignified manner.
5. Cooperate with other units of the Department, other City agencies and other police agencies.
6. Recommend remedial or disciplinary action for inefficient, incompetent or

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unsuitable members.

7. Ensure that all policies, rules, regulations, orders and directives of the Department are enforced and implemented by their subordinates.
8. Remain accountable for the failure, misconduct or omission by their subordinates.

C. Sworn Members

Sworn members will devote themselves fully to the attainment of the letter and spirit of the Departmental policy and goals, and will conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement.

Sworn Members Will:

1. Render the highest order of police service to all citizens, whether or not during specifically assigned hours.
2. Obey all laws and promptly execute all lawful orders.
3. Know and conform to the Department's policies, rules, regulations, orders, procedures and directives.
4. Receive, record and service immediately all complaints and requests for service in accordance with Department orders.
5. Provide security and care for all persons and property coming into their custody.
6. Maintain a courteous and respectful attitude toward all persons.

D. Civilian Members

Civilian members will perform their assigned duties promptly and efficiently.

They Will:

1. Obey all laws and execute all lawful orders.
2. Be bound by the policies, rules, regulations, orders, procedures and directives of the Department.

IV. Departmental Directives and Communications

A. Departmental Directives

To achieve its objectives the Memphis Police Department must develop and effectively disseminate written directives. Prior to dissemination, each directive will be individually numbered using its sequence of release during that year, and the last two digits of the year it becomes effective (example: 07-04 denotes a particular document as being the seventh bulletin released in the year 2004). (12.2.1c, d)

These written orders and bulletins must be issued by an appropriate authority and will consist of the following:

1. **Special Orders:** Special orders will originate from the Manager of Human Resources and will announce any change in status among personnel. Special orders will be distributed weekly and will show an effective date for each personnel change including assignments, promotions, awards, disciplinary announcements, transfers, etc.
2. **Information Bulletins:** The City of Memphis, the Memphis Police Department's Command Staff (Director, Deputy Director, and Deputy Chiefs) or their designees will,

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from time to time, choose to communicate with Department personnel in written format through the dissemination of Informational Bulletins. Informational Bulletins are often informal directives and are not considered part of the policy and procedures manual. Information Bulletins are to be submitted to the Accreditation Office for review prior to being disseminated to all personnel.

- 3. Intelligence Bulletin:** Information as to dangerous groups, criminal activities, weapons, drugs, etc. Intelligence Bulletins may be disseminated by the Director, Deputy Director, or the Office of Homeland Security.
- 4. Training Bulletin:** Bulletin issued from the Commander of the Training Academy and may address any facet of training issues or functions, including in-service training, promotional exams, special training, classes etc. Training Bulletins are self-canceling unless revoked by written order.
- 5. Personnel Bulletin:** Bulletin issued by the Manager of Human Resources for the purpose of announcing the opening or successful filling of bid positions. Personnel Orders are self-canceling unless revoked by written order.
- 6. Standard Operating Procedures:** Within each Bureau, standard operating procedures may be established by Bureau Commanders or Unit Supervisors (as necessary) to direct procedures which are normally applicable to only a specific segment or activity of the department, and which affect only assigned personnel and the internal operations of the specific organizational component. Bureau Commanders shall approve all standard operating procedures issued within their respective commands, and shall ensure that said procedures are not in conflict with established rules, regulations, policies, or procedures of the department, or with administrative regulations and statutory law imposed by higher authority. Standard operating procedures will be reviewed for changes or updates yearly. These changes should be approved and forwarded to the Department's Accreditation Manager by February 15. Standard operating procedures shall remain in effect until revoked or replaced by written order of the issuing authority.
- 7. Policy and Procedures Manual and Updates** - The appropriate establishment and revision of departmental policies, rules and regulations helps employees to perform their duties with confidence, and to meet the expectations that accompany their authority.
 - a)** The Director of Police Services shall be the governing authority over the Policy and Procedures of the Memphis Police Department. The Accreditation Office will review the Policy and Procedure manual throughout the year for necessary changes; however, proposed changes to policies, procedures, rules and regulations may be initiated by any department member identifying a need for revision. Recommendations for change must be made in writing and must be routed to the Command Staff through the member's respective chain of command, beginning with their immediate supervisor. After review and approval by the Command Staff, the proposed change will be submitted to the Accreditation Office for review. All members of the Command staff may issue new or revised policy with the approval of the Director. All new or revised policy must be sent to the Director's Office for final approval. (12.2.1b, i)
 - b)** The Accreditation Office will be responsible for maintaining the Policy and

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Procedure Manual as changes occur. The Accreditation Manager will review the updates for contradictions with established rules, policies, procedures, or applicable laws. Changes may be suggested for approval. The applicable updates shall be compiled, stored and disseminated in a Policy and Procedure Update Bulletin at the time of approval. Kiosk will also be updated at the time of approval. New policy updates should be read at roll calls for a minimum of three (3) days and posted on the bulletin board for officers to review. All employees will receive the updates by email. Each workstation will keep a written record regarding acknowledgement of receipt and review by each employee. All employees should review, initial, and date the record ("sign-off sheet") within ten (10) business days. A copy of the written record should be forwarded to the Accreditation office. (12.2.1, 2)

- c) Each work station will receive three (3) cd copies of the Policy and Procedure Manual that is to be accessible to employees during their tour of duty. The cds will be replaced every July 31 and January 31 with updated copies. This process will insure that department members have access to current information for regular and ready reference. Employees are no longer required to maintain a hardcopy of the Policy and Procedure Manual. (12.2.2b)
- d) All employees can access the current Memphis Police Department Policy and Procedure Manual and department forms on-line through the department's MDSAS Kiosk website (password required) and MPDSupport website.

B. Communication

All departmental components will support the exchange of information with other components of the department. The Director of Police Services, each Deputy Chief and each Unit Commander is responsible for seeing that this exchange takes place on a regular basis. The exchange will be accomplished in one or more of the following ways: (12.1.4)

1. Executive meetings between the Director and his command staff.
2. Staff meetings of personnel within a division, unit or precinct.
3. Investigative Bureau Personnel attendance at precinct roll calls.
4. Memoranda- Memoranda are a form of written communications within the department, used to direct, inform or inquire, when other types of written directives do not apply.
5. Newsletters, Monthly and Annual Reports.
6. The routine use of email, voice mail and other electronic systems.

V. Equal Employment Opportunity Policy Statement

Our purpose is to create and maintain public safety in the City of Memphis. All Police Services personnel – commissioned and civilian – shall be treated with respect, dignity, and compassion.

The Police Division prohibits any form of discrimination that violates laws or policy in any action affecting our personnel, those seeking employment, and those benefiting from our services.

We shall aggressively pursue the best-qualified applicants for police officers, civilian employment and the reserve; and ensure that all people are given fair and equal treatment in personnel divisions;

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Section 1: Organization

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We shall Evaluate based on their job performance and provide advancement and retention opportunities based on demonstrated performance and regulatory requirements;

We shall take prompt, appropriate, and effective measures to enforce this policy and ensure personal accountability.

All Police Management must be personally committed to and responsible for fair and equal treatment of all police services personnel and the citizens who are being served.

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I. Internal Investigation

Allegations of misconduct generally arise from three (3) sources, complaints filed by citizens, administrative investigations originating from within the Memphis Police Department, and the confidential information line.

Statements of Charges originate from the operations level mostly for simple violations of rules and regulations, and will continue to originate from that level.

Other Statement of Charges are instituted at the Internal Affairs Bureau level upon completion of an investigation where the presumption of guilt has been determined. The authority to discipline City employees derives from the City Charter, City Ordinances, and the Civil Service regulations and is implicit in positions of command, management, and supervisory responsibility.

Line supervisors must complete a “Workstation Complaint Form” EVERY TIME a citizen makes any complaint regarding MPD officers and personnel. Line supervisors should handle allegations originating from the workstation that do not involve force, property damage, or injury and are generally minor in nature. Supervisors from the rank of Lieutenant and above should enter the Workstation Complaint into Blue Team, which can be accessed by typing the following address into your web browser, “<http://mpdsupport:8080>”. The complaint entry should be made before the supervisor completes his/her tour of duty. Supervisors who need assistance on how to enter an incident into Blue Team can access the Blue Team Quick Reference Guides on the <http://mpdsupport> link under Departmental Forms/Administrative Forms. The completed entry is to be submitted up the supervisor’s chain of command to the Workstation Lieutenant Colonel who will forward a copy of all workstation complaints to IAB upon receipt. No copies should be placed in the employee’s workstation file, unless disciplinary action is taken (including any counseling* or statement of charges) in which case a copy of the “Workstation Complaint Form” must be placed in the employee’s workstation file.(52.1.1)

* Counseling sessions may be used to instruct or correct an employee’s actions. The information from the session will be documented and reviewed with the employee. However, instead of becoming a part of the employee’s personnel file in Human Resources, these forms will be maintained only in the employees Workstation file. Counseling is normally conducted by the immediate supervisor.

A resolution letter from the workstation commander or assistant commander should be sent to the complainant advising them of the disposition of the workstation complaint investigated by that unit. An electronic copy of the written letter will be forwarded to ISB along with the resolution of the complaint via Blue Team.

Major offenses will always require full investigation by the Inspectional Services Bureau in accordance with Article XV of the Agreement between City of Memphis, Tennessee and Memphis Police Association. ISB will be responsible for sending written correspondence on the complaints that it handles.

A. The Inspectional Services Bureau Security Squad will be responsible for investigation of:

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1. All Criminal complaints of misconduct involving MPD Officers on and off duty. All Homicides involving Commissioned Officers will be investigated in conjunction with the Homicide Bureau.
2. All Criminal complaints of misconduct involving MPD Civilian employees on duty. Civilian employees off duty complaints will be investigated as deemed necessary by the Director of Police Services.
3. Criminal complaints of misconduct involving City of Memphis employees of other City Divisions as deemed necessary by the Director of Police Services or his designee.
4. All Police involved shootings, on and off duty, in conjunction with the Homicide Bureau/Felony Response Unit, as specified in the MPD P & P Manual, Chapter II Section 8: Response to Resistance.
5. Any investigation, Criminal or Administrative, as deemed necessary by the Director of Police Services

The Security Squad is located at 2714 Union Extd. #700. Office hours are 0800 to 1600 hrs, Monday thru Friday. The phone number is 576-4966.

B. The Inspectional Services Bureau Internal Affairs will be responsible for investigation of:

1. All Administrative complaints of violations of MPD and City Policy & Procedure involving Officers on and off duty. The only exception to this will be courtesy complaints without multiple witnesses. These will be documented on a "Walk-In Complaint" form. That form along with all pertinent information will be forwarded to the workstation commander for resolution. A written response indicating the resolution must be returned to IAB within 20 working days.
2. All Administrative complaints of MPD and City Policy & Procedure involving MPD Civilian employees on and off duty.
3. Administrative complaints of violations of City Policy & Procedure of other City of Memphis Divisions as deemed necessary by the Director of Police Services.
4. Any investigation as directed by the Director of Police Services.
5. The Additional Employment Office is a function of Internal Affairs.

MPD Internal Affairs is located at 2714 Union Extd. Suite 600. Office hours are 0800 to 1600 hrs, Monday thru Friday. The phone number is 576-4966.

C. Criminal Complaint Routing

Criminal complaints filed with the Memphis Police Department should be forwarded to the Security Squad where the suspect is an:

- On or Off Duty Sworn Member
- On Duty Civilian Member

Criminal complaints involving Off Duty Civilian Members as suspects will be forwarded

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to the appropriate bureau unless deemed otherwise by the Director of Police Services.

To report police misconduct or policy violations the Inspectional Services Hot Line number is 576-4979, 24 hours.

NOTE: *Critical Incidents:* The Inspectional Services Bureau, Homicide or any other Investigative Bureau will not interview officers who have been involved in a critical incident until at least 48 hours has passed since the time of the critical incident. This 48-hour provision will not preclude conducting interviews at the discretion of the Director of Police Services, his designee or the ISB, Homicide or any other Investigative Bureau Supervisor when circumstances dictate such.

II. Internal Discipline

Statements of charges originating from the Operations level (i.e., Lieutenant through Lieutenant Colonel) will be forwarded to the respective Deputy Chief for the determination of hearing authority.

The Station/Bureau Commanding Officer has the authority to order disciplinary action from an oral reprimand up to and including a twenty (20) day suspension without conferring with any higher authority.

If the Station/Bureau Commanding Officer determines that the preponderance of the evidence shows that the accused officers may be found guilty of violating departmental regulations, and decides a more severe penalty should be ordered than he / she is authorized, he / she may refer the matter to higher authority for hearing.

Statements of charges originating from the Internal Affairs Bureau will be forwarded, along with the complete investigative file, to the Director and/or Deputy Director for staff review, and referral to the Station or Bureau Commanding Officer.

A. Definitions:

Unless otherwise indicated for the purposes of this section:

1. "Violation" means a failure to comply with:
 - a. A written departmental rule, regulation, order, policy or procedure; or
 - b. An Ordinance of the City of Memphis applicable to personnel governed by the Civil Service; or
 - c. A verbal directive given by a person in legal authority acting in the line of duty; or
 - d. Any binding and applicable provision of the City of Memphis Personnel manual.
2. "Administering Authority" is a major or manager who is specifically empowered under the terms of this section to administer disciplinary action.
3. "Supervisor" means anyone of the rank of Lieutenant or above.
4. "Commanding Officer" means anyone of the rank of Major or above.

Administering Authority	Level of Disciplinary Action	Statement of Charges
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	Authorized	
Immediate Supervisor/ Commanding Officer	Oral Reprimand	Optional
Shift or Squad Major	Oral - 3 day suspension	Yes
Station/Bureau Lieutenant Colonel	Oral - 10 day suspension	Yes
Station/Bureau Colonel	Oral - 20 day suspension	Yes
Deputy Chief	Oral - termination	Yes
Deputy Director	Oral - termination	Yes
Director	Oral - termination	Yes

5. "Appeal Authority" is a commanding officer or manager in the same chain of command at a higher level than that of an administering authority who hears appeals.
6. "Charging Authority" is defined as any commissioned officer, as defined in Section C-1, regardless of rank, wishing to file charges against another officer for any violation. In the event an officer wishes to file charges against another officer of equal rank, or of higher rank, the charging officer must contact an officer of higher rank than the accused for issuance of the Statement of Charges.
7. "Issuing Officer" is the officer, usually of command rank, who is charged with the responsibility of issuing a Statement of Charges when charges are preferred by another officer.

B. Reporting Police Misconduct:

1. Any sworn member of this department who personally observes or receives a complaint of serious misconduct on the part of any other law enforcement officer, is required to inform either his or her immediate supervisor or the Internal Affairs Bureau without delay.
2. For purposes of this part, "serious" misconduct is defined as: physical abuse or threats of bodily harm against another person; or dishonest, scandalous or reckless conduct which compromises law enforcement or the rights or safety of any person.
3. Supervisors and Commanding Officers who receive information of serious police misconduct shall outline the allegations, identify principals and witnesses to the extent that they are known and present a brief to the bureau or station commander within four hours with a copy to the Internal Affairs Bureau (IAB). If the misconduct is of a nature that constitutes a risk or potential for the continuance of the misconduct or injury to any person, the briefing of command and IAB personnel should be immediate.

C. Statement of Charges:

Upon determination that a violation has occurred, or reasonably appear to have occurred, the officer making such determination will issue, or cause to be issued, the accused officer statement of Charges. This Statement of Charge will specify the violation(s) and will contain brief description of the incident constituting the violation. The Statement of Charges will be

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executed in original and three (3) copies.

The Statement of Charges will be issued:

1. By the officer discovering the violation, or his / her designee immediately if practical;
2. In the event the officer making the discovery is unable to issue the Statement of Charges, he/ she may refer a Commanding Officer to issue a Statement of Charges provided the name of the officer making the discovery is listed as the "charging" officer and the issuing officer signs as such;
3. The Statement of Charges shall be written by the Investigating officer upon completion of an I.A.B. investigation and signed by the investigator as the charging officer, if the presumption of guilt has been established. This Statement of Charges will be forwarded with the I.A.B. investigative file to the Director and/or Deputy Director.
4. On determination that the Statement of Charges should be served on the accused officer, it will be sent to the appropriate Station/Bureau Commanding Officer and served by the Shift/Squad Commanding Officer, or an immediate supervisor.
5. The Statement of Charges involving negligent use of a Police Vehicle may be issued after determination by the Station/ Traffic Commanding Officer(s) as to the charge-ability of the accident;
6. The Statement of Charges involving the use of firearms may be issued after determination by the Director / Deputy Director as to the accountability of the individual officer.

The accused officer will be furnished a copy of the Statement of Charges at the time it is executed and will be required to sign the original copy which will be retained by the issuing Officer for processing. The signature of the accused officer will attest only that he did receive a copy of the Statement of Charges and will not be construed as an admission to the charge(s) alleged.

NOTE: The charging officer will enter each Statement of Charges, with the exception of traffic crashes and ISB-generated charges, into Blue Team as a workstation complaint. The involved officer or employee will be clearly identified and the alleged violation will be entered. Additionally, the Statement of Charges and Administrative Summons, along with any support documentation, will be scanned and electronically attached to the Blue Team entry.

D. Issuance of Statement of Charges:

Statements of Charges will be reviewed by the Deputy Director of Police Services and the charged officer's respective Command Staff member, who will authorize issuance and assign hearing authority. Upon issuance, the original and **two** (2) copies of the Statement of Charges will be immediately forwarded to the Station or Bureau Commanding Officer to which the accused officer is assigned.

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E. Further Investigation:

Upon notification that a Statement of Charges is to be resolved at a particular level of administering Authority, it will be the responsibility of the Commander of that level to initiate action to provide the accused officer with a full, impartial hearing. It will be the responsibility of the Commanding Officer to use all pertinent information, facts, letters, and report available to him to ensure a full hearing.

F. Notice of Hearing:

"In the event the charges specified on the statement of Charges have been amended or added to, the accused should be notified by the administering authority prior to, or at the hearing, of the new or amended charges. The accused will have the option of proceeding with the hearing of the new or amended charges at that time, or have the hearing on the new or amended charges reset to a later date."

G. Hearing:

Upon completion of the hearing, the Administering Authority will complete the "hearing summary" section of the Statement of Charges (original and one (1) copy) outlining pertinent facts. The Administering Authority will also note his findings and action taken in the appropriate section.

H. Appeal/Grievance:

1. Non-Civil Service

At the conclusion of the hearing, the officer must advise the hearing officer whether he/she wishes to appeal or grieve the disciplinary action. If the disciplinary action is 10 days or less, the officer may submit to a grievance procedure or an internal appeal, but not to both. The employee will indicate on the Hearing Summary Form their decision to file an internal appeal or a grievance.

2. Civil Service

At the conclusion of the hearing, the officer must advise the hearing officer whether they wish to appeal or grieve the disciplinary action. If the disciplinary action is 11 days or more, the officer may submit to a grievance procedure or an appeal to the Civil Service Commission, but not to both. If the officer submits to the grievance procedure, they will sign a written waiver of any right to appeal the matter to the Civil Service Commission, per the Memorandum of Understanding.

If the decision is made to appeal the matter, the hearing officer will prepare the hearing summary and forward the entire file to the requested Appeal Authority.

After the hearing is complete, discipline is ordered, and the officer chooses to have an internal appeal (10 days or less), the disciplinary action will be withheld until the completion of the internal appeal.

If an officer decides to grieve the disciplinary action ordered instead of an internal appeal (10 days or less), the disciplinary action is to be taken as soon as possible. This is due to the

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length of time involved with the grievance process and the possible arbitration action to follow.

If disciplinary action is a suspension for 11 or more days, the disciplinary action will be taken as soon as possible. Again, this is due to the length of time involved in resolving Civil Service appeals.

If disciplinary action is a suspension for 11 or more days, the disciplinary action will be taken as soon as possible. Again, this is due to the length of time involved in resolving Civil Service appeals.

I. Work Status:

1. Depending on the nature and seriousness of the allegations, an officer under investigation will remain in pay status and may:
 - a. Continue in normal duties; or
 - b. Be placed in non-enforcement duties; or
 - c. Be temporarily relieved of all duties.

When a criminal investigation is in progress, work status shall be the same as defined above until the appropriate bureau completes its investigation with sufficient results to support final administrative disposition with respect to the employee's further employment status.

2. Depending upon the nature of the charge and the outcome of the investigation, an officer who is formally charged or indicted for a criminal offense will be:
 - a. Restricted to non-enforcement duties; or
 - b. Suspended from duty with or without pay; or
 - c. Dismissed.

An officer who becomes a defendant in a criminal trial and has not been dismissed will not be compensated for trial related periods spent away from assigned duties.

J. Disciplinary Action: Statement of Charges

The disciplinary matrix below describes punitive discipline resulting from a statement of charges as a component of the disciplinary system that is generally imposed in a progressive manner from minimum to maximum, but when appropriate, may be imposed to the maximum limit without progression. The appropriate level of disciplinary action is determined by the consideration of criteria that includes, but is not limited to the following:

- The seriousness of the incident;
- The circumstances surrounding the incident;
- The employee's disciplinary record;
- The employee's overall work performance;
- The probability that future similar problems will occur.

The 5 forms of discipline resulting from a Statement of Charges are:

- (1) Oral Reprimand; or

An oral reprimand is a verbal warning issued by a supervisor detailing an employee's

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action or lack of action or performance as unacceptable and will result in further disciplinary action if the action is repeated. An oral reprimand is considered to be the minimum level of discipline in the Department's progressive disciplinary system. The oral reprimand will be condensed to writing for filing purposes. (26.1.4.b)

(2) Written reprimand; or

A written reprimand is a written warning from a supervisor detailing an employee's action, or lack of action or performance as unacceptable and will result in further disciplinary action if such action is repeated.

(3) Suspension; or

A suspension is a serious disciplinary action in which the employee is suspended from duty and may forfeit his/her salary for misconduct considered to be serious or part of a continuing pattern of behavior involving repeated instances of misconduct. (26.1.4.c)

(4) Demotion; or

Demotion is the reduction of an employee's rank decreasing responsibility and pay. Demotion is a severe corrective action which may be imposed prior to termination and/or utilized in circumstances wherein an employee exhibits unsatisfactory performance or personal conduct in one position, but past performance in the reduced rank was adequate. (26.1.4.c)

(5) Termination.

Termination is the act of discharge from employment with the permanent loss of all privileges of employment. (26.1.4.c)

In concurrence with a statement of charges a supervisor may require remedial training for an officer. Remedial training may include one or more of the following methods of training:

- Departmental training;
- Re-assignment to an FTO;
- Enrollment in a course of instruction sponsored by another agency

The goal of remedial training is to provide constructive correction in an effort to improve employee productivity, effectiveness and overall safety. Remedial training can be mandated in conjunction with all forms of discipline excluding termination. (26.1.4.a)

For Record Retention including storage and purging guidelines for Statement of Charges see Chapter XI, Section 9: Record Retention.

K. Employee Support Unit:

The Employee Support Unit is an in-house psychological and behavioral health unit established for the purposes of providing support, assessment, training, and interventions. The unit consists of two separate and distinct entities with some shared responsibilities: 1.) Psychological Services and 2.) The Performance Enhancement Program (PEP).

1. Support is offered as free, voluntary, confidential counseling and crisis intervention for police officers and their families. The counseling provided will generally be short term. Long-term problems and potential conflicts of interest will be referred to outside

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resources (i.e. the City's contracted Employee Assistance Program [See PM 42-07 for further information], private hospitals, and other independent private providers). Civilian employees of the Memphis Police Department will be seen on the same basis as time permits.

Consultation is available to the Command Staff and Supervisory Ranks whenever needed regarding employee problems. (22.2.3)

2. Psychological assessment is offered by the Employee Support Unit's Coordinator of Psychological Services. They will provide a psychological evaluation and state certification for all new hires who will ultimately be commissioned or working in a high stress area such as communications. The Employee Support Unit's Coordinator of Psychological Services will make the final determination in all matters involving Commissioned Police Officers, Police Service Technicians and Critical Area Civilian employees' suitability to return to full duty status. The unit will also be responsible for developing the techniques and mechanisms for performance evaluation. Additionally, the Performance Enhancement Program's Manager will maintain an objective computerized monitoring system of performance to assist in identifying patterns of problematic behavior.
3. The Employee Support Unit assists in several aspects of training including: (22.2.6.f)
 - a. In-service and promotional training for supervisory personnel on services available, how to refer to services, the role and responsibility of supervisors, early identification of potential problematic behavior patterns, how to address employees concerns, and problems/issues that could impact job performance.
 - b. In-service training on mental health topics such as, domestic violence, workplace violence, diversity/cultural sensitivity, conflict resolution, and stress management.
 - c. Remedial training in anger management, sensitivity training, and dependability issues.
4. The Employee Support Unit provides interventions with both the support/crisis counseling and the remedial training. Another form of intervention is the Plan to Improve Performance. This intervention is for personnel who have a lengthy and consistent pattern of adverse performance. The intensive training is designed to address the specific problems the officer has in his or her job performance.
5. Formal Management Referral Procedures and Guidelines: (22.2.6.e)
 - a. If fitness-for-duty is needed, the referral should be sent to the Coordinator of Psychological Services.
 - b. In the description narrative, outline the specific behaviors that make the referral necessary. Attach copies of complaints and other documentation about the problem.
 - c. Advise the employee about the referral, and have them call the city's contracted Employee Assistance Program or the Coordinator of Psychological Services to arrange an appointment time.

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- d. If the referral is not mandatory, suggest the officer come voluntarily and document in his/her files that you suggested the officer attend. Attendance will be handled with the greatest level of confidentiality and even the referring supervisor will not know if the officer attends the session.
- e. If the problem persists, the supervisor will use the “Formal Management Referral.” The supervisor will then be notified about the officer’s attendance and compliance with treatment. However, the content of the session will remain confidential.
- f. The Coordinator of Psychological Services or the Manager of the PEP will try to assist whenever possible, but we are not a substitute for fair and consistent discipline.

* The “Formal Management Referral” forms can be found on the MPD’s KIOSK or on the City’s Intranet.

As the occasion demands, the Employee Support Unit will provide guidance and assistance to the Police Director and Command Staff on special projects, such as special research problems, personnel issues and other related matters. The Employee Support Unit will coordinate all police employee assistance matters that involve the city-wide Employee Support Program.

III. Guidelines for Relief of Duty of officers and civilian employees.

A. DEPARTMENTAL INTENT WHEN RELIEVING AN EMPLOYEE OF DUTY

It should never be the intent of any investigative bureau to humiliate, embarrass or bring undue attention to any officer or civilian being investigated by the Memphis Police Department. However, we have an obligation to the City of Memphis, its citizens and its employees to investigate and resolve any criminal allegation or act of impropriety by its members. To that end, we are committed to proceed as professionally and discreetly as possible, given the circumstances.

The presence of the principal officer’s Commander or the civilian employee’s Manager will assure fair and professional treatment of the officer or the civilian employee during the relieving of duty process. The Commander or Manager will be responsible for notifying the respective Deputy Chief of the situation. Subsequently, the Commander or Manager will assume the responsibility of making arrangements for the temporary assignment of work status with the respective Deputy Chief.

Additionally, the notification of the Director/Deputy Director is assured via the Deputy Chief or the Inspectional Services Bureau.

B. THE PURPOSES FOR RELIEVING AN OFFICER OF DUTY SHOULD BE TWO-FOLD:

- 1. An officer that has been accused of a serious incident, where he/she may have placed a citizen or a citizen’s property at risk and needs to be removed from the area of complaint for the safety of the citizens. This is not to state that the complaint has immediate credibility, but to give the public some sense of safety and trust in the situation until the allegation can be confirmed or dispelled.

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2. The officer's protection (physically and/or emotionally) should be an automatic concern when relieving an officer of duty. Being relieved of duty should not be associated with a negative connotation. Officers that are involved in critical incidents need time to emotionally gain control of themselves. Being away from the workstation should afford some sense of comfort for the officer's state of mind. It should stabilize the officer and the situation, until more information can be obtained. Relieving an officer of duty should be viewed as part of the healing process for officers and a normal investigative process to prove or disprove an allegation. Officers may also be referred to the Employee Support Unit and EAP for counseling assistance.

C. THOSE SITUATIONS WHEN AN OFFICER MAY NOT BE RELIEVED OF DUTY ARE OUTLINED AS FOLLOWS:

1. The person making the allegation is visibly intoxicated or under the influence of controlled substances or whose judgement is impaired by the use of alcohol, drugs or prescribed medication.
2. The complainant gives the appearance of being mentally incompetent or unstable or is known to be suffering from a mental condition and is not taking prescribed medications or is not following the recommendations, advice or instructions of their physician or psychiatrist.
3. The complainant has made threats to the officer, which have been documented or recorded over the police radio. (Notification of the Duty Commander and I.S.B. Commander is still recommended.)
4. It is clear to a supervisor/commander that the circumstances do not support the allegation (Commander justification required).
5. Any circumstances that a commanding officer articulates, and can support with facts, which casts doubt upon the allegations.

Notifying the proper authorities of the situation in a timely manner is required in all the above circumstances. Regardless of the fact that a complaint may be negated by one of the above circumstances, the complaint should still be documented to the unit Commanders and bureau personnel in writing during that tour of duty. In instances where there may be doubt, an Inspectional Bureau Commander should be notified from the scene.

D. AUTOMATIC/IMMEDIATE RELIEF OF DUTY SITUATIONS

1. When an employee is arrested.
2. When an employee is indicted.
3. When an employee is involved in a shooting incident where a suspect has been shot or shot at. Marksmanship has no bearing on whether an officer should be relieved. All officers that discharge a firearm at a person shall be relieved and a mandatory drug screen performed.
4. Where the action or response to resistance results in **serious bodily injury***, death, (mandatory drug screen), or as deemed necessary due to particular circumstances where no death or serious bodily injury results.

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5. In vehicular accidents where serious injury has resulted, which could cause death or someone has died as a result of the accident (mandatory drug screen).
 6. When an employee is willfully and blatantly insubordinate to the extent his/her performance is affected.
 7. When an employee displays conduct that intentionally endangers co-workers, civilians, or compromises the official duties of the Memphis Police Department. These facts must be articulated by the commanding officer and documented to include information concerning the principal officer's and witnesses of the incident.
 8. When an employee is tested for drugs under reasonable suspicion testing criteria.
- * **"Serious bodily injury"** means bodily injury that involves:
- a. A substantial risk of death;
 - b. Protracted unconsciousness;
 - c. Protracted or obvious disfigurement; or
 - d. Protracted or substantial impairment of a function of a bodily member, organ or mental faculty.

E. POTENTIAL RELIEF OF DUTY SITUATIONS:

1. If initial information leads a reasonable person to believe that an allegation of criminal activity has occurred, or if there are inconsistencies in the investigation of potential criminal activity that need to be resolved.
2. When an officer exhibits unstable or irrational behavior.
3. When any other circumstance is judged to lend credence to an allegation of criminal misconduct.

F. PROCEDURES FOR RELIEVING OF DUTY PRINCIPAL OFFICERS "ON DUTY"

1. Notify the appropriate Deputy Chief for permission to relieve the officer of duty.
2. Contact the appropriate Unit Commander or designee of a time and location to meet the I.S.B. Commander (considering the privacy and discreetness of the area); preferably in the Commander's office.
3. Have the Commander of the officer's work station summon the principal officer to your location.
4. Allow the officer an opportunity to notify a police union representative.
5. Advise the officer of the allegation and retrieve his/her police issued enforcement equipment.
6. Advise the officer that they are being Relieved of Duty with pay pending further investigation and, if the situation so requires at the time, escort the officer home to ensure their safety. (NOTE: A temporary I.D. may be obtained from the MPD Photo Lab.)
7. The officer's equipment will be transported by the I.S.B. investigator to the MPD firing Range for inventory and storage with the exception of the PDA and Redfly. These items will be transported to the IPAQ Support Team office. Any equipment that is

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deemed to be of evidentiary value will be tagged at the MPD Property Room or stored in I.S.B. office.

8. The I.S.B. Commander/ Supervisor or relieving Commander should submit an email or memo to the Director, Deputy Director and principal officer's Commander.
9. The officer's Commanding Officer and respective Deputy Chief have the responsibility of reviewing the case, determining the severity and stability of the situation and arranging the work status of the officer, pending disposal of the investigation.
10. It is the responsibility of the officer's Commander to notify the Critical Incident De-briefing Coordinator and/or Psychological Services of the officer's need for de-briefing and psychological care.
11. Information on all steps in the process from the relieving of duty to the return to work should be confidential and handled discreetly affording the accused all due respect.
12. In situations where Policy and Procedures dictate drug testing, an I.S.B. representative will accompany the officer to the testing site and return the officer to his workstation and/or home with the test receipt.
13. Copies of all documentation should be sent to the Inspectional Services Bureau in the sealed package marked "Confidential/I.S.B. Commander". Originals should be sent to the respective Deputy Chief via the Commanding Officer.

G. PROCEDURES FOR RELIEVING OF DUTY PRINCIPAL OFFICERS WHO ARE "OFF-DUTY"

The process will be basically the same, except the I.S.B. supervisor and I.S.B. investigators will conduct the relief of duty at the officer's home or at the I.S.B. office.

H. IDENTIFICATION FOR MEMBERS ON NON-ENFORCEMENT:

Members working in a non-enforcement duty status will be issued a "restricted identification" card for the purpose of accessing police sites. The following procedures are to be followed for the issuance of this identification:

1. The non-enforcement duty member shall notify his immediate Supervisor at the non-enforcement work location of the need for an identification card.
2. The immediate Supervisor shall prepare a memo to the Supervisor of the Photo Lab requesting that a restricted identification card be issued and have it approved by the Station/Bureau Commander.
3. Upon receipt of the approved memo, the Photo Lab will create a "restricted identification" card for issuance to the member.
4. The restricted identification card is to be surrendered to the member's immediate Supervisor upon request, return to full-duty or upon termination of employment. The receiving Supervisor should immediately return the identification card to the Supervisor of the Photo Lab for final disposition.

I. REINSTATEMENT OF NON-ENFORCEMENT OFFICERS:

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The Inspectional Services Bureau has the sole responsibility for advising the respective Deputy Chief and the Administrative Deputy Chief in writing when an officer has been cleared to return to full-duty status from non-enforcement status. A Deputy Chief cannot give clearance prior to or in contrast with the recommendation from the Inspectional Services Bureau.

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RULES

DR 100 CONDUCT

DR 101 COMPLIANCE WITH REGULATIONS

Disciplinary action may be taken for, but not limited to, violations of the stated policy, rules, regulations, orders, or directives of the Department.

DR 102 PENALTY FOR VIOLATION OF DEPARTMENTAL REGULATIONS

The Department may take disciplinary action against a member found guilty of violating any stated policy, rule, regulation, order, or directive of the Department. Minor offenses and major offenses shall be distinguished by the maximum penalty which may be meted out. Minor offenses may result in a loss of compensation up to a maximum of ten (10) days. Major offenses may result in the termination of employment of the offender.

DR 103 AID ANOTHER TO VIOLATE REGULATION

A member shall not aid, abet, or incite another member to violate departmental regulations, duties, orders, policies or prescribed procedures.

DR 104 PERSONAL CONDUCT

The conduct of each member, both on and off-duty, is expected to be such that it will not reflect adversely on other members, the Department, the City of Memphis, or the law enforcement profession. This regulation applies to both the professional and private conduct of all members. It includes not only all unlawful acts by members but also acts which, although not unlawful in themselves, would violate either the Law Enforcement or Civilian Code of Ethics, and would degrade or bring disrespect upon the member or the Department.

DR 105 ADHERENCE TO LAW

A member shall act in accord with the constitution, statutes, ordinances, administrative regulations and the official interpretations thereof, of the United States, the State of Tennessee, the County of Shelby, and the City of Memphis. When in another jurisdiction, members will obey applicable local and state laws. Ignorance of such laws cannot be regarded as a valid defense against failure to meet the requirements of this regulation.

Any member who (1) is convicted of, (2) pleads guilty to, or (3) pleads nolo contendere to any federal, state, or local violation involving a felony or other crime related to force, violence, theft, dishonesty, gambling, liquor, or controlled substances (including Driving Under the Influence of an Intoxicant or Drug), is subject to termination from employment.

DR 106 LEWD / OBSCENE CONDUCT

A member shall not indulge in lewd, obscene, or immoral public conduct.

DR 107 COURTESY

A member shall be courteous, civil, and respectful in his conduct and manner towards all persons.

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Prisoners and suspects shall be treated in a fair and humane manner. They shall not be humiliated, ridiculed or taunted. The use of coarse, profane, vulgar, racial, derogatory, or discourteous language to any member or any citizen is prohibited, unless extenuating circumstances exist for the use of such language.

Special respect for privacy shall be accorded to prisoners taken into custody. If in unclothed or disheveled condition, they shall be protected against public embarrassment to whatever extent feasible.

DR 108 TRUTHFULNESS

A member shall not give any information, either oral or written, in connection with any assignment or investigation that is either knowingly incorrect, false, or deceitful.

DR 109 IMPARTIAL ATTITUDE

A member shall at all times consider it his or her duty to be of service to anyone in danger or distress and shall neither discriminate against nor show partiality for any person because of race, sex, religion, friendship, fraternal or social affiliations, or for any reason.

DR 110 CONSORTING WITH PERSONS OF BAD OR CRIMINAL REPUTATION

A member of this department shall not knowingly socialize or have a business relationship with another person, who has been imprisoned or convicted of a felony, or who are known criminals, except in the performance of their official police duties.

DR 111 DISOBEDIENCE OF AN ORDER

No member shall willfully disobey a lawful order or directive, either written or oral. This regulation prohibits disobedience by a member of any lawful written or oral order or directive of a superior officer or another member of any rank who is relaying the order of a superior.

DR 112 SLEEPING ON-DUTY

Sleeping on-duty, giving the appearance of sleeping on-duty, or inattention to duty is prohibited except as authorized by a Commanding Officer.

DR 113 ALCOHOLIC BEVERAGES

- A. While on-duty, a member shall not consume or possess alcoholic beverages except in the proper performance of his or her duty.
- B. A member shall not report for duty under the influence of alcohol or have the odor of alcohol on their breath.
- C. While off-duty, a member shall not consume alcoholic beverages to the extent which renders him unfit to report for their regular tour of duty.
- D. A member shall not consume alcoholic beverages in his or her police uniform, either on or off-duty.
- E. A member shall not transport alcoholic beverages on or in Department property, except in the performance of police duty.

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- F. An officer can be tested to determine the percent of alcohol in the blood when the officer is in violation of statutory law, such as TCA 39-17-1321 (Possession of Handgun While under Influence).
- G. A member shall not use or possess alcohol in violation of any statute or ordinance, whether on-duty or off-duty. If a member is arrested, on or off-duty, for an alcohol related incident, including but not limited to driving under the influence, they will immediately be relieved of their duties and placed in a non-enforcement status. Inspectional Services will conduct a complete investigation into the incident and forward their findings along with a statement of charges, if applicable, to the Deputy Director of Police Services.

When a member is administratively charged with DR 113 under section “G”, the disciplinary hearings dealing with violations of this policy must be heard at the level of Deputy Chief or Administrator (Communications Bureau). If disciplinary action is sustained by the respective Deputy Chief/Administrator, a first time violation will result in a **minimum thirty (30) day suspension for officers and a five (5) day suspension for civilians (excluding dispatchers) if the charge is sustained**. The members will be required to attend an approved alcohol treatment program via CONCERN and sign a last chance letter.

A second sustained violation under section “G” **will** result in termination of employment.

This policy does not preclude legal prosecution of the member and subsequent convictions, which decertify the employee under the Tennessee Police Officers Standards (POST) and will lead to separation of the employee based on their decertification.

DR 114 FINANCIAL OBLIGATIONS

A member shall maintain good credit relations with creditors. All federal laws that apply to wage or salary garnishments will be followed by the City in its handling for garnishments.

DR 115 PUNCTUALITY

A member will report for scheduled duty assignments on time, including roll call, training, special events details and court appearance, unless emergency police actions prevent it. In the latter case, every effort will be made to notify the Supervisor/ Commanding Officer concerned.

Progressive discipline shall be administered in accordance with this DR and established procedures in the Tardiness Policy.

Tardiness Policy

Employees must arrive at their worksite on time, prepared to perform the duties required of them. Punctuality is a requirement for continued employment with the Memphis Police Department. Tardiness will be evaluated over a twelve month period from the time of the first occurrence. Frequent or excessive tardiness will result in disciplinary action up to and including termination.

Definitions

1. **Tardiness:** An employee will be considered tardy if they are not at their duty assignment ready for duty when the supervisor begins roll call.

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- 2. Excessive Tardiness:** When an employee's tardy occurrences exceeds (4) four within a (12) twelve month period.

Disciplinary Action

Incidents involving punctuality must be documented and maintained on a consistent and systematic basis. Such a standard is also necessary in order to validate the disciplinary process.

All work stations within the Department will record punctuality/ tardiness violations. These occurrences should be tracked for a 12-month period, which requires supervisors to maintain accurate and consistent documentation. A tardy/late for duty slip found on the MPD KIOSK will be completed and placed in the employees work file for each occurrence. The tardy slip will reflect the date, officer's name/IBM, work station and shift, time of arrival, reason for tardiness and action taken, i.e. verbal warning, advisement, negative OBR or statement of charges.

Progressive disciplinary action shall be administered in accordance with procedure established in this policy:

1st occurrences - Verbal Warning and the employee's pay will be docked the time tardy. (Example: the Comments section of the roll call for an employee 15 minutes tardy would reflect 7.75 P, .25 LWOP)

2nd occurrence – Oral Counseling and the employee's pay will be docked the time tardy.

3rd occurrence - Negative OBR and the employee's pay will be docked the time tardy.

4th and subsequent occurrences will result in a statement of charges and the employee's pay will be docked the time tardy. (A sustained violation of DR-115, 4th occurrence, will result in a suspension of one to three days. Subsequent sustained violations will follow progressive discipline.)

An employee involved in a police action or in court before arriving for duty will not be considered tardy if such action is documented. The employee should contact communications and log on as on-duty as soon as possible. (Example: a police employee stops to aid traffic crash victims or like incident.)

Tardy/late slips will be completed for employees tardy for court, training or special events and such documentation will be forwarded to the officers work station to be placed in their work file. The appropriate action will be taken by the work station supervisor upon receipt of the documentation based on the number of previous occurrences.

****Tardy/late slips older than 12 months shall be purged from an employees work file as soon as feasible.**

Depending on the gravity of an infraction, the supervisor may request discretionary authority to deviate from the prescribed number of occurrences which must occur before an employee may be charged. The supervisor requesting to change/alter the disciplinary procedure established herein is to submit in writing to their Deputy Chief the facts and reasons that support extenuating circumstances for a greater or lesser course of action.

DR 116 AMUSEMENT PLACES RESTRICTIONS

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A member shall not solicit free admission to any theater or other place of amusement or entertainment except in the line of duty.

DR 117 MPD PHOTO ID/ GIVING NAME OR OTHER INFORMATION

All members are issued MPD Identification Cards with the member's photograph by the MPD Photo Lab. All commissioned personnel must have their photo taken in their Class A uniform minus hat displaying their current rank insignia and assignment. All members are required to maintain a current photo ID card at all times. ID cards should be updated with new photos every two years or immediately upon promotion. Officers must adhere to policy regarding "Appearance Requirements" (see P&P Ch. XIII, Sec 3, subsection VIII) for their photo identification cards.

A member must present their current photo ID card upon request by any citizen or by any MPD Supervisor unless such action is likely to jeopardize the successful completion of a police assignment or undercover operation.

A member shall give their name, rank, badge number, or other identifiable information when so requested by other members of the Department or by a private citizen who has a legitimate need for the information, unless such action is likely to jeopardize the successful completion of a police assignment or undercover operation. (22.2.7)

DR 118 OFF-DUTY RESPONSIBILITY

A member is always subject to orders from a supervisory officer and to calls for assistance from private persons. Being technically off-duty does not relieve him/her from the responsibility of taking proper police action in any matter coming to their attention. When there is no urgent or immediate need for police action, a member may request the Dispatcher to turn the matter over to officers on-duty; but the member shall take such interim action as may be required prior to the arrival of the dispatched officers.

Off-duty officers will yield control and authority of a scene to on-duty officers when the on-duty officer arrives on the scene. When on-duty officers are present on a scene off-duty officers will not assume an active role on the scene, unless it is requested by the on-duty officer or directed by a supervisor.

DR 119 NEATNESS AND ATTIRE

- A. A member shall always be neat and clean in person and dress while on-duty, except as otherwise instructed in the performance of his or her duty, and shall be attired and equipped according to Department regulations or instructions from a supervisory officer.
- B. A member shall maintain personal habits of cleanliness and hygiene. Hair and moustaches shall be groomed according to Department regulations.
- C. A member shall not use tobacco products when in court, conducting field interrogations, addressing complaints, victims or witnesses or on any public post.

DR 120 NEGLECT OF DUTY

- A. Each member, because of his or her rank and assignment, is required to perform certain duties and assume certain responsibilities. Failure to properly function in these areas

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constitutes neglect of duty. This regulation prohibits any omission or failure to act by any member of the Department, whether on-duty or off-duty, when such action is required by the stated policy, goals, rules, regulations, orders, and directives of this Department. It applies to any member who, through carelessness, inefficiency, or design, fails to implement the policy, goals, rules, regulations, orders, training, and directives of this Department.

- B. A member with supervisory responsibility is required to properly supervise their subordinates in compliance with the above, and the failure of any supervisor to do so through deliberateness, carelessness, neglect, or inefficiency shall be a violation.

DR 121 NARCOTICS

A member shall not use or possess drugs in violation of any statute or ordinance, whether on-duty or off-duty. A member shall not report for duty under the influence of any drug or narcotic which would interfere with the proper performance of his or her duty. A member taking prescribed medication which would hinder his or her performance of duty shall immediately notify his or her supervising officer.

If a Supervisor has reasonable suspicion to believe that a member is performing official duties while under the influence of drugs, the supervisor will initiate a reasonable suspicion drug test as outlined below:

- Clearly document behaviors and factors that led to the reasonable suspicion.
- Confer with Deputy/Duty Chief and get authorization prior to testing.
- Complete Reasonable Suspicion Form.
- Escort member to collection site. Escort should be at least one rank higher than member and preferably of same gender.
- Advise collection site which testing panel to use.
- Relieve member of duty and drive them home. (Member should not drive when there is reasonable suspicion they are under the influence of drugs.)

Any disciplinary hearings dealing with violations of this policy must be heard at the level of Deputy Chief or Administrator (Communication Bureau). If disciplinary action is sustained by the respective Deputy Chief/Administrator, a first time violation will result in a **minimum thirty (30) day suspension for all officers and a five(5) day suspension for civilians(excluding dispatchers) if the charge is sustained.** The member will be required to attend an approved drug treatment program via CONCERN or other established treatment programs and sign a last chance letter. Members who fall in Category A test group as defined in Chapter I, Section 4: Drug Policy, will be removed from the specialized unit to which they were assigned. A second sustained violation **will** result in *termination* of employment.

DR 122 RADIO COMMUNICATIONS

Each member equipped with a radio shall monitor his or her frequency and give immediate response to radio dispatched calls.

DR 123 ENTERING BUSINESS HOUSE WITH LIQUOR LICENSE NOT IN

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PERFORMANCE OF DUTY

A member shall not enter any business house licensed to sell beer, wine, or liquor for on premises consumption while on-duty or in uniform, except in the performance of a police duty or to consume a legitimate meal.

DR 124 OFF-DUTY EMPLOYMENT

A member shall not engage, directly or indirectly, in the ownership, maintenance, or operation of any business that is prohibited by departmental orders and directives. All instances of off-duty employment must be approved by the appropriate authority.

DR 125 MEMBER UNDER INVESTIGATION

A member shall immediately submit a written memo to their supervisor/ commanding officer that they are under investigation by any law enforcement agency, or any regulatory agency. A member shall immediately submit a written memo to their supervisor/ commanding officer that they have been issued a misdemeanor citation or citation for any misdemeanor offense (including traffic citations while off-duty), arrested for any misdemeanor/felony offense or is being sued in a court of law.

DR 126 REPORTING INFORMATION

A member shall promptly report to the Department any information concerning any crime or other unlawful action, when such information is relevant to an investigation by another member.

DR 127 REPORTING IMPROPER CONDUCT

A member shall immediately report to the Department any violation of Policies and Regulations or any other improper conduct which is contrary to the policy, order, or directives of the Department.

DR 128 RESIDENCY POLICY

Each member shall comply with the residency policy of the City of Memphis.

DR 129 LEAVING DUTY ASSIGNMENT

A member shall not leave his duty assignment without being properly relieved or without proper authorization.

DR 130 INVENTORY & PROCESSING RECOVERED PROPERTY

All members shall properly inventory and process recovered stolen property, evidence, found property, or personal property in conformance with departmental orders and directives. This regulation includes property in vehicles that are taken into police custody.

DR 131 STRIKE, DEMONSTRATION, OR SLOWDOWN

A member shall not participate in, encourage the participation of others in, or otherwise support any strike, demonstration, slowdown, or other such concerted action against the Department.

DR 132 INSUBORDINATION

A member shall not display disrespect to, or disregard for, a supervisory member of this Department, either on or off-duty. This includes cases of verbal abuse, abruptness, or rudeness

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toward a superior or failure to promptly and courteously respond to suggestions, counseling, or disciplining of a superior officer.

DR 133 GO OUTSIDE CITY LIMITS

A member shall not go outside the City limits or drive or take departmental equipment outside the City except in cases of hot pursuit of a felon, or when sent by proper authority, on request of the Sheriff, or because there appears to be a grave emergency and urgent need for assistance, or when authorized to do so by a supervisory member, or in conformance with current policy or procedures.

Members should refer to MPD Policy and Procedure, Chapter XIII Section 6, subsection VII, A, which states in part:

“Pursuits will not continue outside of the boundaries of Memphis, Tennessee unless there is probable cause to believe that the individual being pursued poses a threat of death or serious bodily injury to others if not immediately apprehended. When it is likely that a pursuit will continue into a neighboring jurisdiction, the primary unit will notify dispatch of the jurisdiction being entered, request assistance from that jurisdiction and update critical information to the dispatcher. As soon as practical, after a pursuit has left the Memphis City limits, dispatch and officers will relinquish primary responsibility for the pursuit to the agency having jurisdiction. When at least two vehicles from the other jurisdiction have joined the pursuit, MPD primary and secondary units will discontinue their pursuit, unless authorized by a Supervisor to continue the pursuit.”

DR 134 INTIMIDATION

A member shall not use or direct violence, abuse, force, or threats against, or otherwise intimidate any person or member of this department.

DR 135 HARASSMENT

A member shall not abuse their authority or official position in order to embarrass, degrade, oppress, torment, sexually harass, discriminate predicated on gender, or persistently without due cause take action against any person to prevent that person from exercising lawful or constitutionally protected conduct or exercising the same. Nor shall any member falsely report untrue allegations of sexual harassment or gender discrimination when no basis for such allegations exists.

DR 136 SOCIAL MEDIA SITES/ INTERNET CONTENT

The integrity of the Memphis Police Department must be above reproach. All employees must avoid any conduct which would compromise the integrity of the Department and undercut public confidence in the Department. This includes conduct related to materials posted on personal websites, social media and networking sites (such as Twitter, Facebook, Youtube, etc.) or any material disseminated electronically.

Employees will not post any Memphis Police Department nomenclature, images, logos, emblems, patches, uniforms, or reference the Department on any personal website, social media or networking site, web pages, or on any other electronically transmitted or hard copy material without the expressed permission of the Director of Police Services.

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Employees are prohibited from posting, transmitting, or disseminating any digital media that:

- Could reasonably be interpreted to express the opinions of the Memphis Police Department. A member may comment on a subject of general interest and value or concern to the public, provided that the member does not suggest or imply that the views expressed are those of the Memphis Police Department.
- Has a reference to the member being affiliated with the Memphis Police Department and contains content that is unprofessional, unbecoming or illegal (i.e. lewd sexual conduct, excessive alcohol consumption, or other behavior depicting the member or department in a negative way). Members are reminded that courts may scrutinize the credibility of a witness from external sources such as the internet.
- Could be reasonably interpreted as having an adverse effect upon agency morale, discipline, operation of the agency, or safety of department personnel.
- Contains any audio or video recordings, or images, obtained while engaged in the performance of enforcement activities, department training, tactical situations, or anything having an adverse impact on the Memphis Police Department. This includes, but is not limited to, crime scene photos of any item, photos of victims, witnesses or any evidence. Under no circumstances are photos of minors, (suspects/witnesses/victims) allowed to be reproduced or posted.

Digital images of official departmental ceremonies (i.e. promotional ceremonies or recruit graduations) that do not contain any negative material are permissible.

Clarification on appropriate postings, if needed, shall be directed to the Command Staff.

DR 137 DOMESTIC VIOLENCE

Members determined to be primary aggressor involving a domestic incident as outlined in policy and procedure, Chapter II, Section IX shall be subject to disciplinary action.

It is the policy of the Memphis Police Department to fully enforce laws dealing with Domestic Violence involving any employee of the police department and to take appropriate action to prevent or ameliorate domestic violence situations within the families of employees. Members of the department shall not violate state domestic violence statutes and shall take every measure to prevent Domestic Violence situations either on or off-duty.

When a member is administratively charged with DR 137 the disciplinary hearing dealing with violations of this policy must be heard at the level of Deputy Chief or Administrator (Communications Bureau). If disciplinary action is sustained by the respective Deputy Chief/Administrator, a first time violation will result in a **minimum thirty (30) day suspension**. The member will be required to attend an approved domestic violence and or anger management treatment program via CONCERN or other established treatment programs and sign a *DV Employee Return to Duty Agreement* (last chance letter).

A second sustained violation **will** result in *termination* of employment.

This policy does not preclude legal prosecution of the member and subsequent convictions. Federal law prohibits police officers convicted of qualifying misdemeanor domestic violence crimes from possessing firearms. Officers found guilty of a qualifying domestic violence through criminal

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proceedings shall be subject to decertification under Tennessee Police Officers Standards and Training (POST) and will be *terminated* based on their decertification and federal laws.

Members of the department who after final adjudication are subject to a final order of protection/restraining order involving domestic violence, which prohibits a member from possessing a firearm, shall be subject to decertification under Tennessee Police Officers Standards and Training (POST) and will be *terminated* based on their decertification and federal laws.

DR 138 POLITICAL INTELLIGENCE

The Memphis Police Department and the City of Memphis do not engage in political intelligence. No member shall intercept, record, transcribe or otherwise interfere with any communications by means of electronic or covert surveillance for the purpose of political intelligence gathering. No member shall engage in any action or disseminate damaging, derogatory, false or anonymous information about any person which will deprive any individual of their First Amendment Rights; nor will any member encourage, cooperate with, or contract with any local, state, federal or private agency to plan or conduct any investigation involving political intelligence.

Any member conducting or supervising a lawful investigation of criminal conduct (governed by 28 CFR Part 23*) in which the investigation may result in the collection of information about the exercise of First Amendment Rights, or interfere in any way with the exercise of such First Amendment Rights must immediately bring such information to the attention of the Director of Police Services for review and authorization. If approved, the investigation will not exceed more than ninety (90) calendar days. An extension may be granted by the Director for an additional ninety (90) days if necessary.

The regulations for this DR are in accordance with the judgment and decree for Civil Case 76-449 (which can be found on the opening page of the MPD Kiosk website).

* The fundamental principles found in 28 CFR Part 23 operating policies provide law enforcement with the guidance needed to operate criminal intelligence information systems effectively while safeguarding privacy and civil liberties. The Memphis Police Department will operate within the confines of 28 CFR Part 23.

DR 139 REFUSAL TO PROVIDE GARRITY STATEMENT

A member who refuses to answer all pertinent questions that are specifically relevant to an investigation, whether as a participant or as a witness, after receiving the Garrity Advisory, may be subject to disciplinary action including termination.

DR 140 MULTIPLE POLICE VEHICLES AT LOCATIONS

Under no circumstances will more than two police vehicles gather at any location at the same time unless:

- They are answering a call for service;
- They are on official police business; or
- They have received a supervisor's approval.

DR 141 PUBLIC RECORDINGS

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- A. Members shall not, under any circumstances, erase or delete, or instruct or require any other person to erase or delete, any recorded images or sounds from any camera or other recording device that is in the possession of a non-member, or that has been voluntarily turned over or seized for law enforcement purposes.
- B. Members shall maintain cameras and other recording devices that are in Department custody so that they can be returned to the owner intact with all images or recordings undisturbed in a timely manner.
- C. In the case that a recording in the Department's custody is considered contraband or has been determined to be contraband by the AG's office, the recording and/or device will not be returned.

DR 200 REWARDS AND GRATUITIES

DR 201 SOLICITING, ACCEPTING GIFTS, GRATUITIES

- A. A member shall not accept a gift or any item of value for the performance or nonperformance of an official duty. A member can accept a gift or other item of value if given or officially sanctioned by the department. (Ex. retirement party)
- B. A member shall not receive any article whatsoever by any means from suspects, prisoners, persons recently arrested, or gamblers, prostitutes or other persons of bad character or ill repute, or professional bondsmen or other persons whose vocations may profit from information obtained from the police, or from relatives, employees, or associates of any of these persons.
- C. With specific written approval of the Director of Police, soliciting funds or goods of a benevolent or charitable cause by members will be permitted.

DR 202 GIVING TESTIMONIALS, SEEKING PUBLICITY

A member shall not give testimonials or permit his or her name or photograph to be used for advertising purposes without the approval of the Director of Police. A member shall not seek personal publicity either directly or indirectly in the course of his or her employment.

DR 203 SOLICITING BUSINESS, INTRA DEPARTMENT

A member shall not solicit subscriptions, or sell books, papers, tickets, merchandise or other things, or collect or receive money or other things of value for any purpose whatsoever from fellow employees while on-duty or on police property, except as authorized by appropriate authority.

A member shall not solicit business by exhibiting advertisements on his person or on police property, except when specifically authorized to do so.

A member shall not give or receive from any other member any gift, present, or gratuity excluding gifts accepted from relatives, close friends and upon appropriate occasions. (Ex. Christmas, transfers etc.)

DR 300 RESPONSE TO RESISTANCE & ARRESTS

DR 301 EXCESSIVE FORCE/UNNECESSARY FORCE

Date: 07-23-19

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Excessive Force/Unnecessary is defined as the amount of force which is beyond the need and circumstances of the particular event, or which is not justified in the light of all circumstances, as is the case of deadly force to protect property as contrasted with protecting life.

Control may be achieved through advice, warnings, and persuasion, or by the use of physical force. While the use of reasonable physical force may be necessary in situations which cannot be otherwise controlled, force may not be resorted to unless other reasonable alternatives have been exhausted or would clearly be ineffective under the particular circumstances. Officers should consider the facts and circumstances known at the time of the confrontation when determining the amount of force to use, including: the severity of the subject's crimes, the immediate threat posed by the subject to the safety of others, and whether the subject exhibits active aggression or is actively resisting arrest. Officers are permitted to use whatever force that is necessary and reasonable to protect others or themselves from bodily harm.

Officers shall never use force or violence that is unprovoked, needless, or not required during performance of their duties when making an arrest or in dealing with a prisoner or any person.

DR 302 POSTING BAIL

A member shall not post bail for any person arrested, except immediate family members.

DR 303 SUGGESTING BONDSMEN OR ATTORNEYS

A member shall not suggest or recommend specific bondsmen or attorneys to any person arrested, except to members of officer's own family.

DR 304 COMPROMISING CRIMINAL CASES

A member shall not make any promises or arrangements with prisoners or between a suspect and his victim intended to permit the offender to escape the full penalty provided by law, or interfere with the courts, or for personal gain or benefit, use their official position to make any arrangements for any suspect or prisoner to escape prosecution.

DR 305 COMPROMISING INTERNAL INVESTIGATION PROCEEDINGS

A member acting in the capacity of an advisor or representative during the course of any internal investigation shall not release information to anyone concerning those matters under investigation.

DR 400 FIREARMS

DR 401 DISPLAY OF FIREARMS

A member shall not unnecessarily draw, use, or display any firearm.

DR 402 CARELESS HANDLING OF FIREARMS

A member shall not carelessly handle a firearm at any time. Weapons shall be used in accordance with the law and established department policy and procedures.

DR 403 UNAUTHORIZED WEAPONS

A member shall not carry unauthorized weapons, either on his or her person or in police vehicles.

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This regulation includes any type of unauthorized offensive or defensive weapon.

DR 404 DISCHARGING FIREARMS

A member shall immediately report to a supervisory officer in the prescribed manner whenever a firearm is discharged in accordance with departmental orders and directives,

DR 405 UNAUTHORIZED POSSESSION

A member shall not relinquish control / possession of their firearm to any unauthorized person.

DR 500 COURT

DR 501 ATTENDANCE IN COURT

All commissioned members of this Department are considered officers of the court and shall testify or give evidence before any Grand Jury or court of law when properly called upon to do so and when there is no properly asserted constitutional privilege, or when immunity from prosecution has been granted.

A. Members required to appear in such cases shall be punctual in reporting, alert, dignified, and calm in demeanor.

B. If an emergency prevents attendance, the designated authority will be notified by the member.

DR 502 PERSONAL APPEARANCE IN COURT

A member shall dress appropriately for attendance in court, Grand Jury or any other function where the member appears as a representative of the Memphis Police Department.

DR 503 RELEASE OF UNAUTHORIZED INFORMATION

A member shall not release unauthorized information regarding any criminal or administrative investigation or arrest, to any attorney, bondsman, media personnel, or unauthorized agency / person. A member shall not have any contact with any of the above mentioned persons regarding any information pertaining to the Memphis Police Department without prior approval or subpoena. All requests must be submitted in writing to the employee's immediate supervisor, which will then forward the request to the PIO for approval.

DR 600 REPORTS & COMMUNICATIONS

DR 601 COMPLETING OFFICIAL REPORTS

A member shall make reports promptly, accurately, completely, and in full conformity with specifications of the Department. A member shall make all necessary reports as soon as possible and practicable before going off-duty.

DR 602 REMOVAL OF REPORTS & RECORDS

A member shall not disseminate, release, alter, deface, or remove any departmental record or information concerning police matters, except as provided by departmental orders and directives.

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DR 603 INFORMATION CONCERNING POLICE BUSINESS

A member shall not communicate information relating to official police matters without prior approval or subpoena, except to authorized persons. A member shall treat the official business of the Department as confidential.

DR 604 PUBLICATION OF ARTICLES

A member of the Department shall obtain permission from the Director of Police prior to publishing articles as an official representative of the Police Department.

DR 605 POLICE BULLETIN BOARDS

A member shall familiarize himself or herself daily with official information posted on Police Department bulletin boards. Commanders of precincts and bureaus are specifically responsible for maintaining an orderly, up-to-date posting of essential information in a conspicuous and accessible location in order for members to comply with the requirement to keep themselves informed on departmental and City policies and procedures.

DR 606 REPORTING CHANGE IN PERSONAL STATUS

A member shall report immediately to the supervisor and to the Memphis Police Department Personnel Bureau any change in address, telephone number, legal change of name, changes in educational level, notification upon receipt of new certificates, permits or licenses should also be reported.

DR 607 UNAUTHORIZED PUBLIC STATEMENTS

A member shall not engage in any public statement, interview, activity, deliberation or discussion pertaining to the Police Department which reasonably can be foreseen to impair the discipline, efficiency, public service, or public confidence in the Department or its personnel by, but not limited to:

- A. False statements or reckless, unsupported accusations.
- B. The use of defamatory language, abusive language, or epithets.

A member shall not have any contact with any attorney, bondsman, or media personnel regarding any information pertaining to the Memphis Police Department without prior approval. All requests must be submitted in writing to the employee's immediate supervisor for approval.

DR 608 ACCESSING REPORTS & RECORDS WITH NO LEGITIMATE PURPOSE

A member shall not access official offense reports, departmental records or information concerning police matters without a legitimate law enforcement purpose.

DR 700 POLITICAL ACTIVITIES

DR 701 POLITICAL ACTIVITY ON-DUTY

A member shall not participate in any partisan political campaign or activity while on-duty, except in compliance with applicable City and State laws and City Civil Service regulations.

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DR 702 SOLICITING FOR PROMOTION OR TRANSFER

A member shall not solicit petitions for promotion or reassignment of himself or herself or other members.

DR 800 UNIFORMS & EQUIPMENT

DR 801 UNIFORM RESTRICTIONS WHILE OFF-DUTY

Off-duty members are restricted in the use of their uniforms as follows:

- A. They may wear their full uniform in going to and from work.
- B. They shall not wear their uniform or identifiable parts while off-duty.
- C. The uniform shall not be worn while a member is under disciplinary suspension.
- D. Members shall not use another member's badge or official police credential without permission of the Director of Police nor shall they permit any person to use their official badge or credentials at any time.

DR 802 PERSONAL USE OF EQUIPMENT OR PROPERTY

A member shall not convert to personal use any money, property, or any other items belonging to the City, except in the performance of his or her official duty or approved by competent authority.

DR 803 ROUGH OR CARELESS HANDLING OF EQUIPMENT

A member shall use due care in handling City, State, County or Federal government equipment, or property issued to them in the performance of their duties. A member shall immediately report any damaged, lost or unserviceable equipment or property in their care. A member shall not willfully or negligently lose, alter, damage, or destroy City, State, County or Federal government issued equipment or property in their care.

DR 900 VEHICLE OPERATION

DR 901 SIRENS & BLUE LIGHTS

A member shall not indiscriminately sound sirens or display blue lights on police vehicles except when responding to emergencies or when it is deemed necessary to the proper performance of police duties.

DR 902 UNAUTHORIZED OPERATION OF DEPARTMENT VEHICLES

- A. All Take-Home vehicles must be approved in writing by the Director of Police Services. A member shall not operate any department-issued vehicle as a take-home car without proper authorization to do so. When a member is administratively charged with DR 902 under section "A", the disciplinary hearings dealing with violations of this policy must be heard at the level of Deputy Chief. If disciplinary action is sustained by the respective Deputy Chief, a first time violation will result in a **minimum** 15 day suspension.
- B. A member shall not allow any non-member of the Department to operate any vehicle of this

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Department, unless specifically authorized by competent authority.

DR 903 UNAUTHORIZED PASSENGERS

A member shall not allow unauthorized passengers to ride in any vehicle of this Department, unless specifically authorized by competent authority and in compliance with Department orders and directives. Passengers may ride in take-home vehicles if they meet the criteria identified in the vehicle take-home program contract.

DR 904 DAMAGE TO MOTOR VEHICLES

- A. All members shall operate City, State, County or Federal government motor vehicles in a careful and prudent manner in order to avoid involvement in traffic accidents resulting in the loss of, or damage to motor vehicles or other property.
- B. Members shall see that vehicles assigned to them are ready for immediate service at all times with tires inflated, oil and fuel at proper levels, and all special equipment and supplies present for efficient performance of duties.
- C. Members shall utilize department equipment for its intended purpose in accordance with established policy and procedures, and shall not intentionally or willfully alter, abuse, misuse, or damage equipment or vehicles.

DR 1000 CIVIL CASES

DR 1001 TESTIFYING IN CIVIL CASES

A member shall not testify in civil cases in his or her official capacity as police officers, unless legally summoned.

DR 1002 INITIATION OF CIVIL CASES

A member shall not initiate civil action arising out of his or her official duties without first notifying in writing the Director of Police.

DR 1003 TESTIFYING FOR DEFENDANT

A member subpoenaed to testify for the defense in any criminal trial, or against the City of Memphis or interest of the Department in any hearing or trial, shall forthwith notify his or her supervisor/ commanding officer and District or City Attorney.

DR 1100 LEAVE, SICKNESS, & INJURY

DR 1101 FEIGNING ILLNESS OR INJURY

A member shall not feign illness or injury in an effort to escape duty.

DR 1102 CALLING OFF DUE TO ILLNESS OR INJURY

A member shall report promptly any anticipated absence from duty in conformity with Departmental procedures.

DR 1103 CALLING ON-DUTY FOLLOWING ILLNESS OR INJURY

A member shall notify the proper authority of his or her return to duty in conformity with

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Departmental procedures.

DR 1104 LOCATION WHEN ILL

A member reporting sick or injured shall be confined to his or her residence, clinic or hospital during his or her scheduled duty hours except to visit his or her physician (supervisor notification required) or by permission of his or her supervisor. All members are subject to in person or telephone verification of his/her convalescent location during duty hours.

DR 1105 A.W.O.L.

A member shall not be absent from duty without proper authorization.

DR 1106 SICK ABUSE POLICY

Sick leave is a benefit granted by the city to its employees. (*See City Policy PM-46-03.*)

Therefore, employees must notify their particular work station of a non-work-related injury or illness requiring absence from work. The employee must provide this notification at least two hours prior to the beginning of **each** shift that the employee will be absent. This notification shall include the specific job duties and responsibilities that the employee will not be capable of performing. However, if an employee has medical documentation noting a block of time that the employee will need medical leave, the employee should immediately forward the documentation to his or her supervisor. Once the documentation has been submitted to the employee's supervisor, the daily notification is no longer required during the time frame notated.

When returning to work, employees must notify their particular work station at least two hours prior to the beginning of their shift.

Sick occurrences will be evaluated over a twelve month period from the time of the first occurrence. Any violations of the frequency of these occurrences will result in disciplinary action.

Supervisors may require medical documentation of the sick / injury occurrence regardless of the time of absence from the work place. **However, supervisors shall require that employees present medical documentation for any absence in excess of two consecutive days.**

Recognized medical professionals (licensed physicians) must provide the appropriate documentation of the illness.

An employee medically cleared to return to work is required to immediately report to work. Failure to report to work is an unauthorized leave of absence and will result in disciplinary action up to and including termination.

An employee absent for three days will be sent FMLA paperwork by their supervisor. Family Medical Leave Act leave may be taken intermittently whenever medically necessary to care for a seriously ill family member or because the employee is seriously ill and is unable to work. A "serious health condition" is an illness affecting an employee's health to the extent that he / she must receive in-patient care, or that absences are necessary on a recurring basis, or for more than a few days for treatment or recovery from an extended illness. Adherence to these Family Medical Leave Act conditions is mandatory.

Progressive discipline shall be administered in accordance with this DR and established procedures in the Sick Abuse policy.

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Sick Abuse Policy

The Memphis Police Department Sick Abuse Policy is designed for the monitoring of sick leave use, and to establish the level of authority for progressive disciplinary action in cases of abuse.

The City sick leave benefit is designed to provide the continuation of income during times of legitimate illness.

Sick leave is not to be considered as an alternative form of vacation time, "comp" time, holiday leave or time off for personal business. Progressive disciplinary action shall be administered in accordance with procedure established in this policy:

Advisement at the 4th sick occurrence, within a 12-month period.

Oral Reprimand – 10 days suspension at the 6th – 7th sick occurrence, within a 12-month period

10 – 30 days suspension at the 8th – 9th sick occurrence, within a 12-month period

30 days suspension – Termination at the 10th – 11th sick occurrence, within a 12-month period

Termination at the 12th or subsequent sick occurrence, within a 12- month period

A twelve-month time period is the standard utilized with reference to total sick occurrence accumulation. For example, a 12 month period begins with any employee absence attributable to non-job related illness or injury, and continues for 12 months. Anytime six (6) or more sick occurrences exist within a 12 month period, the policy becomes active and disciplinary action shall be taken in accordance with D.R. 1106. An employee who repeatedly violates the policy may be subject to disciplinary action beyond that specified above.

It shall be the responsibility of the employee's commanding officer to administer, charge, conduct hearings, and impose disciplinary action for violations of this policy.

Employees may be required to submit a doctor's note/excuse for each sick occurrence beginning with the first one. Failure of an employee to furnish same after having been previously advised in writing to do so may result in the denial of sick leave benefits for the days in question.

It should be noted that a supervisor may request discretionary authority for the purpose of altering the severity of disciplinary action as stated in this policy. The supervisor requesting to change/alter the disciplinary procedure established herein is to submit in writing to their Deputy Chief the facts and reasons that support extenuating circumstances for a lesser course of action.

DR 1107 FAILURE TO REPORT TO OVERTIME DETAIL

A member shall not be absent from an overtime or Special Events Detail without proper authorization.

DR 1108 USE OF TOBACCO

1. Smoking, including all types of personal vaporizer products with or without nicotine (i.e. electronic cigarettes, e-hookahs), is prohibited in any City/County owned facility, building, vehicle, and at any designated work station.

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2. Smoking, the use of smokeless tobacco products, and all types of personal vaporizer products are strictly prohibited while engaged in official duties with the public.

DISCIPLINARY PROCEDURES

Uniformity in discipline will enhance the integrity of this department. It should be noted that the purpose of discipline is to stop inappropriate behavior. Prior to rendering a decision for discipline, the officer's disciplinary resume should be considered. Progressive measures should be considered in an effort to correct the behavior.

However, management can waive progressive discipline after factoring the severity and impact of an employee's infraction. This departure can lead to increased disciplinary actions, which may lead up to and including termination.

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Drug Policy

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I. DRUG POLICY

Date: 4-17-19
Section 4: Drug Policy

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MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES

SECTION: Drug Policy

A. Purpose:

To establish the policy for the Memphis Police Department's drug testing program and procedures to facilitate drug testing. This program will supersede any other testing program for testing of police employees.

B. Background:

On November 18, 1988, the Drug-Free Workplace Act of 1988 was enacted by the federal government. The Act requires all grantees (employers) receiving grants from any federal agency to certify that they will maintain a drug free workplace. As a recipient of federal grants, the Memphis Police Department is committed to complying with the requirements of this Act.

C. Introduction:

The City of Memphis Substance Abuse Policy, PM 78-03, states “any employee under the influence, using, selling, transferring, illegally possessing, or testing positive for controlled substances, and/ or alcohol while at the workplace or on City property while on or off duty shall be subject to disciplinary action up to and including termination following investigation by management and after the employee has had an opportunity to answer such charges.”

The Memphis Police Department is committed to a drug free workplace. The objective of our agency is to provide a drug free environment with the highest degree of respect for the individual employee's privacy, within the requirements of this policy. This policy will assure all employees that their fellow workers are not abusing legal drugs and not using illegal drugs. Assistance will be provided to those employees who, for whatever reason, fall victim to substance abuse. This policy has a dual mission; to provide a safe and secure working environment for all employees and to provide the citizens of our community with the most effective police protection possible.

D. Policy:

1. Members of the Memphis Police Department will not use any illegal drugs, either on duty or off-duty. Members will not misuse legal drugs or prescription medication.
2. Members will notify their supervisor of the use of any prescription or non-prescription drug, which may in any way impact job performance.
3. Members will contact Employee Assistance Program for assistance with substance abuse problems.
4. Members will notify their supervisor of any criminal drug statute arrest.
5. Members who are found in violation of this policy will be subject to disciplinary procedures as outlined in this policy.

6. All prospective employees will be given a test for drug abuse as part of the pre-hire physical examination, and at various times through-out employment with the Department (i.e. pre-assignment, post accident/ injury, post incident, reasonable

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suspicion, follow-up, random, and return-to-duty).

7. All members will be required to submit to drug testing when directed by authorized supervisory personnel or the Director of Police Services' designee. The drug testing liaison and all members of ISB are considered designees for this policy. All drug testing will be conducted by properly licensed medical personnel who will use approved collection and testing techniques as prescribed by the collection centers governing boards. Any member who refuses to report for testing without valid justification may be subject to disciplinary action, up to and including termination. A "refusal to be tested" will include, but not limited to the following:
 - Failure to appear for testing;
 - Not appearing for testing in a timely manner;
 - Leaving the collection site before testing is completed;
 - Failure to provide a specimen;
 - Failure to allow direct observation when mandated;
 - Providing an adulterated sample or substituted sample;
 - Providing an insufficient specimen without a valid medical reason; and
 - Failure to cooperate with the testing process.

- Failure to submit a sample on the selected date and time without proper authorization from the Director of Police Services or designee will be considered a positive test.
8. Members having a medical condition that restricts their ability to provide a urine sample must contact the City of Memphis Drug Testing Coordinator (Lakesha Becton 636-6412) to request accommodations. The City of Memphis Drug Testing Coordinator will provide instructions and necessary medical forms. Once the member is approved for an alternate form of testing, this notice will be forwarded to the MPD Drug Testing Liaison. When an approved member with accommodations must submit to drug testing and the member is not able to provide a urine sample, an alternate method of testing will immediately take place. It must be noted, this accommodation must be approved prior to testing.
9. Members required to report for testing outside of normal duty hours will be compensated in accordance with current overtime policy.
10. Random selection will be made by computer. The selection criteria will be random selection with replacement.
11. All information regarding testing and selection will be kept confidential. Breach of confidentiality may result in disciplinary action.
12. Nothing in this policy will negate criminal prosecution, if appropriate.

E. Action:

1. All commissioned Police Officers, Reserve Officers and civilian employees will be subject to random drug testing.

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2. Selected groups of critical area employees will be required to submit to mandatory periodic testing. These groups of employees will include the following groups: Organized Crime, TACT, DUI, Training Academy, Aviation, Hostage Negotiators, FTOs, Property and Evidence personnel, Crisis Intervention Team, Inspectional Services, Communications, and any other critical area deemed necessary by the Director of Police Services.
 3. Any employee involved in an on-duty traffic accident, where injury to another party has occurred resulting in a fatality, will be required to submit to testing.
 4. Any employee involved in an on-duty or off-duty shooting will be required to submit to testing. This includes shootings where there is no personal injury or property damage involved. Accidental discharges and animal shootings are also included in this category. The only exceptions are authorized firearms training and target practice at a licensed facility.
 5. Any employee involved in an alleged response to resistance resulting in a fatality will be required to submit to testing.
 6. **All employees are subject to mandatory testing for Reasonable Suspicion.**
- NOTE:** Areas 4 – 6 will apply to all commissioned officers unless they are working off-duty security jobs in a decommissioned status.

F. Reasonable Suspicion Defined:

Suspicion of abuse or misuse of either legal or illegal substances that includes specific and supportable facts which, taken together with rational inferences from those facts, will warrant the belief that a member is under the influence of drugs. Reasonable suspicion of drug abuse is based upon behavioral and performance factors which include, but are not limited to, erratic behavior, an arrest for a drug-related offense, argumentative or aggressive behavior toward management or co-workers, decreases in work performance level, willful misconduct, excessive absenteeism or abuse of the sick policy, excessive tardiness, negligent injuries or accidents, poor traffic safety record, unusual physical appearance indicative of disorientation or observed behavior indicating impaired motor skills, or other documented reasons. No supervisor will initiate drug testing procedures without authorization from the appropriate Deputy Chief.

II. Administration of Testing Procedures:

The Memphis Police Department's drug testing program is administered through the Director of Police Services' designee, referred to in policy as the Department Drug Testing Liaison. Employees are still required to submit to testing for cause as in the past.

Scheduled Employee testing is divided into two categories:

Category A: (Mandatory Test Group) This group includes employees in specialized areas as previously described.

Category B: (Random Test Group) This group consists of all commissioned officers, Police Service Technicians, Reserves, and civilian personnel.

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A. Mandatory/ Random Drug Testing Procedures

The Department is divided into testing groups based on work-station assignments. The City Drug Testing Coordinator will randomly select work groups to be drug tested on-site and notify the Department's Drug Testing Liaison. The Drug Testing Liaison will coordinate details such as date, time, location, and approximate number of employees that will be tested with the on-site drug testing vendor. Collectors will secure one or two restrooms at the selected work site for specimen collection. The Drug Testing Liaison or their designee will assist Collectors to ensure that site testing is completed in an orderly and expeditious manner.

Every employee listed as present on the Roll Call on the specified date for the selected group will be tested and informed about testing procedures at the end of roll call. In the event an employee is not at the workstation at the start of Roll Call, notification will be made to that employee to report for testing. Once notified, the employee will report to the workstation immediately, but no later than thirty minutes after notification, to submit to drug testing. Employees will be required to present their police identification or driver's license to the specimen collector. Employees will return to duty immediately at the completion of his/her collection process.

The current vendor for the on-site specimen collection is Mid-South Drug Testing. (*See contact information below.*) They also provide after hours on-site collection for Post Accident/Incident Testing and Reasonable Suspicion Testing.

Mid-South Drug Testing

Kelly Dobbins MA, CPCT, BAT

Chief Manager Mid-South Drug Testing

3294 Poplar Avenue, Suite 250 Memphis, TN 38111

(901) 320-9295 * (901) 734-0695 *After Hours

www.midsouthdrugtesting.com

B. Reasonable Suspicion Testing Procedures:

Supervisors will not initiate drug testing based on reasonable suspicion without authorization from the appropriate Deputy Chief. When possible, a second supervisor should be involved.

If a Supervisor has reasonable suspicion to believe that a member is performing official duties while under the influence of drugs, the supervisor will initiate a reasonable suspicion drug test as outlined:

1. The supervisor should clearly document the incident or employee's behavior/performance that led to the reasonable suspicion.
2. Contact the appropriate Deputy Chief to get authorization prior to testing.
3. Complete a Reasonable Suspicion Form.
4. Relieve the employee of duty (See MPD P&P Chapter I Section 2, subsection III, F. Procedures for Relieving of Duty Principal Officers "On-Duty"), explaining concerns, and contact the collection site concerning the testing panel needed.
5. Escort the employee to the drug testing site. If possible, a supervisor of the same gender as the employee being tested should accompany the employee to the testing

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facility.

6. Drive the employee home. (Members should not drive when there is reasonable suspicion they are under the influence of drugs.)
7. Complete any paperwork or documentation.

The employee will remain off duty until the test results are received. If the results are negative, the employee shall return to work. If the results are positive, the employee shall remain off duty, and will be advised to seek counseling from Concern EAP.

C. Positive Results

The lab will report all confirmed positive test results to a Medical Review Officer (MRO). Upon receipt of an employee's positive test results, the MRO shall notify the employee by phone. If an employee cannot be contacted and the MRO has made all reasonable efforts to communicate the confirmed results, the results shall be considered verified.

An employee who receives a positive test result may explain the result to the Medical Review Officer within three (3) calendar days of the initial notification. If the employee's explanation is unsatisfactory to the MRO, the MRO will verify the positive test result and report it to the Substance Abuse Policy Compliance Coordinator or Division designee.

If an employee wishes to dispute a positive test result, a request for testing the second half of the original collection (at the employee's expense) must be submitted in writing to the MRO within three (3) working days of receiving the initial result. In the absence of such a request, the positive test result shall be considered uncontested. The employee has the right to consult with the MRO for technical information regarding prescription and nonprescription medications.

The City of Memphis shall pay the cost of the initial and confirmation testing which it requires of the employee. **The employee shall pay the cost of any additional drug tests not required by the City.** When re-testing of a split specimen is requested, the party requesting the re-test shall pay the cost.

Drug testing results shall be held confidential to the extent permitted by the law; however there are several exceptions in the releasing of positive drug test information:

- During legal proceedings or situations in which the test results are relevant to employment;
- Concerning payment of OJI benefits; and
- During disciplinary procedures, such as grievance and arbitration matters, Civil Service Commission appeals, court proceedings, or unemployment compensation matters.

III. CONCERN (EAP)

- A. CONCERN – Employee Assistance Program (EAP) is contracted by the City of Memphis to provide confidential, cost-free problem solving help for all city employees, including all Memphis Police Officers and their family members. CONCERN provides a variety of

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services, including appropriate assessment, counseling, and referral services to employees who seek assistance for substance abuse problems.

CONCERN provides education and consultation to management concerning intervention and procedures for assisting employees with possible substance abuse problems. They also notify the Drug Testing Coordinator of known violations of the Substance Abuse Policy or other legal mandates and/ or non-compliance with the EAP treatment.

B. The services provided by CONCERN can be accessed through the following avenues:

- A self initiated request;
- A commander's suggestion or recommendation to an officer to seek services; or
- The requirement of the officer to receive services as a part of discipline.

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I. ADDITIONAL EMPLOYMENT POLICY

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The policies of the City of Memphis and the policies and procedures of the Memphis Police Department provide clear and enforceable guidelines for all Department employees, both commissioned and non-commissioned, who desire to engage in any employment separate from their City employment. This policy outlines the types of employment for which Department employees are eligible and establishes procedures for approval of such employment and enforcement standards.

The Additional Employment Office will be the Administrator of the Additional Employment Program. This office, under the direction of the Director of Police Services or his designee, will be responsible for the review, approval, compliance and revocation of Additional Employment. All employees must be in compliance with the provisions of this policy and all other orders, policies and procedures of the Department and the City of Memphis, and any other applicable rule, executive order, regulation or law. Failure to adhere to these standards will be cause for disciplinary action.

The Director of Police Services or his designee has approval authority for any deviation to the Additional Employment Policy. Permission for an employee to engage in Additional Employment may be denied or revoked if the Director of Police Services or his designee determines that such additional employment is not in the best interest of the City of Memphis and/or the Memphis Police Department.

II. Definitions

- A. Additional Employment:** Any authorized off-duty employment or secondary employment.
- B. Off-Duty Employment:** Any authorized employment outside the Memphis Police Department in one of the following categories:
 - 1. **Military:** Any employee who is a member of a Reserve or National Guard Unit in any branch of the United States military services or Coast Guard;
 - 2. **Off-Duty Non-Security:** Any authorized employment in a non-security role where compensation is earned in a direct employer/employee relationship. These earnings also include, but are not limited to services provided as: musicians, authors, ministers, entrepreneurs, self-employment, and partnerships;
 - 3. **Off-Duty Security with a Proprietary Security Organization (PSO):** Any authorized employment in either a uniformed or non-uniformed security role for a properly registered Proprietary Security Organization where a direct employer/employee relationship exists;
 - 4. **Off-Duty Security with a Contract Security Company (CSC):** Any authorized employment in either a uniformed or non-uniformed security role for a properly registered Contract Security Company.
- C. Secondary Employment:** Any authorized employment that requires the use of law enforcement powers by an off-duty police officer, wearing an MPD uniform and MPD issued equipment, working for a Proprietary Security Organization (PSO) within the city limits of Memphis. Secondary Employment is not a right; it is a privilege granted at the discretion of

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the Director of Police Services or his designee.

- D. Proprietary Security Organization (PSO):** Any person or business licensed with the Tennessee Department of Commerce and Insurance, which employs a security guard/off-duty police officer solely for such person, in an employer/employee relationship (TCA 62-35-102).
- E. Contract Security Company (CSC):** Any person or business licensed with the Tennessee Department of Commerce and Insurance, which engages in the business of providing a security guard or patrol service on a contractual basis for another person or business (TCA 62-35-102).
- F. Brokering:** Receiving compensation and/or other benefits, for acting in any manner, to arrange Additional Employment for any Department employee.
- G. Periodic Events:** Establishments that host entertainment and/or sporting events. This includes, but is not limited to, performance arts events that **do not** regularly serve/sell beer and/or alcoholic beverages on a **day-to-day** basis or as a primary source of business.

III. Prohibitions

- A. The Memphis Police Department prohibits employment that presents potential conflict of interest or reflects inappropriate acts and conduct of an employee.**
- B. No employee will engage in any Secondary Employment (working as security in an MPD uniform) on the property of any apartment complex.**
- C. No employee will engage in any Additional Employment where the employee's work, or that of the employer, is subject to police regulation of the particular area of business involved. This includes, but is not limited to:**
 - 1. Establishments licensed to sell liquor or beer for consumption on the premises, including the parking lots of such businesses;
 - 2. Businesses that provide adult entertainment, including the parking lots of such businesses;
 - 3. Dance halls;
 - 4. Billiard parlors;
 - 5. Junk yards;
 - 6. Pawn shops;
 - 7. Alarm companies;
 - 8. Amusement device companies.
- D. No employees will engage in any Additional Employment that might place in question the employee's reputation for seeking justice through the court system. This includes, but is not limited to:**
 - 1. Working for attorneys;

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2. Working for bonding companies;
 3. Working for collection companies.
- E. No employee will engage in any Additional Employment where the employee, or the employer, reaps pecuniary gain from dealing with the Police Department. This includes, but is not limited to:
1. Working for a wrecker company on the Police Department's approved wrecker list;
 2. Working for a company engaged in sales to the Police Department.
- F. Department employees will not broker any Additional Employment or business venture for another Department employee. Further, Department employees will not contract for employment with any person or company that provides or brokers security services.
- G. An employee's departmental status determines the ability of an employee to engage in Additional Employment. It is incumbent on the employee and the employee's Precinct/Bureau Commander to advise the Additional Employment Office of any change in an employee's Departmental status that may impact the employee's ability to engage in Additional Employment. The following Departmental status categories prohibit an employee from engaging in Additional Employment in the specified categories:
1. Employees with a status of sick or injured off-duty, IOD/limited duty, and Family Medical Leave are not permitted to engage in any Additional Employment;
 2. Commissioned police officers with a status of suspension, probation, non-enforcement, relieved of duty, or leave of absence are not permitted to engage in any Secondary Employment and/or any Off-duty Security Employment where the officer's status is dependent on their state commissioned status. Officers may engage in their Secondary Employment or Off-Duty Security Employment once they have returned full duty from the following statuses: sick, injured off-duty, IOD/limited duty, Family Medical Leave, suspension, probation, non-enforcement, relieved of duty, or leave of absence, with the exception of officers charged with sick abuse policy violations.
 3. No commissioned police officer is permitted to engage in any Secondary Employment and/or Off-duty Security Employment for a period of thirty (30) days after final disposition of any sustained Statement of Charges for violation of the Sick Abuse Policy.
 4. Police recruits are not permitted to engage in any Additional Employment.
 5. Police Service Technicians (PSTs) who have not completed their scholastic requirements preparatory to becoming a commissioned police officer are not permitted to engage in any Additional Employment.
 6. Memphis Police Department Reserve Officers are not permitted to engage in Secondary Employment.
 7. Memphis Police Department Probationary Officers are not permitted to engage in any Additional Employment, which includes, Secondary Employment, Off-Duty Security Employment, or Off-Duty Non-Security Employment. Military is not included.

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IV. General Provisions

- A. The Additional Employment Office is not a contracting office. This office will not recommend, contract, nor broker any Department employee for employment for or to any business. This responsibility rests with the business and individual employee.
- B. Additional Employment employers may request a Department employee to recommend other employees for Additional Employment. The employee who makes the recommendation **cannot** receive compensation and/or benefit from any individual or business for making the recommendation.
- C. Employees engaged in Additional Employment will not use Departmental files, records, or investigative resources to provide information to their Additional Employment employer.
- D. No employee may engage in any Additional Employment or business venture until the Director of Police Services or his designee has approved that employment **in writing**.
- E. Prior to the employee's submission of a Request for Additional Employment, the Additional Employment Office must receive all required documentation from the individual business. Once the employee's Request for Additional Employment is received, the Director or his designee will notify the employee, in writing, within fifteen (15) working days of the approval or disapproval of their Additional Employment request.
- F. Off-duty security work is defined by the Memphis City Code of Ordinances and includes any security work wherein the employee is compensated by monetary payment, personal property, or benefits, i.e., including, but not limited to, persons who receive a rent-free apartment in return for the performance of security duties.
- G. All Department employees are prohibited from owning and operating a security guard company, dignitary protective services, or private detective business, including a guard dog company.
- H. All Department employees are prohibited from owning and operating any Contract Security Company. In addition, this requires a business license and registration from the Tennessee Department of Commerce and Insurance.
- I. An employee may work for a security guard company or perform security work for a business under the following circumstances:
 - 1. The company must complete the binding Additional Employment agreement between the City of Memphis and the company to employ Memphis Police Officers.
 - 2. The Security Guard Service or the business at which the employee is employed as a security guard is registered with the Tennessee Department of Commerce and Insurance as either a Contract Security Company (CSC) or a Proprietary Security Organization (PSO);
 - 3. The Contract Security Company and the Proprietary Security Organization possesses a General Liability Policy, naming the City of Memphis as the "Additional Insured" with

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an attached endorsement. The General Liability policy must provide coverage for the negligent act or acts of the principal insured or the principal insured's agents operating in the course and scope of employment for bodily injury, personal injury and property damage, with endorsements for personal injury, including false arrest, libel, slander and invasion of privacy. The company shall, at its expense, maintain, at minimum, the following insurance coverage at all times during the life of the Agreement:

- a. COMMERCIAL GENERAL LIABILITY: Comprehensive General Liability Insurance, including Personal and Advertising Injury, Premises and Operations, and Broad Form Property Damage Liability coverage with minimum limits of:

\$3,000,000	General Aggregate
\$3,000,000	Products-Completed Operations
\$3,000,000	Personal and Advertising Injury
\$1,000,000	Each Occurrence (Bodily Injury & Property Damage)
\$ 5,000	Medical Expense any One Person

The Comprehensive General Liability Insurance shall include Security, Patrol extension, which provides bodily injury or property damage coverage from any negligent act, error or omission for which the Company is legally obligated.

- b. AUTOMOBILE LIABILITY covering owned, non-owned, and hired vehicles with minimum limits of \$1,000,000 each occurrence - combined single limits.
- c. WORKERS COMPENSATION coverage, covering the police officers, in accordance with the statutory requirements and limits of the State of Tennessee and shall require all subcontractors to do likewise with minimum limits of:

Employer's Liability	\$100,000 Each Accident
	\$500,000 Disease - Policy Limit
	\$100,000 Disease - Each Employee

4. The employee must not carry or display their Memphis Police Department identification card, badge, or uniform while engaged in Off-duty Security work at any time;
5. The employee does not at any time while engaged in Off-duty Security work carry any **issued** Memphis Police Department weapon, handcuffs, or other equipment. Only **personally purchased** handguns as specified in the **MPD Policies and Procedures Manual, Chapter XIII: Equipment, Section 1: Firearms** are authorized for employees engaged in Off-duty Security work.

J. No employee working as a private security guard will make any court appearance connected with an arrest arising out of said security guard duties while on-duty as a member of the Memphis Police Department, or while being paid for a court appearance made as a Department employee.

K. No police officer will be permitted to wear any part of a Memphis Police Department

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uniform or equipment while working in any capacity other than when working for the City of Memphis or while engaged in Secondary Employment.

- L. On occasion, special written permission is granted for a security guard employed by a private security guard service to direct traffic on dedicated streets. This special written permission from the Director is still necessary, even if the special officer happens to be a regular police officer. On those occasions where written permission has been granted for a special officer to direct traffic, the officer must be dressed in an appropriate uniform supplied by his Off-duty employer or purchased by the officer individually.

This will not prohibit an officer from directing traffic around a church or other charitable institution, on a voluntary basis, while wearing their MPD uniform. Before an officer can provide this voluntary service to any such institution while in uniform, permission must be obtained in writing from their Precinct/Bureau Commanding Officer. The documents related to this request must be forwarded to the Additional Employment Office as notification.

- M. No employee will engage in any Additional Employment or business activity that interferes with the employee's regularly scheduled working hours or physically impairs the employee's ability to perform their normal Department functions and responsibilities.

There is no limit is placed on the number of businesses or hours that an employee can work in an Off-duty Employment capacity. It is the responsibility of the individual employee and the employee's supervisor to monitor the impact of the employee's Off-duty Employment on their Departmental work and physical and mental capabilities to maintain their job responsibilities in all Department situations. **A limit of twenty (20) hours per week (Saturday through Friday) is placed on officers engaging in Secondary Employment.**

- N. Any employee who receives an injury in connection with their Additional Employment or contracts an illness due to the Additional Employment will not be allowed to use City sick-time without subrogation consideration.
- O. Internal Affairs/Security Squad will investigate complaints against employees arising from Additional Employment. If it is determined the complaint does not violate the Memphis Police Department Policy and Procedure, the complaint will be referred to the off-duty or secondary employer for action.
- P. In accordance with the Deadly Force policy as outlined in the **MPD Policies and Procedures Manual, Chapter II: Arrests, Charges and Investigations, Section 8: Response to Resistance**, the Security Squad and the Additional Employment Office will investigate any weapon discharge by an officer engaged in Secondary Employment. In the case of a weapon discharge involving an officer involved in Off-duty Security work, the Security Squad and the Additional Employment Office will conduct a compliance check to insure that the officer is not carrying a Department issued handgun.
- Q. Personnel from the Additional Employment Office will conduct periodic compliance checks to insure that only approved Department employees are engaged in work outside the Department. Compliance checks will insure that employees are complying with the

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Additional Employment policy and all other Department policies and procedures. Compliance checks on officers engaged in Secondary Employment will insure that officers are in complete uniform and present a positive image for the Memphis Police Department.

- R.** All Additional Employment will expire on January 31 of each year, therefore;
1. If your Additional Employment Status has not changed from the previous year, **the hiring manager must verify the employment each year by completing and submitting a (yellow) verification form to the Additional Employment Office.**
 2. Any employees requesting **new employment** outside the department must complete a (green) Additional Employment Request Form. The company hiring must verify their employment by completing a (yellow) Additional Employment Verification Form.
 3. All employees changing any personal information should notify the Additional Employment Office. A form will be placed in the employee's file with the changes noted.
- S.** The use of any Department vehicle for Additional Employment, both marked and unmarked, is **prohibited** in accordance with the **MPD Policies and Procedures Manual, Chapter XIII: Equipment, Section 7: Vehicles.**

V. Military

- A.** The employee must complete a Request for Additional Employment Form indicating their assignment to a Reserve or National Guard unit of a branch of the Military Services or Coast Guard.
- B.** The unit commander of the Reserve or National Guard unit must complete an Additional Employment Verification Form annually.
- C.** The employee must submit these forms to the Additional Employment Office.

VI. Off-Duty Non-Security

- A.** Employees seeking Off-duty Non-Security work will contract their own employment.
- B.** The employer must complete an Additional Employment Verification Form and return it to the employee. Next, the employee must complete an Additional Employment Request Form and attach it to the Additional Verification Form.
- C.** Both the Additional Employment Request Form and the Additional Employment Verification Form must be submitted to the Additional Employment Office for approval.

VII. Off-Duty Security with a Proprietary Security Organization (PSO)

- A.** Employees seeking Off-duty Security work will contract their own employment with a licensed Proprietary Security Organization.
- B.** The company must complete the binding Additional Employment agreement between the

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City of Memphis and the company to employ Memphis Police Officers.

- C. The prospective employer must register with the Tennessee Department of Commerce and Insurance as a Proprietary Security Organization (PSO). The prospective employer must furnish to the Additional Employment Office a copy of the business's registration and a copy of their certificate of liability insurance with an attached endorsement. The Certificate of Liability should name the City of Memphis as the "Additional Insured."

The Certificate of Liability and endorsement should read, **"The City of Memphis, its officials, agents, employees and representatives shall be named as Additional Insured on the General Liability Policy. The additional insured endorsement shall be attached to the Certificate of Insurance."**

The company shall, at its expense, maintain, at minimum, the following insurance coverage at all times during the life of the Agreement:

1. COMMERCIAL GENERAL LIABILITY: Comprehensive General Liability Insurance, including Personal and Advertising Injury, Premises and Operations, and Broad Form Property Damage Liability coverage with minimum limits of:

\$3,000,000	General Aggregate
\$3,000,000	Products-Completed Operations
\$3,000,000	Personal and Advertising Injury
\$1,000,000	Each Occurrence (Bodily Injury & Property Damage)
\$ 5,000	Medical Expense any One Person

The Comprehensive General Liability Insurance shall include Security, Patrol extension, which provides bodily injury or property damage coverage from any negligent act, error or omission for which the Company is legally obligated.

2. AUTOMOBILE LIABILITY covering owned, non-owned, and hired vehicles with minimum limits of \$1,000,000 each occurrence - combined single limits.
3. WORKERS COMPENSATION coverage, covering the police officers, in accordance with the statutory requirements and limits of the State of Tennessee and shall require all subcontractors to do likewise with minimum limits of:

Employer's Liability	\$100,000 Each Accident
	\$500,000 Disease - Policy Limit
	\$100,000 Disease - Each Employee

- D. The employer must complete an Additional Employment Verification Form and return it to the employee. Next, the employee must complete an Additional Employment Request Form and attach it to the Additional Verification Form.
- E. Both the Additional Employment Request Form and the Additional Employment Verification Form must be submitted to the Additional Employment Office for approval.

VIII. Off-Duty Security with a Contract Security Company (CSC)

- A. Employees seeking Off-duty Security work will contract their own employment with a licensed Contract Security Company.

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- B. The company must complete the binding Additional Employment agreement between the City of Memphis and the company to employ Memphis Police Officers.
- C. The prospective employer must register with the Tennessee Department of Commerce and Insurance as a Contract Security Company (CSC). The prospective employer must furnish to the Additional Employment Office a copy of the business's registration and a copy of their certificate of liability insurance with an attached endorsement. The Certificate of Liability should name the City of Memphis as the "Additional Insured." The Certificate of Liability and endorsement should read, **"The City of Memphis, its officials, agents, employees and representatives shall be named as Additional Insured on the General Liability Policy. The additional insured endorsement shall be attached to the Certificate of Insurance."** The company shall, at its expense, maintain, at minimum, the following insurance coverage at all times during the life of the Agreement:

1. COMMERCIAL GENERAL LIABILITY: Comprehensive General Liability Insurance, including Personal and Advertising Injury, Premises and Operations, and Broad Form Property Damage Liability coverage with minimum limits of

\$3,000,000	General Aggregate
\$3,000,000	Products-Completed Operations
\$3,000,000	Personal and Advertising Injury
\$1,000,000	Each Occurrence (Bodily Injury & Property Damage)
\$ 5,000	Medical Expense any One Person

The Comprehensive General Liability Insurance shall include Security, Patrol extension, which provides bodily injury or property damage coverage from any negligent act, error or omission for which the Company is legally obligated.

2. AUTOMOBILE LIABILITY covering owned, non-owned, and hired vehicles with minimum limits of \$1,000,000 each occurrence - combined single limits.
3. WORKERS COMPENSATION coverage, covering the police officers, in accordance with the statutory requirements and limits of the State of Tennessee and shall require all subcontractors to do likewise with minimum limits of:

Employer's Liability	\$100,000 Each Accident
	\$500,000 Disease - Policy Limit
	\$100,000 Disease - Each Employee

- D. The employer must complete an Additional Employment Verification Form and return it to the employee. Next, the employee must complete an Additional Employment Request Form and attach it to the Additional Employment Verification Form.
- E. Both the Additional Employment Request Form and the Additional Employment Verification Form must be submitted to the Additional Employment Office for approval.

IX. Secondary Employment

- A. Officers seeking Secondary Employment will contract their own employment with a licensed Proprietary Security Organization. The Additional Employment Office will disseminate

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Department-wide requests from Proprietary Security Organizations who desire officers to work Secondary Employment.

- B. The company must complete the binding Additional Employment agreement between the City of Memphis and the company to employ Memphis Police Officers.
- C. The prospective employer must register with the Tennessee Department of Commerce and Insurance as a Proprietary Security Organization (PSO). The prospective employer must furnish to the Additional Employment Office a copy of the business's registration and a copy of their certificate of liability insurance with an attached endorsement. The Certificate of Liability should name the City of Memphis as the "Additional Insured." The Certificate of Liability and endorsement should read, **"The City of Memphis, its officials, agents, employees and representatives shall be named as Additional Insured on the General Liability Policy. The additional insured endorsement shall be attached to the Certificate of Insurance."** The company shall, at its expense, maintain, at minimum, the following insurance coverage at all times during the life of the Agreement:

1. COMMERCIAL GENERAL LIABILITY: Comprehensive General Liability Insurance, including Personal and Advertising Injury, Premises and Operations, and Broad Form Property Damage Liability coverage with minimum limits of

\$3,000,000	General Aggregate
\$3,000,000	Products-Completed Operations
\$3,000,000	Personal and Advertising Injury
\$1,000,000	Each Occurrence (Bodily Injury & Property Damage)
\$ 5,000	Medical Expense any One Person

The Comprehensive General Liability Insurance shall include Security, Patrol extension, which provides bodily injury or property damage coverage from any negligent act, error or omission for which the Company is legally obligated.

2. AUTOMOBILE LIABILITY covering owned, non-owned, and hired vehicles with minimum limits of \$1,000,000 each occurrence - combined single limits.
3. WORKERS COMPENSATION coverage, covering the police officers, in accordance with the statutory requirements and limits of the State of Tennessee and shall require all subcontractors to do likewise with minimum limits of:

Employer's Liability	\$100,000 Each Accident
	\$500,000 Disease - Policy Limit
	\$100,000 Disease - Each Employee

- D. The employer must complete an Additional Employment Verification Form and return it to the employee. Next, the employee must complete an Additional Employment Request Form and attach it to the Additional Employment Verification Form.
- E. Both the Additional Employment Request Form and the Additional Employment Verification Form must be submitted to the Additional Employment Office for approval.

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- F. Officers working in Secondary Employment who are required to wear a uniform will wear the authorized MPD Class A or Duty Uniform with the MPD standard patch and MPD issued equipment as specified in the **MPD Policies and Procedures Manual, Chapter XIII Section 3: Uniforms**. No specialized uniforms (Bike Patrol, COACT, TACT, etc.) or unauthorized equipment will be worn while working Secondary Employment. All employees working Secondary Employment will wear a Patrol Officers uniform, regardless of their rank, which will include one silver Memphis Police Patrol Badge, two M.P.D. collar insignias, right and left shirt collar and silver name plate. No rank insignia shall be visible on the uniform, while working Secondary Employment. Memphis Police Department employees working Secondary Employment **are not** acting in the capacity of an investigator, supervisor or commander while engaged in Secondary Employment. All Secondary Employment officers must carry the Department issued authorized duty handgun as specified in the **MPD Policies and Procedures Manual, Chapter XIII Section 1: Firearms**, with approved leather goods and security holster.
- G. The City of Memphis will not be responsible for liability, compensation and indemnification issues arising from injuries or other incidents occurring during Secondary Employment. The Proprietary Security Organization (PSO) will be responsible for these issues.
- H. While MPD Officers are engaged in Secondary Employment, they will comply with **Departmental Regulation 118 – Off-duty Responsibility** – which states “*a member is always subject to orders from a supervisory officer and to calls for assistance from private persons. Being technically off-duty does not relieve them from the responsibility of taking proper action in any matter coming to their attention. When there is no urgent or immediate need for police action, a member may request the dispatcher to turn the matter over to officers on-duty; but the member shall take such interim action as may be required prior to the arrival of the dispatched officers*”. This includes situations that occur outside the geographical boundaries of the officer’s Secondary Employment.
- I. Officers will respond to all matters that require their immediate attention by advising the dispatcher using their police radio. The procedure will be to identify yourself as “**Off-duty Officer, IBM#, working at business name/address**”.
- J. If a PSO does not pay an officer for the time spent handling MPD emergencies arising during the officer’s Secondary Employment, the Department will compensate the officer based on the actual time spent handling the incident. Officers will follow the same guidelines outlined in the **MPD Policies and Procedures Manual, Chapter XIII Section 7: Vehicles, Subsection IV: Marked Vehicle Take Home Policy, D: Compensation**.
- K. All costs related to damage of Memphis Police Department uniforms and equipment occurring during Secondary Employment will be the responsibility of the officer or the PSO employer.
- L. Officers must ensure that all Departmental paperwork resulting from any law enforcement activity while engaged in Secondary Employment is completed. When applicable, the officer

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should notify an on-duty supervisor, as outlined in the **MPD Policies and Procedures Manual, Chapter II Section 8: Response to Resistance.**

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SECTION: Special Events

I. OVERTIME DETAILS - For Commissioned Officers under the rank of Lieutenant.

The following regulations will be in effect regarding Special Events:

- A.** An officer will not be called for an event which occurs during his regular tour of duty. If the officer wishes to work an event during his regular tour of duty, the Special Events Office must be notified of his availability.
- B.** If an officer passes as an option, it must be for one of the following reasons:
 - (a) Sickness
 - (b) Family Illness
 - (c) Death in Family Leave
 - (d) Injured on Duty
 - (e) Vacation
 - (f) Leave of Absence
 - (g) Military Leave
 - (h) Written Notification
 - (i) Conflict with accepted scheduled event for another approved MPD detail (i.e. Beale Street Overtime Detail). The officer must provide detail information for verification.

A memo to the Special Events Office stating the period of time which you will not be available for overtime duty must be received one (1) week prior to that time.

Send to Special Events Office, MPD Traffic Office.

If an officer does pass for an unauthorized reason, he will be taken off of the Overtime List for a period of six (6) months.

- C.** The Special Events Office shall limit the time to contact an officer to eight (8) hours.
- D.** Once an officer accepts a detail, he/she shall not cancel unless for one (1) of the reasons in paragraph two "2" above. If an officer cancels at a late hour, the Special Events Office will assign the detail to the first officer who is available to work from the overtime list. Cancellations should be phoned in to the Special Events Office. When this office is closed, cancellations are to be made by phone to an on-duty Traffic Supervisor or a Detail Supervisor.
- E.** The Special Events Office will fill the details as they occur rather than on a full weekly schedule.
- F.** An officer will not be required to work a detail unless there is an eight (8) hour time period between the end of the detail and the beginning of his regular tour of duty.
- G.** Officers are not automatically reinstated to the Overtime (Special Events) List at the end of **any removal from the Overtime (Special Events) List**. To be eligible for reinstatement to the Overtime List, he/she must submit a memo to the Special Events Office.
- H.** A new officer is required to complete probation before he is eligible to be placed on the

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Special Events Overtime List. After meeting this requirement, the officer should send a written memorandum to Special Events, requesting placement on this list.

- I. In cases where an officer accepts details and establishes a pattern of canceling the assignments, especially for illness, the Special Events Office will submit a written request to the appropriate Deputy Chief requesting that the officer be removed from the overtime list for a period of six (6) months. Reinstatement provisions stated above will apply to this suspension as well.

II. OVERTIME DETAILS - For Supervisors.

- A. Lieutenants wishing to work overtime details must submit a letter of request to the MPD Special Events Office after the notice of this provision is posted. Those Lieutenants whose names are currently on the regular overtime list do not need to re-apply.
- B. If a Lieutenant does not submit his name for the overtime list, he shall not be subject to call unless he comes under the provision of the most junior Lieutenant or in the event of civil disturbances or natural disaster.
- C. Once a Supervisor accepts a detail, he/she shall not cancel unless for one of the reasons in "D" below. If a Supervisor cancels at a late hour, the Supervisor will be replaced by the next available supervisor. Cancellations should be phoned in to the Special Events Office. When the office is closed, cancellations are to be made by phone to an on-duty Traffic Supervisor or a Detail Supervisor.
- D. If a Lieutenant passes a detail, it must be for one of the following reasons:
 - (a) Sickness
 - (b) Family Illness
 - (c) Death in Family Leave
 - (d) Injured on Duty
 - (e) Vacation
 - (f) Leave of Absence
 - (g) Military Leave
 - (h) Written Notification
 - (i) Conflict with accepted scheduled event for another approved MPD detail (i.e. Beale Street Overtime Detail). The Lieutenant must provide detail information for verification.

A memo to the Special Events Office stating the period of time which you will not be available for overtime duty must be received one (1) week prior to that time.

Send to: Special Events Office, MPD Traffic Office.

- E. A Lieutenant may add or delete his name from the overtime list at any time by submitting a letter to the Special Events Coordinator. If a Lieutenant requests that his name be deleted, he

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may not re-apply for three (3) months.

- F.** As overtime details are requested, Lieutenants will be called in order as they appear on the overtime list. The Special Events Office shall limit the time to contact a Lieutenant to eight (8) working hours. If the Special Events Office is unable to contact that Lieutenant within the 8-hour period, he will be passed over to the next Lieutenant on the overtime list. No Lieutenant may come by the Special Events Office, or call, in order to make a personal request to work a particular detail.
- G.** In the event a Lieutenant refuses a total of three details, he shall be deleted from the overtime list for a period of three (3) months. At the end of the three (3) months, he may re-apply in writing and have his name placed into rotation.
- H.** Should the City have a large detail that requires more Lieutenants than are available on the overtime list, the number required shall be filled by calling the most junior Lieutenant.
- I.** Overtime details where specific technical knowledge, equipment or training is required shall not be considered under the provisions of this bulletin.
- J.** Please direct all questions to the Special Events Coordinator:

(901) 636-4685
Special Events Office
Traffic Office
1925 Union Avenue
Memphis, TN. 38104

NOTE: Officers will wear the authorized MPD Class A or Duty Uniform with the MPD standard patch and MPD issued equipment. No specialized uniforms (TACT, Motors, etc.) or unauthorized equipment will be worn while working a special event detail.

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I. Public Information

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SECTION: Public Information Office

The Memphis Police Department will fully cooperate with the public and authorized news media representatives in their efforts to gather public information pertaining to activities of the police department. However, these efforts will not unduly interfere with departmental operation, compromise ongoing investigations, infringe upon the individual rights of persons, or violate the law. Accordingly, the Department's Public Information Officer (PIO) serves as the central source of information for release by the department and responds to requests for information by the news media and the public.

No unauthorized personnel will reach out to the media and provide information pertaining to the Memphis Police Department, ongoing/closed investigation or personal endeavors without the approval of the PIO. This includes contact through email, telephone, text messages, printed materials and information provided through, but not limited to, social media accounts such as Facebook, Twitter, and Snapchat. Media outlets must submit requests for information through the PIO prior to the release of information. The Director will be thoroughly briefed before approval is granted.

II. PIO Responsibilities

The responsibilities of the PIO are as follows:

- (1) Coordinate information releases from the Public Information Office.
- (2) Assist news personnel at the scene of incidents and in covering routine news stories.
- (3) Assist news media on an on-call basis.
- (4) Prepare and distribute news releases.
- (5) Assist the Director of Police Services in arranging news conferences.
- (6) Review all requests that are submitted by MPD employee's regarding contact with any attorney, bondsman, media personnel, or unauthorized agency / person.
- (7) Coordinate interview requests from the media and conduct interviews when necessary. The PIO will be present, when deemed necessary, during interviews conducted by MPD personnel.
- (8) Coordinate and authorize the release of information concerning victims, witnesses and suspects.
- (9) Assist in crisis situations within the department by responding to the scene of critical incidents.
- (10) Coordinate the release of authorized information concerning confidential agency investigations and operations.
- (11) In cases involving multi-government agency efforts, the PIO will assist the other agencies coordinated release efforts. The information will be released by the agency having primary jurisdiction.
- (12) Annually schedule a meeting between news media representatives and members of the Memphis Police Department's Public Information Office. The meeting will allow for open discussion concerning improving the working relationship between the department

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES

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and media personnel and any possible changes related to the public information function.

III. Public Information Services

The services of the Public Information Office will be available to the media during regular business hours, between 0800 and 1600 hours Mon.-Fri., for assistance in any of the aforementioned responsibilities.

Routine requests for information regarding crimes or other public safety issues arising between 1600 and 0800 hours should be directed to the Police Supervisor on the scene of the incident to which the media has responded.

IV. Other Public Requests

- A. Requests for Statistical Data should be made through the City Attorney's Office. The request will be reviewed and coordinated with Crime Analysis to answer any requests for statistics.
- B. No one shall give out the address, phone number or other personal information of an employee to anyone outside the Memphis Police Department, without the permission of the employee, that employee's division commander, or a higher authority. Under no circumstances will personal information be released by telephone.
- B. All requests for copies of 911 tapes or transcripts, copies of personnel records/extracts, or copies of written departmental policies/documents are to be addressed to the City Attorney's office in City Hall (Open Records Request). These requests routinely take a minimum of seven (7) working days for processing.
- C. Access to on-site viewing of personnel records is allowed only at the Human Resources Office at 170 N. Main. These requests require identification, and a request for review form must be completed.
- D. News Assignment Editors and other designated media personnel will be given the type of crime reported, the time the incident occurred, the location of the crime, the condition of victim/s (when available), and verification of the presence of MPD Officers on the scene.
- E. After regular business hours, the Communication's Supervisor and/or Duty Chief will contact the PIO to advise of any crisis situation (i.e. barricade, critical or fatal injury of a law enforcement officer, hostage situation, arrest of MPD employees, incidents with multiple victims or severe chemical spill) where the PIO may be requested to respond, if necessary.
- F. On critical scenes, a supervisor ranging from a Lieutenant or above may release information to the media. If a statement is provided to the media, and the PIO is not present, a notification email should be sent to the PIO advising of the information that was released.
- G. Members shall not publicly disclose that alcohol and/or drugs were a contributing factor to a motor vehicle crash, until the results of official testing (breath alcohol test, blood test, field sobriety tasks) confirm that alcohol and/or drugs were indeed contributing factors, **AND** the report and/or arrest ticket has been approved and released. When applicable, a representative of the department may

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publicly state that toxicology testing will be conducted to determine whether alcohol and/or drugs were contributing factors to the crash.

- H.** Where crashes involve serious or fatal injuries, MPD Traffic Bureau members shall make a good faith effort to notify those involved or the immediate family of those involved in the motor vehicle crash of the presence of drugs or alcohol as a contributing factor, before such information is made available to the public.

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SECTION: Memphis Airport Police Department

I. Memphis Airport Police

Under the provisions of T.C.A. 42-4-107, Section 14, and in accordance with the requirement of the Tennessee Peace Officers Standards and Training Commission (P.O.S.T.), officers of the Memphis-Shelby County Airport Authority are regularly commissioned Police Officers, having the same rights and the same responsibilities as any other Peace Officer so identified under the Tenn. Code Annotated. Pursuant to this authority, The Airport Police Department is created and comprised of officers, dispatchers, and identification clerks and is headquartered at the Memphis International Airport terminal at 2491 Winchester.

It is the responsibility of the Airport Police Department to receive information and complaints of a criminal nature, to investigate within their jurisdiction, make arrests, and, subject to the directions of the Attorneys General, to pursue prosecution in the City, State, and Federal courts. The dispatchers maintain radio communication with the officers; they have telephone contact with all tenants, security checkpoints, control tower, and they monitor multiple silent alarms and certain aircraft transmissions. In the event of a major emergency or a failure of the telephone system, direct radio contact can be established between the departments on the Mutual Aid frequency using call sign "AIRPORT 1". The I.D. Clerks maintain records of over 6000 present and former employees.

The Memphis Police Department will support the law-enforcement efforts of the Memphis Airport Police Department by providing information, advice, assistance as requested, and when requested, by making immediately available the technical resources of each squad or bureau within this department.

Any complaints, received by precinct desk personnel or officers in the field, or incidents and offenses which occurred on airport property, may be referred to the Memphis Airport Police for a report to be made. The phone number for the Memphis Airport Police is 922-8050.

If the complainant insists that our department take the report, even though the incident or offense occurred on airport property, then the desk personnel or field officer should take the report and forward a copy to the Memphis Airport Police.

II. Jurisdiction Regarding the Memphis Airport

The federal government has imposed stringent security requirements on all Airport facilities. While the primary responsibility for investigation and prosecution of these offenses rests with the U.S. Attorney's Office and the FBI, there are occasions where the responsibility may shift to local authorities.

A. General

The Memphis Airport Police and the Memphis Police Department maintain a respectful

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working relationship. The Memphis Airport Police Department is the local law enforcement authority for the Memphis Airport; however, it also lies within the City of Memphis. Memphis police officers should notify the Memphis Airport Police when they are handling anything on airport property. Pursuit situations should be handled according to policy. Officers should have the MPD dispatcher notify the Memphis Airport Police of any pursuit that enters airport property.

When Memphis police officers have probable cause that a passenger at the airport or on a plane has committed a felony or a misdemeanor for which a warrant has been issued or which the officer has witnessed, **the Memphis Police Officer will contact the Memphis Airport Police to handle the arrest.** In some cases, the Memphis Police Officer may be allowed to work with the Airport Police to make the arrest. The Memphis International Airport has federal guidelines and regulations which Memphis Police Department employees are not exempt from. Airplanes are considered Federal jurisdiction, and the Memphis Airport Police will notify the FBI anytime a passenger is to be removed from a plane. In some situations, the Airport Police may be able to call the passenger off the plane to report to the ticket counter. If the person responds, an arrest could be made in the concourse area.

B. Investigations Handled On Airport Property

The Memphis Airport Police will handle general investigations and arrests that occur on Memphis Airport property.

When certain crimes of a serious nature are committed on airport property, the Airport Police will notify the Memphis Police Department at 901-545-2677. An investigation will be conducted by the Memphis Police Department. This includes shooting incidents, fatalities, serious accidents where a victim is in critical condition, or reports involving sexual assaults. The Airport Police will assist the Memphis Police Department in getting clearance to any necessary areas to conduct investigations.

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I. CITY WATCH/ Mid-South Alert

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CITY WATCH/MID-SOUTH ALERT is a Memphis Police Department computerized messaging system that can be utilized to provide an outbound messaging service capable of sending both voice messages and email messages to multiple receivers with only one phone call. The system also has the capability to send a fax to multiple receivers with only one fax transmission. Currently, CITY WATCH/MID-SOUTH ALERT communicates with TV, radio and local print media.

Mission:

It is the mission of the Memphis Police Department to create and maintain public safety. With this mission in mind, the department has instituted the CITY WATCH/MID-SOUTH ALERT Program.

Purpose:

The purpose of this program is to establish procedures that will ensure our citizens are informed of newsworthy community events and to serve as a precursor to the AMBER Alert System. While the AMBER Alert System does not take into consideration runaways, missing children, throwaways, or endangered children, the CITY WATCH/MID-SOUTH ALERT will address these issues. The program will expand to other areas such as: missing adults, notable traffic situations, disasters, and other major incidents. At any time during a CITY WATCH/MID-SOUTH ALERT, a missing child incident could escalate into an AMBER Alert scenario. If that happens, the guidelines for the AMBER Alert Program will take precedence.

A. CITY WATCH GUIDELINES

1. In the case of an endangered missing child, endangered throwaway, or endangered missing adult occurring between the hours of 0800 and 1600 hours the Homicide Major or designee will authorize the activation of a City Watch. The on duty Shift Major will be responsible for all other times.
2. City Watch will be used in situations regarding endangered missing children and endangered throwaway children, which may include a **runaway** if the circumstances suggest that the runaway is in danger, the child is outside their zone of safety for their age or development stage, mentally incapacitated, depended upon prescribed medication, and the facts surrounding the disappearance would lead a police officer to conclude that the child is at **risk**. (See attachment #1). The purpose is to provide rapid community notification through the Memphis area broadcasters (TV, Radio, and Print Media).

A City Watch will be issued on any missing, runaway, or throwaway child who is **endangered or in imminent danger of bodily harm**.

3. The City Watch System will also be used to locate endangered missing adults. These adults may be lost due to extenuating circumstances that could result in life threatening situations, i.e. Alzheimer's patients, endangered lost, or other threatening criteria that necessitate immediate community notification.
4. During regular business hours (0800-1600 hours), the Missing Persons Bureau will be responsible for all City Watch investigations.

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5. Between the hours of 1600-0800, Felony Response will be responsible for all missing person investigations. Felony Response will forward the case jacket and phone tip information to the Missing Persons Bureau the following morning.
6. Tips with information will be handled through Crime Stoppers (528-CASH). The RTCC Supervisor will be responsible for ensuring that an adequate number of investigators staff the phone lines in Crime Stoppers.

B. DEFINITIONS FOR CITY WATCH

Endangered Throwaway: Children (seventeen (17) years of age or younger) who are ordered to leave the custodial care of his/her caretakers (kicked out by the caretakers).

Endangered Missing Child: A child (seventeen (17) years old or younger) (see attachment #1) who has disappeared with no sign of abduction and unusual circumstances are present which demand immediate and comprehensive attention. If the child is outside their zone of safety for their age or development stage, mentally incapacitated, depended upon prescribed medication, and the facts surrounding the disappearance would lead a police officer to conclude that the child is at risk. **This may include a runaway who is in danger due to the circumstances surrounding the event.**

C. CITY WATCH FOR MISSING CHILDREN

If a determination based on facts indicates that a child is **missing due to circumstances other than abduction**, the following will be the standard protocol (see attachment # 1):

1. Memphis Police Department will respond to the location of occurrence, search the home and surrounding area immediately.
2. If a City Watch is warranted, a Field Supervisor will make the scene. After verifying the circumstances, the Field Supervisor will:
 - a. Notify the Shift Commander;
 - b. Notify the Missing Persons Bureau or Felony Response;
 - c. Determine if additional resources are necessary to aid in the search (i.e. Additional Patrol Officers, Air Support, Mounted Unit, K-9 Unit).
3. MPD Missing Persons offense report is to be taken **immediately with no waiting period.**
4. The scene officer will contact Station B to verify entry of the missing child is into NCIC (within two (2) hours of the complainant's initial call).
5. Monday-Friday between 0800-1600 hours, the Missing Persons Bureau supervisor will advise the Homicide Major of the circumstances, who will authorize a City Watch based on the facts of the case.
6. During nighttime hours, on-duty shift majors will authorize a City Watch if facts warrant.
7. A City Watch will be transmitted on the missing child as soon as possible.

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D. CITY WATCH FOR ENDANGERED MISSING ADULTS

Law enforcement frequently faces situations where the person missing is an adult. If the adult is under the age of (21) twenty-one, Station B should be contacted as soon as possible after the officer makes the scene in order to enter the person into NCIC. **(TBI mandates that missing persons under the age of (21) twenty-one years are entered into NCIC within two hours of the initial call from the complainant.)** If the adult is lost or disorientated due to an accident, illness, mentally incapacitated, or the person is depended upon prescribed medication but the facts surrounding the disappearance would lead a police officer to conclude that the person is at risk; the friends and relatives who frantically search for these individuals face a tremendous sense of urgency as well. The City Watch can adapt itself to meet the needs of lost adults (see attachment #1).

NOTE: This activation follows the guidelines listed in Section C (above) for missing children.

E. MID-SOUTH ALERT FOR OTHER MAJOR EVENTS

Mid-South Alert can be utilized for other events that necessitate community notification such as:

- **Traffic Incidents/ Information**
- **Weather**
- **Disasters**
- **Crime Information**
- **Other Major Events**

Prior to the activation of a Mid-South Alert as described in this section, approval must be obtained from the Precinct Colonel or Lt. Colonel from 0800-1600. An on duty Major will be responsible for approval at all other times. Once approval is obtained, the scene supervisor will contact the Communications Supervisor with information necessary to issue a Mid-South Alert. The proper information and necessary attachments, such as photographs to the Communications Supervisor, will be placed in the actual Alert Bulletin and sent to the appropriate news agencies.

In "Other Events", the scene Supervisor or commanding officer must notify the Communications Supervisor at 901-543-2710. The Communications Supervisor will be responsible for activating the Mid-South Alert Coordinator to activate the Mid-South Alert

F. CANCELLATION OF CITY WATCH

When the endangered child or endangered missing adult is located, the supervisor of Missing Persons or the Felony Response supervisor will be notified. They are responsible for notifying the Communications Supervisor to cancel the City Watch/Mid-South Alert by immediately issuing a "Cancel Alert" bulletin. - Station B will be notified to remove the person from the N.C.I.C.

A Communications Supervisor will transmit the "Cancel Alert" to the media as prescribed. If the endangered child/endangered missing adult are found deceased, the City Watch will be canceled, however no alert is to be sent out to the media.

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G. CANCELLATION OF MID-SOUTH ALERT

In cancelling a Mid-South Alert, the scene Supervisor/Commander will notify the Communications Supervisor who will transmit the “Cancel Alert” to the media as prescribed.

H. CITY WATCH FORMS

Separate forms used to issue and cancel City Watch and Mid-South Alerts may be found at MPD Support/Departmental Forms/Bureau Forms.

II. AMBER ALERT

Memphis Police Department Policy and Procedure for Criminally Abducted Children

Mission:

The Memphis Police Department considers the disappearance of a minor child to be an investigative priority; whether it is the result of unknown circumstances, a runaway incident, or a non-family abduction. In each of these incidents, based upon the specific case circumstances, department heads and supervisors will make decisions about the proper level of manpower and resources needed to bring the situation to a successful conclusion. While every missing child situation has the potential for harm, the non-family abduction is the one offense that likely will result in injury, sexual assault or death of the child.

It is the goal of the Memphis Police Department to have a functional system in place that if an Amber Alert is warranted it can be executed within two hours of the Memphis Police Department’s initial notification of the child abduction.

In situations where a child has been the victim of a non-family abduction, an aggressive law enforcement response is necessary. The response will be staffed adequately with manpower, resources, and follow a comprehensive investigative plan. The AMBER Alert will be a fundamental component of that plan.

Purpose:

The purpose of the AMBER Alert is to establish procedures to be followed in the event of a CRIMINAL CHILD ABDUCTION. This document will outline the Memphis Police Department’s response in a manner that will provide the greatest opportunity for a swift and safe return of the child. It will also provide for the apprehension and subsequent prosecution of the suspects responsible for the abduction. **The AMBER Alert will be issued only for abductions of children (seventeen (17) and under) where there is specific information available on victim(s), suspect(s) or vehicle(s) for broadcast.**

A. Protocol and Activation Criteria

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The AMBER Alert is a voluntary partnership between law enforcement agencies and area broadcasters to activate an urgent bulletin in the most serious child-abduction cases. Broadcasters use the National Weather Services (NWS) and the Emergency Alert System (EAS) to air a description/photo of the abducted child and suspected abductor. This information is automatically sent to area media and news organizations (much like a severe weather alert).

B. DEFINITIONS FOR AMBER ALERT

Stranger Abduction: The unlawful taking of a child (kidnapping) by someone not known to the child or caregiver. Seventy-five percent (75%) of these cases result in fatality or severe injury within three (3) hours.

Parental Abduction: The unlawful taking of a child or in violation of a custody order with the intent to deprive the left behind parent without access to the minor child. Note: Incidents of Parental Abduction can develop into life-threatening situations.

C. GENERAL GUIDELINES

1. The AMBER Alert is ***ONLY*** activated by law enforcement.
2. It is ***ONLY*** used for criminal child abduction cases.
3. The responsibility and the decision to activate the AMBER Alert will rest with the Memphis Police Department's Deputy Chief on duty.
4. The AMBER Alert can be issued regionally or statewide.
5. It should NOT be used for runaways.

D. AMBER ALERT STEPS

Although every AMBER Alert is unique to its community, there are certain criteria which must be met before being activated. The Deputy Chief on duty must approve all Amber Alerts. If there is reason to believe the missing child/suspect is in the local area (150 miles of Memphis) AND the following criteria are present, then the AMBER Alert will be issued regionally. If there is reason to believe the abducted child may be outside the 150-mile radius of Memphis, a Statewide AMBER Alert will be issued through TBI. (1-800-TBI-FIND)

1. ***STEP ONE – Criteria AMBER Alert***

- a. Law Enforcement must have reasonable belief that a child (seventeen (17) years of age or younger) has been abducted.
- b. Law Enforcement must believe that the circumstances surrounding the abduction indicate that the child is in **imminent danger of bodily harm or death.**
- c. There must be enough **descriptive information on at least one of the following: the child, abductor or suspect's vehicle** to believe an immediate broadcast will be vital to the safe return of the child.

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- d. The scene officer must contact Station B which will make an entry into the NCIC Missing Person File along with any information on a suspected abductor(s) or suspect's vehicle. A BOLO will be issued immediately.

2. *STEP TWO – Notification*

If the incident appears to warrant an Amber Alert, the Lt. Colonel or Major on duty will be notified and will respond to the location. Once the scene is assessed by the Lt. Colonel or Major and he or she feels that it meets the criteria for an Amber Alert, the Lt. Colonel or Major will contact the appropriate Deputy Chief and advise the facts surrounding the child abduction.

Once the Amber Alert is approved by the Deputy Chief, the Lt. Colonel or Major on duty will contact the Communications Supervisor who will put out a City Watch immediately and will start procedures for Amber Alert activation. Since City Watches can be activated with less time, this will help expedite dispensing information to the public.

IN AN AMBER ALERT SITUATION, THERE IS TREMENDOUS POTENTIAL THAT GRAVE HARM COULD COME TO A CHILD. TIME IS OF THE ESSENCE. IT IS IMPERATIVE TO INVOLVE A DEPUTY CHIEF AS SOON AS POSSIBLE FOR APPROVAL. IN AN EFFORT TO PROTECT THE CHILD IN DANGER, CERTAIN LEVELS OF THE COMMAND STRUCTURE MAY BE BYPASSED IN ORDER TO EXPEDITE THE ACTIVATION OF THE ALERT.

3. *STEP THREE – Activation of an AMBER Alert*

- a. The Communications Supervisor will contact the Tennessee Bureau of Investigations (TBI) at 1-800-TBI-FIND (824-3463) and advise an Amber Alert is needed.
- b. The Lieutenant Colonel or Major on the scene will ensure that the Communications Supervisor is notified as soon as possible with the necessary information required to activate a City Watch/ AMBER Alert.
- c. Communications "Station B" will issue a "Be On The Lookout" (BOLO) containing summary information about the criminal child abduction. A BOLO will be sent whenever an Amber Alert is issued.
- d. The Investigator will secure the most recent photograph of child and take it to the Missing Persons Bureau or Felony Response Bureau to be emailed to T.B.I. for preparation of a LOCATER Poster.
- e. The Lt. Colonel or Major will establish a telephone hotline for receipt of tips and leads through Crime Stoppers (528-CASH).
- f. All personnel will follow National Center for Missing and Exploited Children's (NCMEC) guidelines and Investigative Checklist. (see attachment #2)
- g. TBI takes all information (BOLO, NCIC, LOCATER Poster) and notifies National Weather Service- Nashville by email to send a statewide EAS message with the

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child's information to all statewide LP1 EAS stations. The Associated Press (AP) is notified by TBI email to send the alert over the wire service.

- h. TBI notifies the Department of Transportation (DOT) to activate the Intelligent Traffic Signs.
- i. TBI activates the AMBER Alert Web Page and re-broadcasts the BOLO and poster to all applicable state and regional law enforcement agencies giving the TBI's web address or the address of AMBER ALERT.com.

E. CANCELLATION OF AMBER ALERT

In regard to the cancellation of AMBER Alerts, the Communications Supervisor will be charged with the responsibility of canceling the Alert upon the location of the child. This process will include:

- Canceling the BOLO
- Canceling NCIC Entry

The Communications Supervisor will also notify:

- Tennessee Bureau of Investigation

F. REVIEW PROCESS

A meeting will take place after each Amber Alert issued with all parties involved for debriefing and evaluation of the process.

III. Child Abduction Response Team (CART)

CART is a tool created in an effort to enhance MPD's ability to respond within the city and assist surrounding agencies in a quick and effective manner to missing and abducted children.

General Guidelines for Activation (CART 1.1)

1. CART is ***ONLY*** activated by law enforcement.
2. CART is primarily used for criminal child abduction.
3. The responsibility and the decision to activate CART will rest with the Memphis Police Department's Deputy Chief on duty or Director.
4. CART can be dispatched regionally upon Director's approval.
5. CART should NOT be used for runaways.

The Scene Supervisor must notify the CART Supervisor via Communications of the situation. The CART Supervisor, along with MPD Administration, will determine if and to what extent the CART Team should respond.

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IV. ATTACHMENT #1

City Watches are not intended to be issued for every missing person or runaway.

Factors have to be established to determine whether or not the missing person or runaway is believed to be endangered.

Factors to Consider When Issuing the City Watch

- Is the person twelve (12) years of age or younger?
- If the person is thirteen (13) or older, consider the following factors:
- Is the person believed to be out of the zone of safety for his/her age and/or developmental stage?
- Is the person mentally incapacitated?
- Are there medical needs that are vital in saving a life?
- Is the person drug dependent, including prescribed medication and/or illegal substances and is the dependency life threatening?
- Is the person believed to be in a life-threatening situation?
- Is the person believed to be in the company of individuals who could endanger his/her welfare?
- Is the person's absence inconsistent with his or her established patterns of behavior and the deviation not readily explained?
- Are there other circumstances involved in the disappearance that would cause a reasonable person to conclude that the person should be considered "at-risk?"

V. ATTACHMENT # 2

AMBER ALERT PROTOCOL

Investigative Checklist for Responder

This checklist is meant to provide a framework of actions, considerations, and activities that can assist in performing competent, productive, and successful missing/abducted children investigations.

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FIRST RESPONDER

- () Interview parent(s)/person who made initial report.
- () Verify that the child is in fact missing.
- () Verify child's custody status.
- () Conduct an immediate, thorough search of the missing child's home, even if the child was reported missing from a different location.
- () Identify the circumstances of the disappearance.
- () Determine when, where, and by whom the missing child was last seen.
- () Interview the individuals who last had contact with the child.
- () Identify the child's zone of safety for his or her age and/or developmental stage. Based on the available information, make an **initial** determination of the type of incident whether non-family abduction; family abduction; endangered runaway; or lost, injured, or otherwise missing.
- () Obtain a **detailed** description of the missing child, abductor, and any vehicles used.
- () Take a report and contact Station B to enter the child into NCIC. **Station B must be contacted.**
- () Relay detailed descriptive information to Communications for broadcast updates.
- () Request additional personnel if circumstances require.
- () Request investigative assistance if necessary.
- () Request supervisory assistance if necessary.
- () Brief and bring up-to-date all additional responding personnel including supervisors and investigative staff.

INVESTIGATIVE OFFICER/DETECTIVE

- () Ensure that everybody at the scene is identified and interviewed separately. Make sure that their interview and identifying information is properly recorded. To aid in this process, if possible, take pictures or record video images of everyone present.
- () Note name, address, home/ business telephone numbers of each person present.
- () Determine each person's relationship to the missing child.
- () Note information that each person may have about the child's disappearance.
- () Determine when/where each person last saw the child.
- () Ask each person, "What do you think happened to the child?"
- () Obtain names/addresses/telephone numbers of the child's friends or associates and other relatives and friends of the family.
- () Keep Communications apprised of all appropriate developing information for broadcast updates.
- () Obtain and note permission to search home or building where incident took place.
- () Conduct search to include all surrounding areas including vehicles and other places of concealment.
- () Treat the area as a crime scene.
- () Seal/protect scene and area of the child's home (including child's personal articles such as hairbrush, diary, photographs, and items with the child's fingerprints/foot prints/teeth impressions) so that evidence is not destroyed during or after the initial search and to help ensure that items which could help in the search for and/or

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identify the child are preserved. Determine if any of the child's personal items are missing. If possible, photograph/videotape these areas.

- () Evaluate contents and appearance of the child's room/residence.
- () Obtain photographs/videotapes of missing child/abductor.
- () Prepare reports/make all required notifications.
- () Ensure that information regarding missing child is entered into the National Crime Information Center (NCIC) Missing Person File and that any information on a suspected abducted is entered into the NCIC Wanted Person File. (Carefully review NCIC categories before entering the case, and be sure to utilize the Child Abduction Flag whenever possible.
- () Interview other family members, friends, and associates of the child, and friends of the family to determine:
 - () When each last saw the child
 - () What they think happened to the child.
- () Ensure that details of the case have been reported to the National Center for Missing and Exploited Children (NCMEC). 1-800-THE-LOST.
- () Prepare and update bulletins for local law enforcement agencies, state missing children's clearinghouse, Federal Bureau of Investigation (FBI), and other appropriate agencies.
- () Prepare a flier/bulletin with the child/abductor's photograph and descriptive information. Distribute in appropriate geographic regions.
- () Secure the child's latest medical and dental records.
- () Establish a telephone hotline for receipt of tips and leads.
- () Establish a leads management system to prioritize leads and help ensure that each one is reviewed and followed up on.
- () Obtain briefing from first responding officer and other on-scene personnel.
- () Verify the accuracy of all descriptive information and other details developed during the preliminary investigation.
- () Obtain a brief, recent history of family dynamics.
- () Correct and investigate the reasons for conflicting information offered by witnesses and other individuals.
- () Review and evaluate all available information and evidence collected.
- () Develop an investigative plan for follow-up.
- () Determine what additional resources and specialized services are required. Execute investigative follow-up plan.

SUPERVISORY RESPONSIBILITY

- () Obtain briefing and written reports from first responding officer, investigators, and other agency personnel at the scene.
- () Verify a child has been abducted and there is verifiable suspect or vehicle information.
- () Designate a note taker to keep track of times and information.
- () Determine if additional personnel are needed to assist in the investigation.
- () Shelby County Sheriff Department.

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- () Tennessee Highway Patrol
- () TBI/State Missing Children's Clearinghouse. 1-800-TBI-FIND
- () Federal Bureau of Investigation.
- () Specialized Units.
 - () SCSD Search and Rescue Unit
 - () Motors
 - () Search Dogs
 - () Volunteer Search Party
 - () Additional Search Boats
 - () Four Wheelers and additional search equipment.
 - () Aviation Unit
 - () Harbor Patrol
 - () Airport Police
 - () Victim-Witness Services
 - () National Center for Missing and Exploited Children (NCMEC's) Project Alert
- () Ensure that all the required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested, and expedite their availability.
- () Establish a command post away from the child's residence.
- () Ensure coordination/cooperation among all law-enforcement personnel involved in the investigation and search effort.
- () Ensure that all required notifications are made.
- () Ensure that all agency policies and procedures are in compliance.
- () Conduct a criminal-history check on all principal suspects and participants in the investigation.
- () Be available to make any decisions or determinations as they develop.
- () Utilize media (including radio, television, and newspaper) to assist in the search for the missing child, locate potential witnesses, and maintain media relation, per established protocols, throughout the duration of the case. Update Command Staff of all pertinent information.
- () Contact PSN/OCU to assist in locating the suspect.
- () Contact the PIO or their designee for media inquiries.

VI. CITY WATCH/ MID-SOUTH ALERT BULLETIN
EXPLANATION OF FIELDS

Type of Alert: This is the actual type of alert being put out; i.e. – Runaway, Missing child, Missing Alzheimer's Patient, Missing Elderly, Traffic Alert, etc.

Date and Time: This is the date and time of the beginning of the actual event.

Location: The actual location the person left from or the event took place.

Name: The name of the person the event centers around. (Victim)

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Address: The address where the event takes place.

Narrative: A complete narrative description listing all the details of the person, place, direction, clothing description, and all helpful information.

Victim Description: A complete physical and clothing description of the person involved. (Victim).

Suspect Description: A complete physical and clothing description of the offender if there is one involved.

Weapons: A complete description of any weapon used.

Time Lapse: The amount of time that has passed from the actual event taking place and the police arriving on the scene.

If Seen Contact: Who to call with additional information: Communications at 901-545-2677.

Authorized By: The Homicide Bureau Major during “B” shift, or on-duty major during “A” and “C” shifts in the case of a missing child or adult.

Colonels or Lt. Colonels on the “B” shift or on duty major during “A” and “C” shifts will be responsible for approval of Mid-South Alerts (major incidents, weather events, etc).

Sent By: The City Watch Coordinator or Communications Supervisor who actually sends the alert. The date and time sent will be recorded beside the name of who sent the alert.

VII. CITY WATCH/ MID-SOUTH ALERT CANCELLATION

EXPLANATION OF FIELDS

Type of Alert: This is the same information put on the initial Alert Bulletin.

Date and Time: This is the same information put on the initial Alert Bulletin.

Location: This is the same information put on the initial Alert Bulletin.

Name: This is the same information put on the initial Alert Bulletin.

Address: This is the same information put on the initial Alert Bulletin.

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Cancelled By: The name of the supervisor or commanding officer on duty at the conclusion of the event.

Sent By: The name of the City Watch Coordinator or the Communications Supervisor who actually sends the cancellation. The date and time sent will be recorded beside the name of who sent the cancellation.

The fields in the Alert Bulletin and the Cancellation Bulletin must be the same in order to link the two together.

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Commendation Program

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To enhance motivation and promote esprit de corps the Memphis Police Department has

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established guidelines for recognizing and honoring outstanding performance by commissioned personnel employed by the Memphis Police Department. It has also established guidelines for recognizing and honoring any citizen who displays extreme courage and sacrifices their own safety to come to the aid of officers. (26.1.2)

I. MERITORIOUS AWARDS

A. REPORTING AND RECOMMENDATION PROCEDURES

1. Any officer or civilian who has knowledge of an incident involving a police action and/or an act of public service by any officer can initiate recommendations. This recommendation must be in writing.
2. The nomination should be received and relayed through a supervisor.
3. Nominations will be documented on the “Recommendation for Official Commendation Form.” This form can be located by contacting the chairperson of the commendation board at the Training Academy.
4. Nominations should be initiated within one year of the occurrence, unless instructed by the Director.
5. The Recommendation for Official Commendation form should be concise and completely describe the actions of the person being nominated.
6. Supporting documents should be included whenever possible. They should be specific and detailed as to the event, and should include witness statements, reports, photos, news articles, etc.
7. The completed original nomination form and supporting documents will be sent to the Training Academy by the nominator for review by the Commendation Board.
8. The recommendation forms can be found on KIOSK.

B. OFFICERS COMMENDATIONS - CATEGORIES AND DESCRIPTIONS

1. **Medal of Honor**
 - a) The Medal of Honor will be awarded to the Memphis Police officers who distinguish themselves with extraordinary act(s) of bravery or heroism above and beyond that normally expected in the line of duty. The deed performed must have been one of self-sacrifice where the action taken, in all probability, may have resulted in death or serious injury.
 - b) Presented at the Annual Commendation Ceremony.
 - c) The medal is silver with raised lettering.
 - d) The ribbon and bar are blue with one red and two white vertical stripes.

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2. Medal of Valor

- a) The Medal of Valor will be awarded to the Memphis Police officers whose act(s) exemplify heroism and valor. The officer must have demonstrated courageous behavior upon being confronted by a potentially dangerous adversary.
- b) Presented at the Annual Commendation Ceremony.
- c) The medal is silver with raised lettering.
- d) The ribbon and bar are red with four light blue vertical stripes.

3. Lifesaving Medal

- a) The Lifesaving Medal will be awarded to the Memphis Police officers who by their immediate actions, saved a human life or prolonged the life of a person for at least twenty-four hours under unusual and /or extraordinary circumstances, but does not qualify for a higher award. The medal may also be earned by any act, which is considered instrumental in directly contributing to the saving of a life. Officers putting themselves in harm's way or extensive persuasion in changing a person's mind in taking their own life are some of the important components in determining the merits of this medal. The Commendation Board will decide what is extensive.
- b) Presented at the Annual Commendation Ceremony.
- c) The medal is silver with raised lettering.
- d) The ribbon and bar are green with one white vertical stripe.

4. Service Medal - Combat

- a) The Service Medal - Combat will be awarded to the Memphis Police Officers who have been seriously, critically, or fatally injured while in the performance of their duties. The wound or injury must be to a degree requiring hospitalization, the immediate care of a physician, or capable of causing death or extended disability. To qualify for this commendation, the wound or injury must have appeared to have been caused by the deliberate actions of another in an attempt to cause injury to the officer or some other person, thing, or property; or in the attempted apprehension of said person; or personal combat, or in an attempt to save a human life placing oneself in immediate peril. In addition, this award may be conferred if wearing body armor averted injury.
- b) Presented at the Annual Commendation Ceremony.
- c) The medal is gold with raised lettering.
- d) The bar is purple with two white vertical stripes which represent the wound or injury, extraordinary fidelity, and meritorious service.

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- e) The ribbon and bar are white with one purple vertical stripe.

5. Service Medal - Accidents

- a) The Service Medal - Accidents will be awarded to the Memphis Police officers who, as a result of accidental causes during enforcement activities, have been seriously, critically or fatally injured while in the performance of police duties. This award will be limited to those cases resulting from an accident in which no internal disciplinary action was taken (e.g., a traffic accident, heart attack [approved medically/city approved OJI], or other non-violent incident, which occurs, in the direct performance of police duty).
- b) Presented at the Annual Commendation Ceremony.
- c) The medal is gold with raised lettering.
- d) The ribbon and bar are purple.

6. Director's Award

- a) This award may be selected for a member who:
 - 1. Has shown exceptional initiative, tenacity, and expertise while carrying out their duties.
 - 2. Presents outstanding acts of community service which is not normally recognized or expected as a normal part of their duties.
 - 3. Has progressive leadership qualities which contribute to the accomplishment of departmental goals.
 - 4. Overall distinguishes themselves for exemplary service to the department.
 - 5. The ribbon is dark blue with one vertical gold stripe.
 - 6. This award will be presented at the Annual Commendation Ceremony.
 - 7. The commendation will be in the form of a bar and certificate.
 - 8. Recipient is selected by the Director of Police Services.

7. Department Officer of the Year Bar (TOP COP)

- a) The Department Officer of the Year Bar will be awarded to one Department officer who has shown exceptional performance throughout the year.

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- b) Presented at the Annual Commendation Ceremony.
- c) The bar light blue with two yellow, two white, and one red stripe.

8. Medal of Merit

- a) The Medal of Merit will be awarded to the Memphis Police officers who successfully performs extremely complex and difficult investigations, or who demonstrate exceptional skills and ingenuity in the apprehension of wanted persons, who provide outstanding service to the public, or who continuously achieve excellence in the performance of duties over an extended period of time.
- b) Presented at the Annual Commendation Ceremony.
- c) The medal is bronze with raised lettering.
- d) The ribbon and bar are red with two white vertical stripes.

9. Undercover Operations Medal of Merit

- a) The Undercover Operations Medal of Merit is given to Memphis Police Officers that have worked deep undercover to infiltrate and investigate dangerous criminal organizations from inside its source. These officers have had to assume new identities, severing all ties with the Department and Department personnel as well as subjecting themselves to involvement in criminal activity, which may include going to jail to keep their identities from being exposed. These officers have changed their entire lifestyles; from their appearances, to their daily routines, to being away from families and friends for extended periods of time. They must demonstrate exceptional skill and ingenuity in gathering the necessary intelligence to effect a successful investigation and/or criminal prosecution.
- b) A Memphis Police Officer who has successfully completed this assignment and has been undercover for more than 1 year will receive a medal and a solid black bar. A silver star affixed to the bar represents an officer serving more than 2 year in this assignment.
- c) Presented at the Annual Commendation Ceremony.
- d) The medal is silver with raised lettering.
- e) The ribbon and bar are black.

10. 100 Club Valor Award

- a) See “Outside Awards” for requirements
- b) The bar is red with vertical red, blue, and yellow stripes
- c) The Colonel or Major will give this award at the officer’s roll call.

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11. Administrative Excellence Bar

- a) Awards of Administrative Excellence are conferred for non-routine conduct of an administrative nature, which surpass the responsibilities of the current assignment. This may include the implementation of a new program, redesigning a current program, etc.
- b) Presented at the Annual Commendation Ceremony.
- c) The commendation will be in the form of a bar and certificate.
- d) The bar is green with two orange stripes.

12. Precinct/Bureau/Division Supervisor of the Year Bar

- a) The Precinct/Bureau/Division supervisor of the Year Bar will be awarded to the Memphis Police officers who have shown exceptional performance as a supervisor throughout the year.
- b) Presented at the Annual Commendation Ceremony
- c) The bar is yellow with two small blue vertical stripes

13. Precinct/Bureau/Division Officer of the Year Bar

- a) The Precinct/Bureau/Division officer of the Year Bar will be awarded to the Memphis Police officers who have shown exceptional performance as a supervisor throughout the year.
- b) Presented at the Annual Commendation Ceremony
- c) The bar is green with vertical blue, yellow, and red stripes.

14. Optimist Club Investigator of the Year

- a) See “Outside Awards” for requirements
- b) The commendation will be in the form of a bar.
- c) The Colonel or Major will give this award at the officer’s roll call.
- d) The bar is gray with five red vertical stripes.

15. Kiwanis Club Uniform Patrol Officer of the Year

- a) See “Outside Awards” for requirements
- b) The commendation will be in the form of a bar.
- c) The Colonel or Major will give this award at the officer’s roll call.

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- d) The bar is blue with four gold vertical stripes.

16. 100 Club Jerome Turner Award

- a) See “Outside Awards” for requirements
- b) The bar is red with vertical red, blue, and yellow stripes
- c) The Colonel or Major will give this award at the officer’s roll call.

17. Memphis Police Department CIT Officer of the Year

- a) The Memphis Police Department CIT Officer of the Year will be chosen from the recipients of the CIT Workstation Officer of the Year after a formal review. A committee will be formed from various personnel to make the final selection of the recipient.
- b) This award will be presented during the Annual NAMI Memphis CIT Awards Banquet and will be in the form of a bar and plaque.
- c) The bar is gold with four thin blue and one thick blue vertical stripe.
- d) The following star rankings will indicate how many times an officer has received the Memphis Police Department CIT Officer of the Year award:
 - First Time Recipient – Bar
 - Second Time Recipient – Bar with 1 bronze star
 - Third Time Recipient – Bar with 1 gold star
 - Fourth Time Recipient – Bar with 1 silver star
- e) Once these stars have been earned, there will be no additional stars affixed to the bar. When more than one of these awards has been received, only the highest bar, in accordance to the above order, shall be worn.

18. CIT Workstation Officer of the Year

- a) CIT Workstation Officer of the Year will be awarded based on performance and recommendations made by the CIT officer’s supervisors and a workstation committee.
- b) This award will be presented during the Annual NAMI Memphis CIT Awards Banquet and will be in the form of a bar and plaque.

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- c) The bar is blue with four light blue, two medium blue, two white and one dark blue vertical stripe.
- d) The following star ranking will indicate how many times an officer has received the CIT Workstation Officer of the Year award:
 - First Time Recipient – Bar
 - Second Time Recipient – 1 bronze star
 - Third Time Recipient – 2 bronze stars
 - Fourth Time Recipient – 1 gold star
 - Fifth Time Recipient – 1 gold star and 2 bronze stars
 - Sixth Time Recipient – 1 silver star
 - Seventh Time Recipient – Bar with 1 silver star and 2 bronze stars
- e) Once these stars have been earned, there will be no additional stars affixed to the bar. When more than one of these awards has been received, only the highest bar, in accordance to the above order, shall be worn.

19. Specialized Unit Bar

- a) The Specialized Unit Bar is given to those officers that have chosen or have been appointed to work in a specialized unit that requires additional training above and beyond that of a basic law enforcement officer. These officers must conduct their specialized duties in these units for a minimum of eight (8) hours per tour of duty, must be permanently assigned to the unit, and must have been at these work stations for at least one (1) continuous year. The following units qualify for this bar:
 - Air Support
 - Bomb
 - Canine
 - DARE / GREAT
 - DUI Unit
 - Motors
 - Mounted Patrol
 - OCU
 - Special Administrative Staff to the Director
 - TACT
 - Training Academy
- b) The Specialized Unit Bar will be issued at the completion of the first continuous years of service for the specific qualifying unit. The following stars will be placed

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on the bar to represent the amount of different specialized units that an officer has served in:

- one bronze – 2nd specialized unit
 - two bronze stars – 3rd specialized unit
 - gold – 4th specialized unit
 - gold star with two bronze stars – 5th specialized unit
 - silver star – 6th specialized unit
 - silver star with two bronze stars – 7th specialized unit
- c) Once these stars have been earned, there will be no additional stars affixed to the bar.
- d) The Colonel or Major will give this award at the officer's roll call.
- e) The commendation will be in the form of a bar.
- f) The bar is brick red with four yellow vertical stripes.

19. Peer Support Bar:

- a) Officers/dispatchers who complete the selection process and required training class shall receive:
- Certificate of training
 - CIS/Peer Support lapel pin.
- b) In order to recognize service as an active Peer Support Officer, and to recognize the officers' continuous dedicated service, the Memphis Police Department will honor its Peer Support Officer with the Peer Support Bar.
- c) The ribbon is yellow with thin blue, white, and red vertical stripes.
- d) The CIS Coordinator will issue this bar to the recipient.
- e) The Peer Support Bar will be issued at the completion of one year of service and upgraded every five years. The following stars will be placed on the bar to represent continuous service:
- bronze – five consecutive years
 - two bronze – ten consecutive years
 - one gold – fifteen consecutive years
 - one silver – twenty consecutive years
- f) Once these stars are earned, there will be no additional stars affixed to the bar.

20. Community Service Bar

- a) The Community Service Bar may be presented for outstanding acts of community service, not normally recognized or expected as a normal part of an officer's

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duty. This may be a single act or cumulative in nature, and normally accomplished during the employee's personal time, yet reflects favorably upon the department. An officer should not receive compensation for the service.

- b) The Colonel or Major will give this award at the officer's roll call.
- c) The commendation will be in the form of a bar and certificate.
- d) The bar is light blue with four gold and three green vertical stripes.

21. Armed Forces Service Bar

- a) The Armed Forces Service Bar will be awarded to the Memphis Police officer who is active or has served in any branch of the Armed Services of the United States of America and is in good standing with their respective branch of services while being a member of the Memphis Police Department. A letter of good standing from the officer's military supervisor or a copy of the military DD-14 form that states or indicates an Honorable Discharge will be forward to the Commendation Board.
- b) The Colonel or Major will give this award at the officer's roll call.
- c) The commendation will be in the form of a bar.
- d) The bar is red with four white, two blue, and one yellow vertical stripe.
- e) A bronze star affixed to the bar represents participation in a campaign (war).

22. Unit Citation Bar

- a) The Unit Citation will be awarded based on a unit's performance. The mere performance will merit recognition for services rendered to the department and/or the community and must be of such outstanding nature exhibiting dedication above and beyond their normal duties.
- b) The Colonel or Major will give this award at the officer's roll call.
- c) The commendation will be in the form of a bar and certificate.
- d) The bar is green with four yellow, two blue and one red vertical stripe.

23. PST Bar

- a) The PST Service Bar will be awarded to Memphis police officers who served as a Police Service Technician before becoming a commissioned Police Officer. To qualify for this bar, the Police Officer's - PST service must meet all the following requirements:
 - The Police Officer must have been hired as a PST recruit and have completed the PST portion of the Training Academy.

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- The Police Officer must have served as a PST for at least one year and have satisfied all requirements to return to the Training Academy and graduate as a police recruit.
- b) The bar is tan with three blue vertical stripes.
- c) The Colonel or Major will give this award at the officer's roll call.

24. Campaign Bar (ex. MLK50 Bar)

- a) A Campaign Ribbon Bar can be issued to Commissioned Officers, Police Radio Dispatchers, and Police Service Technicians who have contributed in some way to the success of the overall mission of the Memphis Police Department during the campaign.
- b) The Director of Police Services shall issue a declaration when an event is to be declared a "Campaign".
 - 1. Our first campaign ribbon (MLK50), in recognition of Dr. Martin Luther King Jr. 50th Anniversary march.
 - Ribbon is two thin white stripes at the edges and two thicker stripes in the middle, the first being black and the second in scarlet.
 - This ribbon *only* is being issued to those who were employed by the Memphis Police Department on April 4, 2018.
- c) Subsequent campaign bars will be placed lower than existing bars.
- d) The Colonel or Major will give this award at the officer's roll call.

25. Exemplary Service Bar

- a) The Exemplary Service Bar will be awarded to the Memphis Police Officer who distinguishes himself/herself by exemplary behaviors over a continuous five-year period. Departmental charges that are sustained will make an officer ineligible for this award except when those charges involve a vehicle accident. Departmental charges involving a vehicle accident will affect the Driver's Excellence award only. Any officer that has pending departmental charges will have to wait until his/her case has a final judgment before the bar can be awarded. The final judgment must be in favor of the officer for the bar to be awarded. If an awardees honorable

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service is questioned after the presentation of this award, the information must be forwarded in written form to the Commendation Board to determine whether or not the bar will be revoked. The Director of Police Services will make the final disposition.

- b) Any off-duty incident that reflects negatively on the Memphis Police Department will make the officer ineligible for the Exemplary Service Bar.
- c) The Colonel or Major will present this award at the receiving officer's roll call.
- d) The following star on this bar will represent the consecutive years of exemplary service:
 - bronze - ten consecutive years
 - two bronze stars - fifteen consecutive years
 - gold - twenty consecutive years
 - gold star with two bronze stars – twenty-five consecutive years
 - gold star - thirty consecutive year
 - silver star with two bronze stars – thirty-five consecutive years
- g) Once these stars have been earned, there will be no additional stars affixed to the bar.
- h) The bar is red with three blue and two gold vertical stripes.

26. Firearms “Distinguished” Bar

- Shooting a perfect score (300 points) on the standard handgun qualification course. The handgun qualification course consists of daylight, dim light, and flashlight courses. Each “3 set” total score will equal one qualifying course. The set must be completed consecutively. This makes an officer eligible for the Firearms “Distinguished” Expert award.
- The bar is blue with three green stripes.
- A gold star centered on the ribbon will indicate a perfect score shot five times consecutively.
- A silver star centered on the ribbon will indicate a perfect score shot ten times consecutively.
- Once the silver star has been earned, there will be no additional stars affixed to the bar.
- This will make this officer eligible for the Firearms “Expert” award.

27. Firearms Proficiency (Expert and Marksman) Bar

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- a) The Firearms Proficiency award will be awarded to the Memphis Police officer who demonstrates proficiency with their duty side arm by shooting a 88 or above on the standard daylight handgun qualification course.
- b) The scores used for determining the Firearms Proficiency award will come from first round in-service.
- c) The Colonel or Major will give this award at the officer's roll call.
- d) A certificate will be issued when the officer reaches the first, fifth, and tenth qualifying score.
- e) Officers who demonstrate proficiency with their duty side arm will be entitled to additional paid leave on an Annual basis in the following amounts:
 - 1. Officer who shoots between 88 and 92 will receive one day paid leave.
 - 2. Officer who shoots 93 or above will receive two days paid leave.
- f) Firearms "Expert" award:
 - Officers will qualify for the "Expert" bar if they shoot an 93 or above
 - The bar is blue with two green stripes
 - A silver letter "E" will be affixed to the ribbon
 - Two gold stars placed on the ribbon on the left and right side of the letter "E" will indicate a 93 or above score shot five times consecutively.
 - Two silver stars placed on the ribbon on the left and right side of the letter "E" will indicate a 93 or above score shot ten times consecutively.
 - Once the silver stars have been earned, there will be no additional stars affixed to the bar.
- g) Firearms "Marksman" award:
 - Officers will qualify for the "Marksman" bar if they shoot an 88-92.
 - The bar is blue with two green stripes
 - A gold star centered on the ribbon will indicate a score that is between 88 and 92 shot five times consecutively.
 - A silver star centered on the ribbon will indicate a score that is between 88 and 92 shot ten times consecutively.
 - Once the silver star has been earned, there will be no additional stars affixed to the bar.

28. Drivers' Excellence Bar

- a) The Memphis Police Department recognizes that the combination of safe driving and maintaining observant surveillance of the patrol zone require a much higher level of skill than does the normal operation of a motor vehicle. The officer who acquires the ability to concentrate on two major areas of proficiency at the same time deserves

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special recognition. The award is presented on the basis of a non-chargeable, accident-free driving record. A chargeable accident negates all accumulated time towards this award.

- b) The Driver's Excellence Award will be presented to the officer for having three consecutive years without a chargeable traffic accident.
- c) The Colonel or Major will give this award at the officer's roll call.
- d) The ribbon is dark blue with two thin gold stripes at the edges followed by two thicker white stripes.
- e) The following star on this bar will represent the consecutive year of non-chargeable, accident-free driving record:
 - bronze star - sixth consecutive year
 - two bronze stars - ninth consecutive year
 - gold star - twelfth consecutive year
 - gold star with two bronze stars - fifteen consecutive year
 - silver star - eighteen consecutive year
 - silver star with two bronze stars – twenty-first consecutive year.
- e) Once these stars have been earned, there will be no additional stars affixed to the bar.

29. Years of Service Bar

- a) To recognize officers' continuous dedicated service, the Memphis Police Department will honor its officers with the Service Bar. The Service Bar will be issued at the completion of the fifth consecutive years of service and will be upgraded every five years. The following stars will be placed on the bar to represent continuous service:
 - bronze - ten consecutive years
 - two bronze stars - fifteen consecutive years
 - gold - twenty consecutive years
 - gold star with two bronze stars – twenty-five consecutive years
 - silver star - thirty consecutive year
 - silver star with two bronze stars – thirty-five consecutive years
- a) Once these stars have been earned, there will be no additional stars affixed to the bar.
- b) The Colonel or Major will give this award at the officer's roll call.
- c) The bar is maroon with one blue vertical stripe.

30. Letter of Commendation

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- a) When the actions of a member of this department are significant enough in nature to deserve recognition, but do not meet the qualifications for a medal, a Letter of Commendation may be awarded.
- b) A record of this shall become part of the officer's permanent file.
- c) The supervisor will give the Letter of Commendation at the officer's roll call.

31. Letter of Acknowledgement (OBR – Officer Behavior Report)

- a) When the actions of an officer of this department are significant enough in nature to deserve recognition, but do not meet the qualifications for a medal or a Letter of Commendation, a Letter of Acknowledgement may be awarded.
- b) The supervisor will give the Letter of Acknowledgement at the officer's roll call.

C. CIVILIAN COMMENDATION - CATEGORY AND DESCRIPTION

1. Memorial Commendation – “Ultimate Sacrifice Medal”

- a) A Memorial Commendation will be awarded by the Director of Police Services to the family of any member of the Memphis Police Department who dies while in the lawful performance of police services. This award is intended to recognize the family for their sacrifices over the years in support of their loved one's chosen profession. The member shall be eligible posthumously for any other awards that may be appropriate. An immediate family member of the officer will receive the appropriate presentation on behalf of the officer.
- b) A certificate and medal will be presented to the family at the Annual Commendation Ceremony.
- c) The Officer's photo will be displayed at precinct/office, Training Academy, and the Police museum.
- d) Medal description:
 - Outer Circle: The outer circle represents an officer's continuous sacrifice. The background is blue for Police, the verse in the inner circle reads: Greater love has no one than this, that he lay down his life for his friends. John 15:13
 - Inner Circle: The background is white in color to represent purity of the sacrifice. The square in the inner circle has the seal of the city. The seal is placed on the medal to represent the gratitude of the city.

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- **Shield:** Represents the Memphis Police Department's gratitude. The background is purple in color to represent the injury. On the top of the shield it is engraved "Memphis Police Dept.". On the bottom of the shield the engraving reads, "Fidelis Ad Mortem". These words in Latin mean: Gallantry and bravery of Police Officers who gave their lives in defense of their fellow citizens.
- **Black Band:** Represents an officer's death.
- **Lettering:** Raised lettering and gold in color. Gold represents the priceless loss of life.

2. Citizen's Valor Award

- a) The Citizen's Valor Award shall be awarded to citizens of the community who come to the aid of officers in a crisis situation. They will distinguish themselves through acts of bravery or heroism beyond what would be expected of a civilian. The actions must display extreme courage, placing their own safety in immediate peril on behalf of the officers.
- b) Given at the Annual Commendation Ceremony.
- c) Medal description to be described.

3. Letter of Appreciation

- a) A letter of Appreciation will be awarded on the basis of the citizen's involvement that is above and beyond what is normally expected.
- b) The Colonel of that Precinct, Division, or Bureau will prepare and present a certificate or letter to the citizen.

E. GUIDELINES FOR WEARING MEDALS AND BARS

1. Medals

- a) Medals may only be worn with dress uniform at subsequent Annual Commendation Ceremonies or other formal ceremonies.
- b) Medals will be worn centered on the left breast pocket flap and three-sixteenths of an inch below the top edge of the pocket.

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- c) The medals/bars shall be worn in this order:
- 1) Medal of Honor
 - 2) Medal of Valor
 - 3) Lifesaving Medal
 - 4) Service Medal – Combat
 - 5) Service Medal – Accidents
 - 6) Director's Award
 - 7) Department Officer of the Year Bar (Top Cop)
 - 8) Medal of Merit
 - 9) Undercover Operations Medal of Merit
 - 10) 100 Club Valor Award
 - 11) Administrative Excellence Bar
 - 12) Precinct/Bureau/Division Supervisor of the Year Bar
 - 13) Precinct/Bureau/Division Officer of the Year Bar
 - 14) Optimist Club Investigator of the Year
 - 15) Kiwanis Club Uniform Patrol Officer of the Year
 - 16) 100 Jerome Tuner Award
 - 17) CIT Officer of the Year
 - 18) Worksite CIT Officer of the Year
 - 19) Specialized Unit Bar
 - 20) Peer Support Bar
 - 21) Community Service Bar
 - 22) Armed Forces Service Bar
 - 23) Unit Citation Bar
 - 24) PST Bar
 - 25) Campaign Bar (ex MLK50 Bar)
 - 26) Exemplary Service Bar
 - 27) Firearms Distinguished Bar
 - 28) Firearms Proficiency Bar
 - 29) Drivers' Excellence Bar
 - 30) Years of Service Bar

2. Bars

- a) Bars become a permanent part of the uniform and will be worn on the right side of the uniform shirt, centered above the nameplate, parallel with top of pocket and touching. The Rank of Lieutenant and above will wear bars at all times with the Class

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A and Class B uniforms. Patrolmen and Sergeants will wear bars with the Class A uniform, and may wear the bars with the Class B uniform.

- b) When two or more bars are authorized, they will be worn next to each other with the highest award nearest the center of the chest.
- c) When more than one award of the same medal has been made, only one bar of each type shall be worn.
- d) A bronze star centered on the bar will designate the second award in the same class.
- e) A gold star centered on the bar will designate the third award in the same class.
- f) A silver star centered on the bar will designate the fourth award in the same class.
- g) Once the silver star has been earned, there will be no additional stars affixed to the bar for subsequent awards. This procedure will not apply to bars that have separate procedures for affixing stars.
- h) The NRA bar will be worn on the left pocket flap, centered below the badge with the top border of the bar parallel to the top seam of the pocket.

F. SUCCESSFUL RECIPIENT

- 1. Recipients of the Commendation will receive:
 - a) A certificate suitably inscribed to recount in some detail the reason the award was given.
 - b) Employees: Medal and/or matching commendation bar
 - c) Citizens: Medal, Certificate or a Letter of Appreciation
 - d) A certificate, if a second award is given in the same category. A second medal or bar will not be given. A bronze, gold, or silver star on the bar will represent the number of times the officer receives a particular award.

G. UNAUTHORIZED WEARING OF COMMENDATIONS

- a) Officers are not permitted to wear commendations medals or bars that have not been earned.
- b) Unauthorized wearing of any commendation will result in formal disciplinary action (DR 119, Neatness & Attire).
- c) To determine what commendations an officer is authorized to wear contact the Commendation Coordinator who maintains the official Commendation Database.

H. AWARD REPLACEMENT

- a) Lost or worn out bars, ribbons, medals, and stars will be replaced at the officer's expense.

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- b) Racks for multiple ribbons are the individual officer's responsibilities.
- c) Medals, bars, star, and bar racks can be purchased at the Training Academy by contacting the Awards Commendation Coordinator.

II. OFFICER OF THE MONTH AND YEAR AWARDS

A. OFFICER OF THE MONTH PROCEDURE

- a) Criteria for Nomination:
 - Should be for exceptional performance on-duty or for exceptional performance while off-duty relating to the officer's job.
 - If there is no exceptional performance during any month, the Colonel/Major will not submit a nomination for the sake of having an Officer of the Month.
- b) Recommendations may be based on one of the following criteria:
 - A specific act of unusual meritorious service.
 - A specific project of significance to the Community, City, or Department.
 - Sustained superior performance of assigned duties.
- c) Lieutenants from each shift will nominate an officer and submit it to the Major.
- d) Colonels or Majors from the respective divisions/precincts/bureaus will select a committee and establish their own procedures for voting and conducting business.
- e) Recommendations will be completed by the end of each month and reviewed on the first Friday of the following month.
- f) Successful recipient will receive a certificate. The respective Colonel will present this award at roll call within a reasonable amount of time after Officer of the Month Selection.
- g) Award Presentation will be handled by the precinct/division.

B. PRECINCT/DIVISION LEVEL OFFICER OF THE YEAR PROCEDURE

- a) Colonels or Lt. Colonels/Majors from the respective divisions/precincts/bureaus will select a committee and establish their own procedures for voting and conducting business. The Officer of the Year will come from the selected Officers of the Month.
- b) Divisions for Officer of the Year:
 - Communications Dispatcher of the Year
 - District One Officer of the Year (Each precinct has an officer of the year)
 - District Two Officer of the Year (Each precinct has an officer of the year)
 - Executive Administration Officer of the Year
 - GIB Investigator of the Year

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- Investigative Services - Investigator Officer of the Year
 - Traffic Bureau Officer of the Year
 - Organized Crime Unit “Narcotics” Officer of the Year
 - Organized Crime Unit “MGU” Officer of the Year
 - Special Operations Officer of the Year
 - Training Academy Officer of the Year
- c) Recommendations will be reviewed and a decision made by the 15th of January.
- d) Presented at Annual Commendation Ceremony.
- e) The bar is green with vertical red, yellow, and blues stripes
- f) The successful recipient will receive a certificate and bar.

C. PRECINCT/DIVISION LEVEL SUPERVISOR OF THE YEAR

- a) Colonels or Lt. Colonels/Majors from the respective divisions/precincts/bureaus will select a committee and establish their own procedures for voting and conducting business.
- b) Divisions for Supervisor of the Year:
- Communications Supervisor of the Year
 - District One Supervisor of the Year (Each precinct has an Supervisor of the year)
 - District Two Supervisor of the Year (Each precinct has an Supervisor of the year)
 - Executive Administrative Supervisor of the Year
 - Investigations Supervisor of the Year
 - Traffic Bureau Supervisor of the Year
 - Organized Crime Unit “Narcotics” Supervisor of the Year
 - Organized Crime Unit “MGU” Supervisor of the Year
 - Special Operations Supervisor of the Year
 - Training Academy Supervisor of the Year
- c) Recommendations will be reviewed and a decision made by the 15th of January.
- d) Presented at Annual Commendation Ceremony.
- e) The bar is yellow with two vertical blue stripes.
- f) The successful recipient will receive a certificate and bar

D. DEPARTMENT OFFICER OF THE YEAR (TOP COP)

- a) Any officer that has shown superior performance throughout the year can be nominated for the Memphis Police Department Officer of the Year. Officers that have

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been selected Precinct/Division Officer of the Year will automatically be eligible for this award.

- b) Recommendations will be made on the special nomination form. This form can be obtained by contacting the Chairman of the Commendation Board at the Training Academy.
- c) Recommendations will be forwarded to the Commendation Board for evaluation no later than January 15th of each year.
- d) The Chairman of the Commendation Board will forward the nomination that is approved by the Board to the Director of Police Services for final approval.
- e) The Director will return the file to the Chairman of the Commendation Board for filing and officer notification.
- f) After the Director approves the nomination, the Coordinator will prepare an Information Bulletin.
- g) Copies of the certificates will be sent to Police Personnel and the Training Academy.
- h) Presented at Annual Commendation Ceremony.
- i) The bar is light blue with vertical yellow, white, and red stripes.
- j) The Training Academy will handle the bar, certificate, and ceremony.
- k) The Public Information Officer will prepare and disseminate a press release for the media and an article for Research and Development.

E. AWARDS FOR OFFICER OF THE MONTH AND YEAR

1. Precinct/Bureau/Division Officer of the Month may receive:
 - A take home car for the month
 - A designated parking space at worksite.
 - Officer of the Month plaque or certificate.
 - Their photo displayed at precinct/office.
 - An automatic nomination for Precinct Officer of the Year.
2. Precinct/Bureau/Division Officer of the Year may receive:
 - Officer of the Year plaque or certificate.
 - A designated parking space for the upcoming year at the issuing workstation.
 - Their photo displayed at precinct/office.
 - Automatic nomination for Department Officer of the Year.
 - Bar
3. Department Officer (TOP COP) of the Year may receive:
 - Officer of the Year plaque or certificate.
 - A designated parking space at worksite.
 - Training school of choice.

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- Their photo displayed at headquarters.
- Bar

III. OUTSIDE AWARDS

When an officer receives a law enforcement award from outside the Department, a memorandum will be forwarded to the Director of Police Services requesting authorization to wear the award on the uniform. A photocopy of the award shall be attached to the memorandum.

- a) The memorandum will explain the source of the award and how it is related to law enforcement.
- b) The Director or Deputy Director will respond in writing approving or denying the request. A copy of the request and approval/denial will be placed in the individual's Department personnel file and one sent to the Memphis Police Commendations Board. No award will be worn on the uniform without the approval of the Director.

Any officer of the Department that receives an award from another agency or business for outstanding performance will receive consideration for a similar award from the Memphis Police Department.

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I. General Procedures

Memphis Police Officers engaged in Signal 5 or transporting activities will proceed promptly and directly to the official transport destination.

During transporting activity, emergency situations may arise which require the immediate attention of the transporting officer. No action should be taken by the transporting officer, which might endanger the safety of the individual being transported.

In an emergency situation requiring the immediate attention of the transporting officer, the following guidelines should be followed:

- A.** The transporting officer will immediately advise the dispatcher of the emergency situation and will request assistance as dictated by circumstances.
- B.** The transporting officer will maintain a safe distance from danger, and will broadcast information to direct the response and deployment of arriving officers.
- C.** The transporting officer will resume transporting upon arrival of responding officers.
- D.** Officers shall conduct a search of the vehicle prior to and after transporting of prisoners.
- E.** The transporting officer will transport all prisoners in the rear passenger compartment of the vehicle.
- F.** All persons riding in a City of Memphis vehicle will be required to wear a seatbelt.

The Shelby County Sheriff's Office transports all prisoners outside Shelby County. (70.1.4)

II. Pre-Transport Prisoner Searches

- A.** The transporting officer is legally responsible for the safety and custody of the prisoner being transported. All prisoners will be searched for weapons and/or contraband prior to transport and anytime custody changes from one officer to another officer. (70.1.1)
- B.** At the beginning and end of each tour of duty, and prior to and after prisoner transport, each police officer will conduct a thorough examination of their patrol car to ensure:
 - 1. Officer(s) and prisoner(s) safety
 - 2. That the vehicle does not contain any contraband material, such as stolen property, narcotics, or weapons. (70.1.2)

III. Transporting by Vehicle Procedures

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A. Prisoner Transport Seating- When an officer is transporting a person in custody, the following steps will be observed:

1. All prisoners will be placed in an approved police transport vehicle. All vehicles at minimum will have a safety barrier to separate the prisoner and officer during transport. All squad cars that primarily transport prisoners will also have the door handles and window cranks disabled and/or removed. For optimal safety, a one-man car will secure the prisoner(s) behind the passenger seat and a two-man car will secure the prisoner(s) behind the driver seat. (70.1.3) (70.4.1) (70.4.2)
2. Officers shall only transport the number of prisoner's the transport vehicle will accommodate with seatbelts.
3. Under no circumstances will a prisoner be transported in the front seat of any police department vehicle. (70.1.3)

B. Safety Belts

1. Prisoners Transport- All prisoners will be secured in the vehicle by use of a seatbelt to prevent injury to the individual. Extenuating circumstances may exist which prevent the safe application of the safety belt to the prisoner. Such circumstances may include extremely combative prisoners, or the possibility of officer contact with bodily fluids or infectious disease. The transporting officer will have to use discretion based upon the threat level present. Each individual instance must be evaluated on its own merit, and officers shall articulate, on the arrest ticket, why the prisoner was not secured in a safety belt for transport. (41.3.3)
2. Signal 5 Transport- All persons placed in an MPD vehicle for a Signal 5 transport will be secured by use of a seatbelt to prevent injury to the individual. If the safety belt could aggravate an injury/illness/handicap the individual possesses, the officer will advise their supervisor of the situation before the transport commences.
3. MPD Employees- All employees occupying an MPD vehicle must wear a seatbelt in accordance with Tennessee State Law Title 55, Chapter 9, Section 6, "Safety Belts" to prevent injury to the officer(s).

C. Prisoner transport communication- Once the transport of a prisoner(s) has commenced, transporting officer(s) will not allow the prisoner to communicate with anyone other than the transporting officer(s) while being transported unless otherwise approved by the supervisor. (70.1.5)

D. Prisoner Transfer Security- Officers will notify receiving personnel (jail intake, firefighters, paramedics, courts, other agency, etc.) whenever a change or transfer of custody of a prisoner occurs and the subject has blood or infectious materials present on their person, has made a voluntary statement that they have an infectious disease, or if the prisoner is known to be a security hazard. (70.1.6.e) (70.1.8)

E. When transporting all prisoners or engaged in a signal 5 (including juveniles), the officer will advise the dispatcher:

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1. The location the individual is being transported from;
2. The location the individual is to be transported to;
3. The individuals sex and race; and
4. Odometer reading of the transporting police vehicle at the start and end of transport.

IV. Special Prisoner Transport Situations [70.3.1]

- A.** The jail shift commander must be contacted before a mass transport of prisoners is made to the jail. Mass transport of prisoners is the transport of twenty (20) or more suspects at one time.

In the event any unit, division, or district plans on running a zero tolerance operation where a mass number of prisoners transported is anticipated, coordination with the jail will be needed. The jail shift commander should be contacted in advance at 901-222-4703, so that they may coordinate their staff to ensure safe and efficient processing.

- B.** When transporting sick, injured and/or disabled prisoners officers will:

1. Exercise due care to the prisoner respective of the illness, injury or handicap and will ensure the transporting vehicle is appropriate for prisoners with wheelchairs, crutches or prosthetic devices;
2. Utilize a MPD vehicle whenever possible; and
3. Use restraining devices when necessary and possible.

- C.** Under no circumstances will the Memphis Police Department transport prisoners to funerals, to visit critically ill persons, or to the reading of a will, etc. [70.3.3]

V. Transporting Prisoners, Victims and Witnesses to the Investigative Bureaus

- A.** Officers transporting prisoners to the Investigative Bureaus located at 170 N. Main will notify Communications shortly before arrival at 170 N. Main. Communications will contact the respective Investigative bureau and advise them to have two (2) investigators meet the officer at his/her vehicle in the garage of 170 N. Main. The investigators will take custody of the transported individual from this location and properly exchange the handcuffs at this time. When exchanging handcuffs the prisoner must remain handcuffed at all times and officers must utilize proper handcuff exchange techniques. If the officer is required to remain at the bureau, he/she will then properly secure his/her vehicle in the parking garage and the exchange of handcuffs will take place inside the respective bureau. Officers shall conduct a search of the vehicle prior to and after transporting of prisoners.

- B.** Officers transporting victims and/or witnesses to the Investigative bureaus at 170 N. Main will properly secure the police vehicle inside the parking garage and escort the victims and/or witnesses to the Investigative bureau.

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VI. Prisoner Escape Procedures

- A. If a prisoner escapes from custody while being transported, the following actions will immediately be taken by the transporting officer:
1. Notify the dispatcher and supervisor by providing pertinent information i.e. location, direction of travel, name and physical description of escapee. (70.1.7.a)
 2. Commence searching for the prisoner and perform all other duties as directed by the supervisor. (70.1.7.c)

As soon as possible after the escape has taken place, the officer will complete a detailed Incident/Offense Report, which will state the circumstances surrounding the escape of the prisoner. (70.1.7.b)

- B. The shift supervisor will coordinate the search and will also determine when to terminate the search. (70.1.7.c)

VII. Ride-Alongs

Requests for Observer Ride-alongs will be considered on a case-by-case basis. The Department reserves the authority to deny any request without written cause.

- A. All requests from civilians to ride as observers with police personnel must be approved by the Precinct Commander or Designee for the location. The civilian making a request must complete and submit the following forms for consideration and approval:

1. Application for Ride-along with reason for request, (example A);
2. Observer Ride-along Hold Harmless Agreement, (example B);
3. Valid identification with photo.

No other forms will be accepted.

- B. Citizens may obtain these forms from any police precinct, the department website, or the police administrative offices. Once completed, forms should be submitted to the appropriate Precinct or Unit Commander at least five (5) working days prior to the requested date of the observer ride-along. The applicant's identification will be photocopied and included with the forms. The Precinct's designee will conduct a cursory records check on the person requesting the observer ride-along. The results of the cursory records check will be included with the completed request forms.
- C. Unit commanders may deny requests at their level. Any completed, approved request forms, with records check, will be forwarded to the respective Deputy Chief for final approval.
- D. Upon the Precinct Commander or Designee's approval, all requests for observer ride-alongs will be forwarded to and maintained by, the originating Precinct/Unit Commander. One

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copy will be provided to the person making the request. Observers will not be allowed to bring weapons of any type, recording devices, cameras, or cell phones on ride-alongs, without written permission of the Director of Police Services.

VIII. Ride-Alongs for Probation/Parole Officers

Probation and Parole Officers may ride with Memphis Police Department personnel after completing a “Hold Harmless Release – Probation/Parole Officer Ride Along” form. Once approved, the form must be sent to the Accreditation Office, 170 N. Main., 11th floor Rm.1114. The Accreditation Office will then post the names of those eligible Probation/Parole Officers on the KIOSK. The “Hold Harmless Agreement” will be valid for one year.

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SECTION: Specialized Training

A. IN-SERVICE TRAINING

All Memphis Police Officers will attend the Memphis Police Department's regular annual In-Service Training at the Memphis Police Academy unless a waiver is approved from a Deputy Chief, the Deputy Director or the Director of Police Services. If a waiver is granted, a Substitution Form must be completed by the requesting officer and submitted to the Chief of Training for review. Substitution Forms submitted must have a Certificate of Completion and a grade report attached. If no test is administered, a detailed evaluation of the course must be submitted. These forms will be forwarded to the P.O.S.T. Commission for final approval for In-Service Training.

B. SPECIAL TRAINING NEEDS

Units within the Department having specialized training needs will submit a memo to their respective Deputy Chief in December of each year, identifying those needs for the following year. These specialized training requests, once approved by the respective Deputy Chief, will be forwarded to the Training Academy for implementation.

C. CONDUCTING/HOSTING SPECIAL TRAINING

Any unit within the Department which **conducts** or **hosts** a specialized training course for agency personnel and/or non-agency personnel, (i.e. bid training), must have this training approved by the Chief of Training thirty (30) days prior to the commencement of training. The following documentation **must** be submitted to the Chief of Training for pre-approval:

1. Goals and objectives of the course.
2. Course schedule indicating dates, times, and locations for each block of instruction.
3. Synopsis of each lecture block presented.
4. Brief biography for each instructor participating in the training.
5. Lesson Plan for each block of instruction with a cover sheet outlining specific goals and objectives.
6. Written Test(s) with answer key(s). All tests will consist of multiple choice and true/false questions only, with no more than 20% true/false.

Once the training has been approved, and upon implementation, a daily attendance roster of participants must be maintained. MPD personnel are to be submitted on a separate roll call. Each roll call will contain the following:

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Last Name, First Name, Middle Initial
Social Security Number
Rank and IBM# if MPD Personnel
Agency Represented
Sex/Race

At the conclusion of training, all attendance records must be submitted to the Training Academy for record keeping.

D. TESTING

The Training Academy will administer all tests involving specialized training courses given by any Departmental unit.

E. RECEIVING SPECIAL TRAINING

Any officer who **receives** specialized training from sources other than the Memphis Police Department's Training Academy should submit the documentation listed below to the Academy upon course completion.

1. Name of conducting agency
2. Goals and objectives of the course
3. Course schedule indicating dates, times, and locations for each block of instruction
4. Synopsis of each lecture block presented.
5. A copy of any issued certificate
6. Test score, if applicable

The purpose of forwarding training documentation, attendance records, and performance scores to the Academy is to provide a central location for all training records, ensure completeness in individual and unit training records for future litigation requests, and identify qualified police personnel for specialized Departmental needs.

F. EXTENDED LEAVE OF ABSENCE

Any officer on an extended Leave of Absence upon return must:

1. Complete any missed In-Service Training requirements.
2. Receive additional training concerning Law Update, Policy and Procedures update, and any other topic deemed essential. This course will include a comprehensive test covering the material.

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This training and testing will be conducted at the Training Academy as a prerequisite to returning to full duty status.

It will be the supervisor's responsibility to see that this training is coordinated through the Chief of Training.

It will be the individual officer's responsibility to obtain any Policies & Procedures Manual updates and Criminal Code updates upon returning from a leave of absence. Updates can be obtained through the Policies & Procedures Manual Coordinator at the Training Academy.

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SECTION: Classification, Assignment and Distribution of Personnel

Classification, Assignment and Distribution of Personnel

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SECTION: Classification, Assignment and Distribution of Personnel

I. Classification of Personnel

A. Definitions:

- 1. Job Classification:** A job classification encompasses more than one job, for which responsibilities and qualification requirements are sufficiently alike to justify the same treatment with respect to personnel practices. The classification of job positions is linked to a specific rank. (21.2.1a)
- 2. Job Position:** Any combination of duties and responsibilities, in a specific job class, to be performed by one or more employees on a squad, unit, or shift that are identical in all significant respects so that a single descriptive title can be used to identify the work. (21.2.1b)
- 3. Job Description:** A written description of the qualifications, duties and responsibilities for a job position. Job descriptions for all sworn positions will be posted in the Bid Book at the appropriate workstations. Job Descriptions for civilian positions are available to all employees in the MPD Human Resource Office located at 170 N. Main. (21.2.2)

B. The development and maintenance of job classifications and job descriptions shall be the responsibility of the MPD Human Resources Office and the Deputy Chief of Administrative Services. Job classifications and descriptions will be reviewed when appropriate, and the following guidelines shall be considered:

1. Job positions for sworn officers shall be grouped into job classifications, by rank, based on similarities in duties, responsibilities and qualification requirements.
2. Every job position within a job classification shall have a job description.
3. Salary shall be directly related to job classifications. Compensation to classifications will be established through the collective bargaining unit for non-supervisory ranks, and will be established by City of Memphis Human Resources for supervisors. (21.2.1c)

The reclassification of jobs and changes to job descriptions will be made by the Deputy Chief of Administrative Services as necessary, with approval from the Director of Police Services. (21.2.1d, 21.2.2)

C. Sworn positions on the Memphis Police Department will fall in one of the following Job Classifications:

1. Director of Police Services
2. Deputy Director of Police Services
3. Deputy Chief
4. Colonel
5. Lieutenant Colonel
6. Major
7. Lieutenant
8. Sergeant
9. PII Patrolman
10. PIIP Probationary Patrolman
11. Reserve Police Officer

* Civilian positions will be classified according to City personnel policy.

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES

SECTION: Classification, Assignment and Distribution of Personnel

II. Assignment of Sworn Personnel

A. Bid Process

The Bid Process shall be the responsibility of the MPD Human Resources Office and the Deputy Chief of Administrative Services. A Bid Book will be available to all personnel and will contain current openings as well as job descriptions for all non-supervisory sworn positions. Bid Books will be posted at the following locations:

- Raines Station
- Tillman Station
- Mt. Moriah Station
- Union Station
- Old Allen Station
- South Main Station
- Airways Station
- Appling Farms Station
- Ridgeway Station
- MPD Human Resources Office
- Felony Response Office

All bids must be posted in Bid Books for five (5) days. Officers must bid for jobs in person by signature, and will receive a receipt to show the placed bid. The officer will retain the original and a copy of the receipt will be forwarded to the MPD Human Resources Office at the time the bids close. Precinct supervisors and MPD Human Resource personnel may accept bids and present receipts. An officer may rescind their name from the bid by appearing in person, with their receipt, at MPD Human Resources during working hours and within the five (5) days that the bid is open. The following guidelines will apply to the bid process:

1. City-wide seniority will prevail in bidding for job openings within the Memphis Police Services Division, with the exception that commissioned time seniority will prevail for all employees commissioned after June 30, 2000.
2. Probationary employees will be excluded from the bid system. Probationary officers will be assigned to shifts at the time of commission. Assignments will be made appropriate to manpower needs and Field Training Officer availability. The probationary period for officers will extend one (1) year beyond the commission date unless remedial training is deemed necessary. Further information regarding trainees' probationary period is located in the Field Training Officer (FTO) Program Guidelines Manual.
3. Jobs that require qualifications must have these qualifications posted on the bid notice. The Commander of the Unit being bid into may pick from the three (3) most senior qualified applicants. When multiple openings are posted, selections will be made from a list of qualified personnel numbering not more than two (2) times the number of openings to be filled. Employees passed over regardless of their seniority for these jobs will be notified in writing within five (5) days of the specific reasons for their not being selected by the Unit Commander, which may include attendance and disciplinary patterns.
4. Job bids will include job assignments, qualifications, and the date of the bid opening and closing. Bids will remain open five (5) days.
5. Each officer may successfully bid on three (3) jobs per 12-month period. An officer making a successful bid to job assignments requiring special training, equipment or clothing will be excluded from bidding for a new job assignment for a period of six (6) months from the date of their last successful bid. This exclusion applies after the officer receives this training, equipment, or clothing and only applies to officers assigned to Aviation, DUI, Crime Scene Investigation, the Tact Unit, Mounted Patrol, K-9 Unit, Bomb Squad, and Motorcycle Squad.

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6. An officer may bid on not more than two (2) jobs simultaneously. In the event an officer bids on two (2) jobs simultaneously, they will list first and second preference, and if successful in both, the officer will be assigned to their first preference.
7. If it is determined the position of the successful bidder will be deleted after the first round of bids; no further bids will be required. If it is determined the position of the successful bidder will be filled and the deletion made elsewhere, two (2) additional bids will be completed after the deletion has been noted. Upon completion of the two (2) additional bids, the officer with the lowest seniority number will be required to fill the open position.
8. Before probationary employees who have achieved the rank of PII are certified, their jobs will come up for a two (2) round bid process. These bids will be restricted to Uniform Patrol, the Regional Medical Center, and Traffic (excluding the Motorcycle Division).

B. Temporary Assignments

Management may see the need for temporary assignments when it is beneficial for the goals of the department or division, including but not limited to the following situations:

- When unanticipated resource needs develop causing a time critical situation.
- When an employee has a performance deficiency and temporary exposure to another aspect of policing will benefit the employee and the department.
- When eligibility lists do not exist or have expired.
- When time constraints for training demand immediate placement.

Officers may be assigned to any unit, squad, or shift other than their home bid assignment under these conditions: (16.2.3a, b)

Temporary Loan (T/L) – Assignment to a unit, squad or shift other than their present assignment for periods of up to 14 calendar days at a time. The same officer may not be loaned more than three (3) times in a twelve-month period.

Temporary Assignment (T/A) – Assignment to a unit, squad or shift other than their present assignment for a period of not less than fourteen calendar days nor more than three calendar months (90 days). Upon the completion of the temporary assignment, the officer must return to their permanent assignment and may not be temporarily assigned again for a nine-month period from the last day of the temporary assignment.

Training (O) – Mandatory or optional assignment which may or may not be an officer's regular tour of duty, location, or shift. Training assignments will not be construed as being a loan or temporary assignment.

Special Detail (Y) – Events which management does not fill under the overtime agreement and occur during an officer's regular tour of duty without being construed as a loan or temporary assignment. The officer's duty hours and location for reporting to duty will not be adjusted, unless specified as "variable" in the officer's job description, or the officer volunteers for the detail.

When the need for a temporary assignment is anticipated or occurs, the affected Workstation Commander shall make notice to their Deputy Chief. The appropriate Deputy Chief will assess the need and, if approved, notify the other Deputy Chiefs of the temporary assignment available. Requests will be sent to Workstation Commanders for suggestions regarding personnel that are

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qualified for the assignment. Workstation Commanders will then submit their recommendations for review by the Deputy Chiefs. Recommendations will be reviewed for the following criteria: (16.2.3c, d)

- Seniority
- Qualifications and experience
- Work ethic
- Disciplinary resumes
- Sick abuse violations

Upon approval by the appropriate Deputy Chief, the temporary assignment must be approved by the Director of Police Services.

Patrol officers wishing to gain further training and increase their investigative abilities may request temporary assignment to an Investigative Bureau by submitting a memo to their workstation commander indicating why they are requesting the assignment. The departmental benefits of these assignments include:

- Strengthens investigative processes.
- Enhances career development for individual officers.
- Improves criminal investigation reporting.
- Improves and provides for more complete preliminary investigations by patrol officers.

Opportunities for assignment to an Investigative bureau will strictly hinge on the availability and need for manpower.

C. Transfers to Non-Bid Positions

Officers may be transferred from their bid assignment to a non-bid position by transfer to one of the following positions:

- Organized Crime Unit
- Police Employee Assistance Unit
- Research and Development
- Training Academy/Ordinance
- Public Information Officer
- Executive Administration
- Multi-agency Task Forces

In the event that an officer is removed from a bid assignment and is placed into a non-bid position, the officer may not work in any other bid assignment that is not their home bid position. If an officer in a non-bid position successfully bids to a new bid position, they must work in the new bid position. The officer will be excluded from any new non-bid position for 12 consecutive months.

III. Allocation of Personnel

A. Objectives

The primary objective of the allocation of department personnel is to improve efficiency and effectiveness by:

- Balancing workloads
- Minimizing response times
- Enhancing officer safety

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In order to accommodate fluctuations in workload demand, the Department shall reassess the allocation of personnel to divisions/units on a triennial basis. Workload Assessments will be completed prior to the budget process. The Director of Police Services will make all final decisions regarding the allocation of personnel. (16.1.2)

B. Workload Assessment Reports

In order to efficiently distribute personnel among organizational components and document the need for additional personnel, periodic workload assessments of the department will be prepared. The workload assessment will be initiated by the Accreditation Office triennially, or at the request of the Director of Police Services. The necessary data to complete the assessment will be compiled from the appropriate source (compstat, crime analysis, communications, etc.) and sent to the Accreditation Office, which will establish a reasonable deadline for the submission of the data. A detailed process for the completion of the workload assessment is outlined in the Executive Administration Manual. (16.5.1, 16.2.1, 16.1.2)

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Uniform Patrol Organization and Administration

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I. Functions, Duties, Responsibilities

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The primary functions, duties and responsibilities of Uniform Patrol shall include, but are not limited to, the following:

- Providing emergency response and services.
- Response to calls for service.
- Preventive patrol.
- Traffic control, direction and enforcement.
- Maintenance of public order.
- Preliminary Investigations of criminal offenses, offenses, incidents and conditions, including arrest of offenders.
- Traffic crash investigations.
- Regulation of activities or businesses required by law.
- Crime prevention and repression.
- Street level drug enforcement.
- Crisis intervention through use of trained Crisis Intervention Officers.
- Development and maintenance of good relationships between the public and the Memphis Police Department.
- Other duties and functions as assigned.

II. Shift Assignments

It shall be the responsibility of the Uniform Patrol Division to provide response to emergency and non-emergency incidents within the City of Memphis on a 24-hour basis. In order to provide for continuous patrol coverage, four staggered shifts are utilized. (41.1.1)

Alpha Shift	2330-0730
Bravo Shift	0700-1500
Charlie Shift	1400-2200
Delta Shift	1700-0100

The Director, based on operational needs and recommendation of other staff personnel, shall assign an appropriate number of job openings to the Uniform Patrol Division to carry out the patrol duties and functions. The Deputy Chief shall assign an appropriate number of job openings on shifts as necessary for effective patrol coverage. All shift openings will be filled through the bidding process by seniority. (41.1.2a)

Each shift will be commanded by a Major and supervised by Lieutenants. Each Lieutenant will be assigned two to four wards for each shift, and will be responsible for addressing any crime trends or personnel issues for officers assigned to each supervisor's wards.

III. Regular Days Off and Benefit Days (Vacation, Compensated time, etc.)

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Regular days off will rotate among three sections (A, B, and C), with Friday being a common workday for Uniform Patrol Personnel. Section assignments will be made by a shift supervisor to ensure that each section has equal manpower. Each shift on duty will be staffed with the appropriate number of officers determined by individual shift needs and crime analysis. (41.1.2e)

The Precinct Colonel shall establish minimum-staffing levels for each shift to make certain there is adequate manpower to provide proper and efficient coverage.

Shift Lieutenants shall control and schedule requests for days off for their shift, insuring adequate manpower available. Generally, officers shall be granted such days off on a first-come first-serve basis. However, supervisors may reschedule or cancel such days off for good cause (i.e. such as having workload emergencies, special events or requests, etc.).

Vacations will be bid according to Citywide seniority and will be bid at a minimum of one (1) week at a time. The bid for vacations will be made during the month of December and will be in accordance with employee preference and in line of Citywide seniority. The number of employees off on vacation in a given week will be determined by Supervisors to assure orderly operation of the respective Divisions and Departments. At the time the officer bids for his/her vacation, the officer may elect to set aside five (5) vacation days and/or odd vacation days to be taken at increments of less than five (5) days. The above listed vacation days can be taken at the discretion of the officer with the prior approval of his/her supervisor. These days are not priority days to be used in vacation seniority preference, but they must be taken off during the calendar year.

The use of benefit or compensatory time (accumulated, bonus, in-service, personal, court, FLSA) will be granted on a first-come first-serve basis in accordance with available manpower and operational needs. Vacation blocks of less than 5 days, benefit days, and compensatory time off will not be scheduled any further than 30 days in advance.

The following guidelines shall be followed for Lieutenants' days off and benefit leave days:

- There will be a minimum of two Lieutenants on duty for each shift.
- Lieutenants shall coordinate their leave days and vacation schedule with the Shift Major.

IV. Ward Assignments

All ward assignments shall be made at the discretion of the shift supervisors, taking into consideration individual requests, experience, work attitude, knowledge of the ward or other factors. Rotation of officers among the different wards shall be at the discretion of the shift supervisor. (41.1.2c, d)

V. Roll Call Procedures

Roll call will be conducted promptly at the beginning of each shift and generally should not

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exceed 15 minutes. Shift Lieutenants will attend and brief shift personnel. This briefing should include, at a minimum: (41.1.3)

- Information on unusual situations.
- Status of major investigations, wanted persons, or stolen vehicles.
- Notification to officers of any changes in schedules/assignments.
- Changes in policy or new policy.
- Inspection of personnel
- Roll call training. This is to include, but not be limited to, visual, audio, or brief lecture/reading material. It will be the responsibility of the Shift Major to see that such training is carried out and made available to shift members on enough consecutive days to ensure ample opportunity for all shift members to receive training.
- Shift briefings from Investigative Bureaus.
- Information exchange among personnel present.

VI. Call Response

Response to calls for service/incident may require one or more officers, depending on the circumstances of the event. While one unit may be appropriate in some situations, others may require two or more additional units for safety and effectiveness. (41.2.1)

A. Single Unit Response: Normally, one patrol unit shall be dispatched to handle routine calls for service/incidents. Upon arrival at the incident location, a single unit may request additional units if needed. Examples of single unit response include:

- Misdemeanor and minor felony crimes already committed and the perpetrator has left the scene.
- Traffic crashes.
- Information/report type calls.

B. Multiple Unit Response: Generally, two units shall be dispatched to handle serious or non-routine calls for service/incidents. If information received prior to the response indicates a need for more than two units, additional units may be dispatched. The first unit on the scene may cancel the response of secondary units or request additional units, depending on the circumstances. Any additional units arriving at an incident shall clear the scene as soon as it is determined that their presence is no longer needed. Two units (or more) shall respond to the following types of incidents:

- Officer request for assistance/help, officer down/injured.
- Felony or violent/serious misdemeanor arrests.
- Alarms.

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- Calls involving mentally disturbed persons.
- Any crime, having just occurred when there is a need to check the area for suspects.
- Known/unknown disturbance.
- Incident involving weapons.
- Crimes in progress.
- Domestic/neighborhood disputes.
- Robbery/burglary alarms.
- Traffic crashes on Interstates or roads with high traffic volume.
- Missing children.
- At the request of the responding officer, when in his judgment the need for additional officers exists.

Under no circumstances will more than two police vehicles gather at any location at the same time unless:

- They are answering a call for service;
- They are on official police business; or
- They have received a supervisor's approval.

Upon completion of calls and self-initiated activities, officers will return to service immediately. Officers will make themselves available to handle waiting calls as quickly as possible.

VII. Responder Notifications

Patrol officers on the scene of incidents will, through radio communication with the dispatcher, make the following notifications: (41.2.5)

- Memphis Fire Department – injuries to officers or citizens, fires, gas leaks, Hazmat incidents, etc.
- MLGW – gas leaks, water main leaks, poles and wires which have been struck and are down or damaged (provide pole number)
- Public Works – sewage/waste problems, clogged street drains, large potholes, road debris
- Tennessee Department of Transportation (TDOT) – debris, stranded motorists, or traffic blockage on any Interstate.
- Animal control – loose and/or dangerous animals, animal mistreatment
- EMA - Traffic light malfunctions, Traffic signs down, Barricades, Sand/Salt/Cinders
- ATT – Damage to phone boxes or phone lines

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I. GENERAL

Date: 07-22-09

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Chapter I

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PURPOSE:

To provide structure to the Crime Prevention effort of the Memphis Police Department.

A. ACTION:

The Crime Prevention efforts of the Memphis Police Department seek to combine prevention, intervention, and law enforcement in a partnership effort with the community to combat crime. The Department performs outreach community activities through Police Station Uniform Patrol officers. The Crime Awareness and Education programs presented are designed to fit the needs of the community, our citizens, and our business leaders. This effort engages in community policing through proactive events and activities related to such initiative as business watch, neighborhood forums, traffic saturation, mentoring programs, youth and elderly activities and other events designed to address local community concerns.

B. PHILOSOPHY

The Memphis Police Department is primarily concerned with the safety of its citizens, not only their personal safety, but the safety of their property as well.

1. From this concern, a number of crime prevention programs, permanent and as needed, have been developed utilizing citizen's feedback and local crime data to reduce the potential of Memphis residents from becoming victims of crime. 45.1.1a
2. From this concern, the Memphis Police Department must encourage and assist in developing and implementing crime preventative programs and groups, which will effectively address community perceptions and/or misperceptions of crime and the department, itself. 45.1.1b, 45.1.2, 45.2.1h
3. This policy is designed to make every employee aware of what programs are available, how these programs operate in order to maximize the number of citizens that can be reached, and to do so in the most effective and efficient way.
4. It shall be the responsibility of each MPD employee to promote crime prevention activities and to relate all information that is relevant or may enhance Crime Prevention efforts to respective Station Commander. 45.2.1b, 45.2.3 Any information from other agencies or juvenile facilities shall also be considered in addressing juveniles. 44.1.2

C. TRAINING

Concern may arise from feedback gathered from citizens or citizens' organizations (via telephone, written correspondence, and/or surveys), internal investigations, field supervisors, etc. that require informative training, the Station Commander in which the complaint was received may contact the Academy and request instruction on said topic be administered in in-service training. However, if no training is needed, the information will be disseminated to perspective stations/units to effectively address the concern, whereby improving agency practices concerning police-community interaction. 45.2.1e, 45.2.1f, 45.2.1g

D. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The Department actively seeks to provide crime prevention input into the development

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and/or revision of zoning policies, building codes, fire codes, residential and commercial building permits as requested by development groups, organizations or the Office of Planning and Development.

The Director of Police Services orchestrates all avenues within the department and ultimately is responsible for final input of any law enforcement related input towards the environmental design. 45.1.3

E. MEDIA RELATIONS

In order to enhance community involvement, media relations are conducted through correspondence with the Public Information Officer. Correspondence may occur before or after the event depending on the type of activity. For example, a rally may require prior media notification to enhance participation and media contact after this event to publicize the outcome. Monthly reports pertaining department successes, problems, solutions, improvements, and overall department information will also be utilized by the Public Information officer. 45.2.1d

F. EVALUATIONS

1. Periodic evaluation and re-examination of Crime Prevention programs and goals will be conducted by each Precinct Commander to ensure that the Crime Prevention function meets the current needs of the community. 45.1.1c Evaluation may be made through a number of methods that include, but are not limited to:
 - a. **Monthly reports** of Crime Prevention programs and activities, which are incorporated and presented during CompStat meetings to Police Director and administration. Any needing publicized will be forwarded to the Agency's Public Information Officer for publication. 45.2.1d These reports will contain information on the operations of all aspects of Crime Preventative efforts, such as:
 - 1) A description of current concerns voiced by the community via phone, programs and other police correspondence. 45.2.2a
 - 2) A description of potential problems that are related to the law enforcement activities within the community. 45.2.2b
 - 3) A statement of recommended actions that address previously identified concerns and problems. 45.2.2c
 - 4) A statement of progress made toward addressing previously identified concerns and problems. 45.2.2d
 - b. **Annual reports** will provide an evaluation of departmental Community/Crime Prevention programs. The evaluation will be designed to ensure that the programs speak effectively to the concerns of the community and assist in developing community involvement policies for Crime Prevention within the Department. Each Precinct Commander will oversee the evaluation process using information received from program request forms and report findings to the Director of Police Services as often as requested. 45.1.1c, 45.2.1c
 - c. **Tri-annual Citizen Survey** will be conducted by the Crime Prevention Unit and Neighborhood Watch to develop a base of information regarding community attitudes toward the performance of the department. This information will be summarized and

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submitted to the Memphis Police Department's Administration. Information derived from such surveys should be used as part of a system of gaining community input in developing Department policy. The survey will include at least the following information:

- Respectfulness
- Prevention
- Performance
- Promptness (45.2.4.a,b,c,d)

With the use of the above information, as well as other established reports, the Crime Analysis Unit will identify, upon request, the types and/or locations of crimes, which will provide guidance in targeting areas for Community Relations/Crime Prevention endeavors.

2. All Crime Prevention programs will be evaluated annually to determine whether they are still effective. The evaluation should include whether the current programs should continue, be modified, or deleted. 45.1.1c
3. All juvenile enforcement and prevention program evaluations shall be compiled and evaluated by the Research and Development Office on an annual basis and the report shall be forwarded to the Director of Police Services. This report shall contain quantitative and qualitative justifications for continuance, modification or discontinuance for existing or proposed programs. 44.1.3

G. PERSONNEL

Crime Prevention programs are requested during various hours. They will be accommodated with an officer on that respective shift. There should be at least two officers per B, C, and D shifts qualified to make presentation. This position is voluntary and subject to the Precinct Commander's approval.

H. PROGRAM REQUEST

Program request forms initiated by walk-in, mail-in, call-in, fax, and referrals from the Neighborhood Watch Coordinator will be forwarded to the respective Shift Lieutenant. The Lieutenant will assign the program and contact precinct's crime analyst for an analysis of the area of concern of requested program i.e. burglary, vehicle theft. This information, copy of request form, and informational flyers/bulletins will be given to officer. The shift lieutenant is the officer's first line of supervision.

The officer shall log the assignment on log sheet and provide communication with location and times of in and out of service. Once program is completed, the officer will sign and return to Lieutenant who will keep a copy and forward a copy of the signed request form and analysis to their crime analyst.

I. FORMS

1. Program Request/Evaluation
2. Residential Security Survey (Spanish/English)
3. Business Security Survey

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4. Household/Firearm Inventory

J. PROGRAMS PROVIDED

1. Security Survey
2. Drug Awareness
3. Fraud/ Identity Theft
4. Gang Awareness
5. Personal Safety
6. Career Day
7. Robbery
8. Officer Friendly
9. Campus Safety
10. School Safety
11. Gun Safety
12. Gun Violence
13. TV/ Radio Tips
14. Health Fairs
15. Senior Safety
16. Juvenile Law
17. Driving Safety
18. Criminal Assault
19. Any other topic requested in which the department can accommodate (i.e. school safety patrol, conflict resolution)
20. Neighborhood Watch
 - a. Citizen Academy
 - b. Ambassadors
21. Boxing Gym

K. PROGRAMS LIAISON(S)

The department seeks to provide any necessary assistance that can increase citizens' safety. Various communities may express special needs or concerns.

1. Islamic Liaison: Officer is responsible for educating and transferring concerns of the Islamic community to his/her Shift Lieutenant.
2. Latino Liaison: The Crime Apprehension Team (CAT) encompasses Latino personnel, who act in a liaison capacity.

All liaison programs will follow the protocol of any other Crime Prevention program.

II.

**MEMPHIS POLICE DEPARTMENT
NEIGHBORHOOD WATCH PROGRAM**

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A. HISTORY

The National Neighborhood Watch program is one of the oldest and most well known crime prevention concepts in history that stresses education and common sense. Neighborhood Watch in Memphis was officially formulated in 1984. The national organization has been in existence for approximately 30 years in cities and counties across the U.S.A. The concept of neighbors watching out, however, has been in existence for as long as people have been living together in communities. The local organization is based on the active participation of neighbors and a willingness to keep an eye open for suspicious activity in and around your neighborhood.

B. FORMATION

The local umbrella organization was formed by a group of concerned citizens to reduce crime in their neighborhood and communities. There was a perceived need that citizens could help in the reduction of local crime by being vigilant and collaborating with local law enforcement. Neighbors were able to meet and greet each other and learn routines so that any “out of place” activity could be recognized, reported and investigated. The group developed a cohesive body of concerned citizens who addressed crime related issues of the entire community. Neighborhood Watch is a national organization, which empowers local citizens to take back and maintain a better quality of life in their respective neighborhoods.

In order to organize a Neighborhood Watch program an interest and need must be voiced by citizens of that neighborhood. The Neighborhood Watch officers along with N.W. Coordinator, which serves as a liaison between the department and that particular group, will then conduct three meetings with interested citizens for training. According to the area, the group will fall under their respective Coordinator. 45.1.2

C. PHILOSOPHY/ MISSION

The mission of the Memphis Neighborhood Watch Association is to serve as an important crime prevention initiative by which to reduce crime and improve the quality of life in neighborhoods. Through the use of citizens, in cooperation with local police, the association brings together law enforcement teams and private citizens in a cooperative effort in the fight against crime. Neighborhood Watch represents a long-held faith in local neighborhoods as the cradle of community and safety among its citizens, and the Memphis Police Department is proud to support this worthwhile partnership.

D. JOB DESCRIPTIONS

Each precinct’s Neighborhood Watch coordinator works under the general direction of their Precinct Colonel and Lieutenant Colonel. The Precinct Colonel and Lieutenant Colonel are responsible for overseeing the functions and responsibilities of the Neighborhood Watch coordinators assigned to their precinct. They are to monitor the coordinators and program as needed, assist with budget and equipment concerns, as well as, address any other issues that may arise concerning the Neighborhood Watch program.

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E. PUBLICATIONS GUIDELINES

NHW coordinators prepare proper documentation of unit initiatives, programs and events and may make periodic reports to supervisor(s) and contribute to the MPD annual report.

Prior to the printing or distribution of any publication it must first be approved by the Research & Development Unit. Document Proofs may be emailed or sent via interdepartmental mail for approval. New documents may not be distributed without prior approval and should be submitted early enough to allow an ample amount of time for proofing and printing.

Note: Research & Development is not responsible for any other NW function.

F. GOALS/INTENTIONS

- To become acquainted with our neighbors.
- To work together to identify and solve problems in the community.
- To facilitate, maintain and improve communication between the citizens of Memphis and the Memphis Police Department.
- To establish and maintain the Citizen's Police Academy, Ambassadors and Neighborhood Watch volunteers providing support and an effective voice liaisons between the community and the Memphis Police Department. 45.1.2, 45.2.1a
- To help police by being aware of and reporting any unusual activities as they occur.
- To report "abnormal" activity in our neighborhood.
- To implement crime prevention techniques to enhance home security.
- Not to apprehend suspects, but to leave that to the police.
- To put neighbors back into neighborhoods.
- To exchange information on crime and crime prevention.
- To advance crime prevention concepts in the community by educating the public in the application of physical crime prevention techniques.
- To work together for the betterment of living conditions for all residents of Memphis through participation in an anti-crime and community service activities.

G. OFFICE INFORMATION

Civilian Neighborhood Watch personnel are housed out of their respective precincts.

H. MEDIA

The success of the various neighborhood watch activities occurs through the publication of newsletters, internal reports, grant reporting documents and the occasional media coverage, which is generated by the activity itself. An annual "National Night Out" Event receives citywide coverage of the importance of watch groups and their respective programs.

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I. PROGRAMS

- Business Watch – designed to inform business owners how to appropriately target harden their business
- Apartment Watch – both programs help fight crime by asking citizens to look out for each other
- National Night Out – a citywide event, which draws attention to the importance of communities watching out for crime and criminal behavior in their respective neighborhoods.
- Citizens' Police Academy – to provide citizens a better understanding of police functions, how policies are developed, the decision-making process, and what an officer experiences on a day- to- day basis.
 - ** Upon completion of the Citizens' Police Academy, participants may further support the department in choosing to become Ambassadors.
- Youth Police Academy - similar to the Citizens Police Academy but geared toward youth.

Youth will learn about law enforcement, gain leadership, problem solving, and team building skills while they develop friendships and increase their self-esteem.

 - ** Training Academy serves as the ideal location to execute this program.
- Ambassadors- designed to give citizens more hands –on involvement in supporting the Memphis Police Department with endeavors such as but not limited to barbeques and precinct beautification. These are not sworn officers. The scope of authority is that of a citizen and no uniform is needed to perform their support duties. However, Ambassadors must successfully complete the Citizens Police Academy. **(16.4.1.a,b, 16.4.2)**

III.

MEMPHIS POLICE DEPARTMENT BOXING PROGRAM

A. OFFICE INFORMATION

Location: 315 S. Hollywood
Memphis, Tennessee 38114
Office Hours: Monday-Friday, 10:00 AM- 6:00 PM
Telephone: 901-320-5708

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Fax: 901-320-9323

B. DUTIES

The boxing gym is responsible for providing administrative support and supervision for the successful maintenance of the Boxing Gym and reports to the Special Operations Commander concerning Boxing Gym activities.

C. HISTORY

The Memphis Police Boxing Team has been in existence since the early 1950's. Funding for the program was established through the executive division of the Memphis Police Department. This unit was designed to provide inner city kids with an outlet to deter crime and to teach self-defense. The program was also designed to teach anger management and self-respect.

D. MISSION

To provide a facility for young men and women to improve their physical fitness and better health, to teach boxing skills, and to initiate self-respect and discipline. The program caters to inner city, troubled teens mostly from single parent homes.

E. GOALS

To deter young men and women from criminal activity and gangs. To teach and provide physical training. To monitor school progress and reward those who excel. To take individuals who excel in competition to places that they would not have otherwise had access. To produce National champions and to be among the best programs in America.

F. PROGRAMMATIC THRUST

- Commissioned Memphis Police Officers operate the Memphis Police Boxing Gym.
- The Memphis Police Boxing Gym is designed to fit the needs of kids and young adults in our community.
- The Memphis Police Boxing Gym provides year-round training for kids and young adults who are interested.
- Officers sometimes work on regular off days off when necessary to make sure all people involved in the program can compete in all activities.

G. MEDIA

The boxing gym is nationally recognized and has produced nationally ranked boxers. The news media often reports on information regarding these activities.

H. PROGRAMS

1. The Memphis Police Boxing Gym competes in all National boxing tournaments and club shows around the USA.
2. Participants who excel are selected to compete in the USA boxing elite program.
3. Jr. Olympic boxers compete in Jr. Olympic Elite Camp.

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4. Scholarship Program is available for Elite boxers.

I. FORMS

1. Registration forms
2. Pass books
3. Medical forms
4. Hold harmless
5. Competition application
6. Athlete Form
7. Non-Athlete Form
8. Consent forms

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I. Compensatory Time (22.1.1.e)

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- A. In accordance with FLSA, police officers through the rank of Lieutenant may accrue compensatory time in lieu of overtime. Compensatory time earned prior to July 1, 1984, will be the lifetime bank. Compensatory time earned after April 14, 1986 will be the Fair Labor Standards Act bank. It is agreed that compensatory time earned prior to July 1, 1984 will be taken off before using compensatory time earned after April 14, 1986.
- B. Compensatory time may be earned after April 15, 1986 by police officers through the rank of Lieutenant to a maximum of 480 hours of compensatory time that represents not more than 320 hours of actual overtime work. The officer may request to use such compensatory time and will be allowed such use of the compensatory time provided it does not unduly disrupt the operations of the division.
- C. The compensatory time off will be hours when the officer is not working and that are not counted as hours worked during the applicable work period for the purpose of overtime compensation. The officer will be compensated at the officer's regular hourly rate in effect at the time the compensatory time is taken off.
- D. These accumulated hours cannot be paid in cash except in the case of death, retirement (regular or medical) or termination. In which event, the cash payment cannot be used for pension computation.

II. Overtime Policy (22.1.1.f)

- A. The basic work week will be forty-three (43) hours per seven (7) day work period. Overtime will be paid at a rate of time and one-half (1.5) to officers through the rank of Lieutenant working more than forty-three (43) hours in a given work period.
- B. Court time and Special Events Overtime Details will be paid a minimum of four (4) hours pay, or the actual time worked, whichever is greater. Officers selecting compensatory time for Special Events details or Court will receive a minimum of six (6) hours compensatory time. However, if an officer spends four (4) hours in Court or on an Overtime Special Events Detail, all time over this threshold will be computed at time and one half (1.5) and added to the six (6) hour minimum.
- C. Call back will be paid four (4) hours regular rate or the actual time worked, whichever is greater, and can be taken as pay or compensatory time. It is also agreed that call back will not apply when the officer is called back to duty and such call back extends into their regularly scheduled workday.

III. Overtime List

- A. An officer wishing to work overtime details will complete a "Placement on the Special Event List" form at the Special Events Office located at the Union Station.
- B. Officers may not work an overtime detail if their Departmental status is any of the following: sick or injured off-duty, probation, suspension, non-enforcement, relieved of duty, limited duty/IOD, or leave of absence. Officers on any overtime detail list

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should advise of their status (being unable to work), if they are contacted to work an overtime detail. Any officers found to be in violation will face disciplinary charges and be removed from the overtime list for a minimum of six (6) months.

- C. Any officer may add or remove their name to or from the list at any time by submitting a memo to the Overtime Coordinator. Any officer who removes their name from the list must remain off the list for six (6) months. The list will be compiled by citywide seniority and as overtime details are requested employees will be called in the order as they appear on the list. If for reasons of illness, illness of an immediate family member, vacation, or where it interferes with a regular tour of duty, where the officer cannot work, the officer will be passed over and will not have the opportunity to work any overtime details until the overtime list is exhausted and the sequence is repeated.
- D. If for any reason the overtime list drops below One Hundred and Twenty-five (125) individuals, the provisions of this Article will be null and void and overtime will be assigned as provided in the section of the Memphis Police Association's Memorandum of Understanding under Management Rights.
- E. If the City has a large detail that requires more individuals than are available on the overtime list, the number required will be filled by calling the most junior members of the Police Services Division to come to work.
- F. Overtime details where specific technical knowledge, equipment, or training is required will not be considered under the provisions of the overtime list.

IV. Salary Augmentation (22.1.1.g)

- A. *Educational incentive pay*, as agreed upon in the Memphis Police Association MOU, will be granted to commissioned police employees based on the following percentages of their current base salary.
 - 1. Application to all ranks:
 - 1 year college 1% (hired prior to 2-yr. college entry level requirement)*
 - 2 years college 2½% (hired prior to 2-yr. college entry level requirement)*
 - 3 years college 5%
 - 4 years college 7½%
 - 2. Incentive pay will not be granted to any commissioned employee during the employee's probationary period.
 - 3. Commissioned employees will become eligible for incentive pay upon completion of the appropriate probationary period and upon the attainment of the proper level of college credit. College credit will be measured in semester hours and degrees received from accredited schools. Original transcripts will be obtained by the employee and submitted to proper authority in order to receive this incentive.
 - 4. Only commissioned employees hired prior to the requirement of two years of college training as a condition of employment will be eligible for the additional education incentive pay of one percent (1%) after one (1) year of college and two and one-half percent (2½%) after two (2) years of college.

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* See Personnel Manual 18-08 for further Educational Incentive Pay details.

B. *Out of Rank Pay* will be granted to police employees who are designated to perform supervisory responsibilities over other employees of equal or lower rank.

1. The employee will receive five percent (5%) of the base rate for the top pay of their classification except as noted in item 2B and 2C.
2. No officer supervising other patrolmen will receive more than the top base rate for sergeant.
3. No officer supervising other sergeants will receive more than the top base rate for lieutenants.
4. Such pay for work out of rank will be made only when the officer is assigned a supervisory responsibility and is so designated by their commanding officer who is required to record that action on the roll call sheet. This will apply only to officers below the rank of sergeant who are assigned to supervise other employees of equal or lower rank and to sergeants who supervise other sergeants.
5. No pay will be made until such temporary assignment exceeds three (3) hours, at such time the pay for work out of rank will be retroactive to the first hour served.
6. Out of Rank Pay will not apply to senior officers in a car or senior officers on a detail, but is to apply only to those situations where officers of the same rank are designated as temporary supervisors for other officers at the same or lower ranks.

C. *Hazardous Duty Pay* will be granted to police employees who serve in the following positions:

1. Crisis Intervention Team
2. Hostage Negotiation Team
3. Motorcycle Squad
4. Bomb Technician Unit
5. Dog Squad

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I. Purpose of Performance Evaluations

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To successfully serve the citizens of Memphis, the Memphis Police Department must be able to depend on satisfactory work performance from all of its employees. Identifying the strengths and weaknesses of personnel with the intent of improving individual performance levels will improve the overall effectiveness of the department.

Commanding officers must monitor the Supervisor's evaluation results to insure that the process is uniform and unbiased. Supervisors will be evaluated by their commanding officers regarding the fairness and impartiality of ratings given, their participation in counseling employees, and their ability to carry out the rater's role in the performance evaluation system. This will provide the evaluated employee the confidence to use his or her evaluation as a benchmark for improving performance while increasing the potential for career advancement. (35.1.14)

The Performance Evaluation process will be conducted annually, with the evaluation period beginning on January 1 and ending on December 31. (35.1.2) Performance of the employee prior to or following the rating period will be excluded from the rating for that period. (35.1.5)

ALL EVALUATIONS WILL BE PRINTED ON WHITE PAPER.

If an employee's performance is deemed unsatisfactory in any category, they will receive written notification at least 90 days, if possible,* before the end of the evaluation period. The employee will be notified of the area of the deficiency in the form of an Observed Behavior Report.

Supervisors will advise employees of the unsatisfactory performance and define actions that should be taken to improve performance. If the unsatisfactory performance continues, the information will be included in the evaluation report at the end of the 90-day period. (35.1.6)

* The severity of unsatisfactory behavior (i.e. statement of charges or suspension) within 90 days before the end of the evaluation period may be a determining factor for inclusion on the annual evaluation.

The criteria for the evaluation will be specific to the assignment (Civilian, Patrolman, Sergeant, or Supervisor) of the employee for that period. (35.1.4) Performance evaluations will be retained in the employee's personnel file indefinitely. (35.1.13)

II. Procedures for Administering Performance Evaluations

The performance evaluation is to be completed by the employee's year-end supervisor. If the employee has been transferred at some point during the evaluation period, the supervisor may request a transfer evaluation from the employee's previous supervisor(s).

A. Ratings

Each dimension of the evaluation will be rated according to the employee's performance in that area for the evaluation period. The dimension will be rated as one of the following (35.1.1a):

- **Needs Improvement** – The employee *consistently* performs poorly with regard to the evaluated dimension.
- **Meets Job Expectations** – The employee performs their job satisfactorily and is

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able to do so with minimal guidance by supervisors.

- **Exceeds Expectations** – The employee *consistently* performs beyond expectations of their job description, and does so with minimal supervision and guidance.

B. Dimensions

There are ten dimensions to be evaluated and each dimension on the evaluation form includes an area for explanatory comments. The Supervisor will complete the explanatory comments by giving specific facts supporting the rating of each evaluation dimension. Any performance rated as “Needs Improvement” or “Exceeds Expectations” must be substantiated with documentation (Statement of Charges, Letter of Commendation, etc.). This documentation will be attached and submitted with the evaluation. (35.1.7) (35.1.1b, c)

The Supervisor will complete the “Supervisor’s Comments” area of the evaluation form, including guidance to the employee regarding performance expectations and recommendations for the upcoming evaluation period, as well as recommendations to the employee concerning career development. (35.1.9)

C. Approval and Review

Upon completion of the employee’s evaluation, the Supervisor will forward the evaluation to their Commanding Officer. Evaluations should be completed and submitted for the Commanding Officer’s review and approval no later than March 15. The evaluation will be reviewed for approval and signed by the Commanding Officer. (35.1.8)

After approval by the Commanding Officer, the evaluation will be returned to the employee’s supervisor to be presented to the employee. Upon presentation, the Supervisor will review with the employee their evaluation. This advice will provide feedback regarding a review of performance and an indication of expectations for the upcoming evaluation period. This is also an appropriate time to discuss the employee’s career goals, addressing what additional training and development the employee may need to achieve these goals. The employee should leave this review with a better understanding of what is required to improve their performance score in the upcoming evaluation period. (35.1.9)

At the conclusion of the review, the employee will be given the opportunity to make written comments and sign the performance evaluation. The employee’s signature will indicate that he/she has read the evaluation. The signature does not imply agreement or disagreement with the contents of the evaluation, as the employee may appeal the results. The employee will be provided with a copy of the evaluation. (35.1.10, 35.1.11)

III. Appeal Process

At the conclusion of the employee’s review, the employee may wish to appeal the rating that the Supervisor has assigned to a dimension. The employee will indicate the desire to appeal by checking “yes” or “no” in the appeal category of the evaluation. If an appeal is requested, the

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employee will indicate, by number, the dimension(s) that they wish to appeal, and address the appropriate dimension with written comments.

The Supervisor will forward the appealed evaluation to their commanding officer and the commanding officer will complete the appeal within 90 days. The employee will receive and sign a copy of the appealed Performance Evaluation after it has been reviewed by the commanding officer. This will be the end of the appeal process; the commanding officer's decision is final. (35.1.12)

IV. Performance Evaluation Training

Training in the administration and rating of performance evaluations will be given upon promotion to a supervisory rank. The training will be administered during the Developmental Training Class, which is conducted for each Supervisory promotional process. Additional training may be provided through electronic communications. (35.1.1 d) Refer to The Performance Evaluation Instructions and Procedures Power Point which is posted on KIOSK in the Administrative Forms section.

V. Evaluation Dimensions and Definitions (35.1.1 a)

A. Evaluation Dimensions/Definitions for the rank of PII

1. **JOB KNOWLEDGE**- Displays knowledge of law, procedures, policies, and techniques as related to the officer's job tasks.
2. **JUDGEMENT** - Analytic assessment of a situation and taking necessary and appropriate action after consideration of alternative approaches.
3. **DEALING WITH THE PUBLIC** - Ability to deal with the public in a respectful and tactful manner while acting within the scope of the Officer's duty and the law.
4. **RELIABILITY** - Dependability in job attendance, punctuality and acceptance of responsibility.
5. **COMMUNICATION** - Displays the ability to effectively express ideas clearly in both oral and grammatically correct written form. Includes the necessary and relevant information when completing reports.
6. **WORK ATTITUDE** - Demonstrates initiative and interest in service to the public by the performance of their job.
7. **COMPATIBILITY** - Ability to work with fellow officers in mutual decision making while taking an equal share of the workload.
8. **RECEPTIVENESS** - Shows willingness to receive information, follows orders, and accepts counseling from supervisors.
9. **APPEARANCE** - Personal and professional pride shown by neatness, grooming, and

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uniform appearance.

- 10. USE OF EQUIPMENT** - Displays knowledge, care, and skill in the use of all issued equipment.

B. Evaluation Dimensions /Definitions for the rank of Sergeant

- 1. JOB KNOWLEDGE** - Displays knowledge of law, procedures, policies, and techniques as related to their job tasks.
- 2. JUDGEMENT** - Analytic assessment of a situation and taking necessary and appropriate action after consideration of alternative approaches.
- 3. DEALING WITH THE PUBLIC** - Ability to deal with the public in a respectful and tactful manner while acting within the scope of the Officer's duty and the law.
- 4. RELIABILITY** - Dependability in job attendance, punctuality and performance level; acceptance of responsibility.
- 5. COMMUNICATION** - Displays the ability to effectively express ideas clearly in both oral and grammatically correct written form. Includes the necessary and relevant information when completing reports.
- 6. WORK ATTITUDE** - Demonstrates initiative and interest in service to the public by the performance of their job. Shows willingness to receive information, follows orders, and accepts counseling from supervisors.
- 7. DECISIVENESS** - Displays readiness to make decisions, render judgments and take prompt action.
- 8. INITIATIVE** - Proactively influences situations rather than passively accepting outcomes; originates new ideas or methods in response to problems.
- 9. PLANNING AND ORGANIZATION** - Utilizes all available resources to efficiently establish an appropriate course of action to accomplish a specific goal.
- 10. PROBLEM SOLVING** - Displays skills in identifying problems and gathering relevant information in order to institute solutions.

C. Evaluation Dimensions /Definitions for Supervisory Ranks

- 1. DEVELOPMENT OF SUBORDINATES** - Supervisor is effective in maximizing the potential of subordinates through training, counseling, and development activities; shows ability to understand and to respond appropriately to the needs and viewpoints of subordinates, as well as shows fairness and impartiality in rating subordinate's performance through annual evaluations.

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2. **JUDGEMENT** - Supervisor shows the ability to develop alternative solutions to problems, to evaluation courses of action and reach sound decisions.
3. **MANAGEMENT CONTROL** - Supervisor is skilled in establishing procedures to monitor processes, tasks, and actions of subordinates; shows the ability to evaluate the results of activities.
4. **STRESS TOLERANCE** - Supervisor shows ability to remain self-confident and maintains composure in any situation that is encountered.
5. **COMMUNICATION** - Supervisor shows effective communication in individual or group settings; shows the ability to express ideas clearly in written and grammatical form.
6. **LEADERSHIP** - Supervisor is effective in getting ideas accepted and directing a group or an individual toward accomplishing a task.
7. **DECISIVENESS** - Supervisor shows readiness to make decisions, render judgments and take prompt action.
8. **INITIATIVE** - Supervisor proactively influences situations rather than passively accepts outcomes; originates new ideas or methods in response to problems.
9. **PLANNING AND ORGANIZATION** - Supervisor shows the ability to efficiently establish an appropriate course of action for self and/or others to accomplish a specific goal; makes proper personnel assignments and uses resources efficiently.
10. **PROBLEM SOLVING** - Supervisor shows skill in identifying problems and gathering relevant information in order to institute solutions.

D. Evaluation Dimensions/Definitions for Civilian Employees

1. **TEAMWORK** - The employee balances team and individual responsibilities; exhibits objectivity and openness to others' views.
2. **QUANTITY** - The employee meets productivity standards by completing work in a timely manner while striving to increase productivity and achieve established goals.
3. **QUALITY** - The employee demonstrates accuracy and thoroughness, displays commitment to excellence, applies feedback to improve performance, monitors own work to ensure quality while looking for ways to improve quality.
4. **PLANNING AND ORGANIZATION** - The employee works in an organized manner by prioritizing activities and using time efficiently. The employee sets goals and objectives, and integrates changes smoothly.
5. **JOB KNOWLEDGE** - The employee is competent in required job skills and exhibits the ability to learn and apply new skills. The employee requires minimal supervision, uses resources effectively, and keeps abreast of current developments.
6. **INITIATIVE** - The employee volunteers readily, undertakes self-development activities,

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seeks increased responsibilities while seeking and taking advantage of opportunities; takes independent actions and calculated risks but asks for help when needed.

- 7. PROBLEM SOLVING** - The employee displays skills in identifying problems and gathering relevant information in order to institute solutions.
- 8. COOPERATION** - The employee establishes and maintains effective relations, maintains a positive outlook, exhibits tact and consideration, offers assistance and support to co-workers, works actively to resolve conflicts.
- 9. COMMUNICATIONS** - The employee expresses ideas and thoughts verbally and in written form; exhibits good listening and comprehension, keeps others adequately informed, and uses appropriate communication methods.
- 10. ATTENDANCE AND PUNCTUALITY** - The employee begins work on time, arrives at meetings and appointments on time, keeps absences within guidelines, schedules time off in advance while ensuring that work responsibilities are covered when absent.

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SECTION: Promotion Probation

A probationary period is important to the promotional process and will be used to observe a newly promoted employee's performance, easing the adjustment to their new rank. During the probationary period, the promoted employee's immediate supervisor shall evaluate and record their willingness and ability to perform their duties satisfactorily on a "Promotion Probation" form located on the MPD KIOSK.

<u>Newly Promoted Rank</u>	<u>Probationary Period Length</u>	<u>Evaluation Reporting</u>
Sergeant- Lt. Colonel	12 Months	Monthly, for 6 month(s) then 9 th & 12 th month(s)

Newly promoted personnel will be evaluated every month for 6 months then 9th & 12th month(s), unless they require remedial training and then every month there after. All remedial training will be documented no matter the level of training and will be part of the evaluation.

The evaluation will be completed by the 5th day of each month and forwarded to the respective supervisor and chief for review and approval.

During the probationary period, the employee will retain all rights and privileges afforded by the civil service merit system.

No later than two weeks prior to the expiration date of the probation period a recommendation will be made to the respective Chief, through the chain of command, for:

- (1) an extension of the probationary period based only upon extenuating circumstances, such as illness of the employee, military leave, etc. supporting documentation for this request must be submitted to the Director of Police for determination.
- (2) certification of the employee on the expiration date of the probationary period, or
- (3) the employee shall revert back to their previously held civil service rank prior to the expiration or his/her probation.

The Director of Police or his designee will review the appointing authority or his designee's recommendation prior to granting approval or denial for the recommendation to be implemented.

Upon completion of the probationary period all evaluation forms will be stored in the employee's Human Resource file.

See Record Retention guidelines for further storage instructions. (34.1.7)

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I. Night Duty Lieutenant Colonel

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SECTION: Night Duty Lieutenant Colonel

The designated Night Duty Lieutenant Colonel will operate city-wide and handle operational decisions after normal operating hours

The Night Duty Lt. Colonel Duty rotational roster is located in the N: drive/Shared Folder/Night Duty Lt. Colonel/Duty Roster.xls. Alternate night duty will begin at 1600 hours Friday and end at 0700 hours the following Friday.

During regular business hours Monday through Friday (0700 hours to 1700 hours), the appropriate station Colonel or Lt. Colonel will respond when operational decisions are required.

A. Duties:

The Night Duty Lieutenant Colonel should:

1. Make the scene of all critical incidents, including but not limited to:
 - a. Police Officer shootings/firearms used and serious injury occurs.
 - b. Police Officer is seriously injured.
 - c. Critical injury crashes involving department vehicles.
 - d. Incidents where resisting arrest results in serious injury (requiring admittance to a medical facility).
 - e. Incidents where the suspect is critically injured while under MPD control regardless of the source of the injury.
 - f. Hostage Situations/TACT call-outs.
 - g. Incidents that involve high profile individuals or elected officials.
 - h. All major incidents: i.e. natural disasters, civil disturbances/riots, verified bomb threats, multiple alarm fires, or terroristic activity.
2. Be available to the news media to provide necessary information for any critical incidents where they made the scene (see list above).
3. Make decisions within the scope of his or her authority.
4. Contact the Colonel on duty on a need to know basis or when in need of advice. The Colonel on call will contact the Deputy Chief on call if necessary.
5. Prepare a summary report of each day's activities which will be forwarded to the Command Staff (Director, Deputy Director, and Deputy Chiefs) via electronic mail or in written form.
6. Advise the Public Information Officer (PIO) via electronic mail of any news worthy incidents.
7. The Night Duty Lieutenant Colonel will visit stations and high crowd areas, such as Beale Street, Overton Square, etc. They will visit work stations in their districts and check on supervisors.

B. Inspectional Services Bureau Notification

The Night Duty Lieutenant Colonel shall notify Inspectional Services on:

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1. All police officer shootings or firearms discharge on or off duty.
2. Serious police officer injuries that are the result of an assault.
3. Incidents where resisting arrest results in a serious or critical injury: The Field Supervisor will monitor the condition of the injured party via MPD Communications. (Inspectional Service Bureau will determine the necessity of making the scene on all critical injuries or injuries requiring the suspect to be admitted to a medical facility).

If the suspect is treated and released that day, a supervisor will direct any potential complaints against the officers to the Inspectional Services Bureau on the next business-work day.
4. All Incidents where the suspect is seriously injured while under MPD control, regardless of the source of the injury.
5. Complaints of police officer misconduct where the Colonel/ Lt. Colonel deems immediate investigation is necessary.
6. Any circumstances where the Colonel/ Lt. Colonel or the Field Supervisor may need clarification.
7. All initial notifications must be made via the MPD Communications Supervisor.

NOTE: Copies of all forms, where physical force (i.e. chemical agent, SAGE SL-6, batons, etc.) was required against a citizen, consumer or suspect, must be forwarded to the Inspectional Services Bureau. It will be the Colonel/ Lt. Colonel's responsibility to ensure distribution.

On-Duty Majors will handle most other incidents but are encouraged to seek advice if necessary.

Communication of Vital Information: On situations involving serious violations or possible violations (Administrative or Criminal) it is imperative that the Night Duty Lt. Colonel **make the scene** and contact the Colonel on call.

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SECTION: Limited English Proficiency

Limited English Proficiency

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I. Limited English Proficiency

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SECTION: Limited English Proficiency

It is the policy of the Memphis Police Department, in accordance with Title VI of the Civil Rights Act Of 1964, to take reasonable steps to provide meaningful access of language assistance to Limited English Proficient (LEP) individuals in their encounters with employees of the Memphis Police Department. As employees of a federally assisted agency, MPD personnel have the responsibility of ensuring that all LEP persons have the same meaningful access to the MPD services that other citizens are afforded.

To determine the appropriate provision of language assistance to the LEP community, the Memphis Police Department will continually review and balance the following factors in an effort to prioritize the types of language services that are needed:

- The number of LEP persons that are likely beneficiaries of the services provided by the MPD.
- The frequency with which LEP persons come into contact with the MPD's programs or activities.
- The nature and importance of the activity or service provided by the program.
- The resources (financial or otherwise) of the Memphis Police Department.

II. Definitions:

Limited English Proficient (LEP) - Individuals who do not speak English as their primary language and who possess a limited ability to read, write, speak or understand English are considered to be Limited English Proficient.

Language Assistance Plan (LAP) – The strategy, design and methods contained in this policy which the Memphis Police Department will utilize to ensure that all LEP persons have the same meaningful access to the MPD services that other citizens are afforded.

Vital Foreign Language (VFL) – Any language with which data indicates Memphis Police Department employees have frequent contact or likely will have contact in providing police services. Demographics and departmental LEP contact data will be reviewed annually by the LEP Coordinator and the Deputy Chief of Administrative Services to determine what Languages necessitate being classified as a VFL with the Memphis Police Department. Current languages classified as a VFL with the Memphis Police Department:

- Spanish

Interpretation - The act of listening to a communication in a source language and orally converting it to another target language while retaining the same meaning.

Translation - The replacement of written text from the source language into and equivalent written text in another target language.

III. Coordination of LEP Program

The LEP Coordinator will be responsible for coordinating LEP strategies and needs as well as communicating with the Department of Justice. This Policy and all departmental demographics and LEP contact information will be reviewed annually in order to identify all Vital Foreign Languages. The following areas of responsibility will be distributed in order to support the LEP Coordinator in meeting the needs of this LEP Policy:

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A. LEP Population Data / Demographics – Research and Development will use data received from the US Census Bureau, The Department of Human Services, The Social Security Administration, and Memphis City Schools to construct a detailed demographic layout of the LEP population and their residential outline. Data will be outlined by the boundaries of MPD Precincts.

B. LEP Contact Tracking

Any MPD employee who makes contact with persons of Limited English Proficiency will complete and submit the “LEP Contact” form located on the MPS Kiosk. The form is to be completed by the employee who first established contact with the individual.

The following information will be provided:

- Precinct in which the contact resides if the contact is a Memphis resident.
- Precinct Ward where contact with LEP individual occurred
- Type of police services needed by the contact
- Actions taken (enforcement, complaint, report, advisement)
- Whether language assistance was provided (oral or written)
- Language spoken

Additionally:

- Call data from the Language Line will also be used to track LEP contacts.
- Communications contact with LEP individuals will be tracked through the Event Situation Type “LANG”. The event will have a location assigned to this LEP contact, and this data will be extracted from the Communications Server.

The information collected through the LEP Contact form, Language Line call data, and Communications contacts will be used to assist the LEP Coordinator in determining the type and level of language services that the MPD will provide.

IV. Procedures for Providing Bilingual Support

If an employee encounters an individual and is unable to determine the language in which they are speaking, the employee will utilize the “I speak” pages in this policy to determine the language assistance needed. The gravity of each individual situation will affect the degree of language assistance required.

Officers issuing a citation or handling a minor disturbance/complaint call likely will not require assistance through formal means, but would utilize any basic language skills that exist, communicate through friends and family at the scene or surrounding area; or resort to rudimentary tactics such as communication through hand gestures or drawing on paper. If such means are not sufficient, the employee will contact their supervisor and notify them of the need for bilingual support indicating the language, circumstances of the contact, and the urgency of which support is needed. The highest level of competency available shall be dispatched in any situation.

NOTE: If Spanish translation/interpretation assistance is needed, the officer will make a request through dispatch for a Spanish speaking officer. The Memphis Police

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Department has numerous personnel who have received departmentally funded training and are competent in communicating in the Spanish Language. These resources will be exhausted before any professional language services are utilized for translation or interpretation of the Spanish Language.

When bilingual employees are not available and an employee is unable to communicate with an LEP individual at a level commensurate to the circumstances and urgency, qualified interpretation services from the Language Line will be utilized to ensure that the proper language assistance is provided. This service will be requested through the employee's supervisor. Each supervisor will have access to Language Line services, and it is imperative that the supervisor protect the integrity of any passwords or personal identification numbers needed to secure Language Line Services.

The Communications Bureau will keep a directory of all qualified bilingual employees. This directory will be updated and maintained by the Training Academy, which will be responsible for submitting the directory to Communications as updates are made. The list will indicate the Non-English language(s) spoken, the level of communication ability as determined by the Training Academy, Name, Rank, and IBM. Communications will dispatch bilingual officers on a rotational basis, ensuring the workload is distributed among all available, qualified individuals.

When bilingual employees are dispatched to a scene to assist, their role is for language assistance only. The scene officer(s) who requested the assistance will handle all reporting and scene responsibilities associated with the incident/complaint.

Family members, neighbors, friends, acquaintance, bystanders and children should not be used for interpretation in communications involving witnesses, victims and potential suspects; or in investigations, collection of evidence, negotiations or other sensitive situations, except temporarily in unforeseen emergency circumstances while awaiting bilingual support.

In the event that a report is taken in which a victim, witness or other contact is LEP, the employee will indicate in the report that the individual is LEP and what type/level of language assistance may be needed for investigators or other personnel who may be required to follow up with the individual.

A specific language assistance plan will be maintained in the following Units' Standard Operating Procedure Manuals:

- Inspectional Services Bureau (Handling complaints from LEP contacts)
- Investigative Bureaus (Interrogation and interview of LEP contacts)
- Communications (Handling and tracking of LEP calls)
- Training Academy (Language competency assessment)

Document Translation and Distribution

Vital written materials (selected department/component forms, publications) will be translated into languages determined to be a VFL for the Memphis Police Department. The

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Data collected by Research and Development, as well as data acquired through the “LEP Contact” form will be reviewed annually to determine what forms necessitate translation. Each Bureau and Unit should evaluate what forms and publications necessitate translation. If it is determined that a particular document necessitates translation, the Commanding officer of that unit will contact the LEP Coordinator. All translated departmental forms and publications will be made available on the MPD KIOSK “Translated Forms/Publications” page.

V. Notifying the Public of Language Assistance

A. Signage

The following MPD Public Access points shall have signage, posted in the most commonly spoken languages, stating that language assistance is available at no cost to the individual.

- Uniform Patrol Precincts
- Traffic
- Inspectional Services
- Vehicle Storage Lot
- Training Academy
- 170 N. Main:
 - 201 Poplar, Lower Level (Property and Evidence)
 - 7th floor Lobby (Central Records/Compstat)
 - 10th floor Lobby (Investigative Services)
 - 11th floor Lobby (Administrative Services)

The Commanding Officer(s) will ensure that all signage is posted and presentable at these locations. The LEP Coordinator will be responsible for ensuring that signage is made available upon request from the workstations.

B. Public Information Office

The Public Information Office shall ensure that the appropriate information regarding language services and departmental resources is distributed to the LEP community. The LEP Coordinator will notify the PIO that that language has become a Vital Foreign Language in Memphis. The PIO will then address this community via any outside published media and vital Departmental publications. The PIO will accomplish this by:

1. Maintaining and updating a list of all news organizations and media outlets of Vital Foreign Languages (VFL) in the City of Memphis and including these outlets in Media Policy Seminars.
2. Coordinating the appearances of MPD personnel at community gatherings or other outlets (Radio, TV, etc) organized by each VFL community.
3. Ensuring that Media Releases relative to individual VFL Communities are translated, distributed and readily available to that community.

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4. Coordinate with Research and Development to publish VFL information about the Memphis Police Department and topics such as public safety & police functions; home & personal security, and how and when to file a police report. Web based information shall also be translated into all Vital Foreign Languages.

VI. Training

The Training Academy will be responsible for the development and maintenance of LEP training for all employees. Police Recruits will receive, at a minimum, survival language training in any language deemed to be a Vital Foreign Language.

The Training Academy will coordinate with the LEP Coordinator to assess the needs of the department regarding language training and deployment of bilingual personnel. The Training Academy will test and assign a competency level or “certify” bilingual employees regarding the level of language skills possessed. Testing for “certification” will be constructed and administered only in those languages deemed to be a Vital Foreign Language. The Training Academy will maintain a listing of Bilingual employees, languages spoken, level of skill, workstation assignment and contact information.

In the event that an employee speaks a foreign language which has not been deemed a Vital Foreign Language by the MPD, and that the bilingual employee wishes to assist if language support is needed during his/her duty hours, the employee should contact the Training Academy. Additionally, the Training Academy will annually send out an Information Bulletin requesting officers who possess these foreign language capabilities to contact them. Upon response, the Academy will use any available community resource to determine level of language skills the employee possesses, and add that employee to the bilingual list which is submitted to Communications.

VII. Directions for Using “I speak” Pages

The following phrase is written in various languages on the pages:

☐ **“Mark this box if you speak or read (language)”**

If you make contact with an individual and you are unsure of the language spoken, present the “I Speak” pages to the individual and let them indicate their primary language. Once you have determined the individual’s primary language, contact your supervisor for assistance.

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<input type="checkbox"/>	ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic
<input type="checkbox"/>	Խոսողո՞ւմ ե՞նք նշող՞ւմ կատարե՞ք այս քառակուսուն՝, եթե խոսող՞ւմ կամ կարող՞ւմ եք հայերեն:	2. Armenian
<input type="checkbox"/>	যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	3. Bengali
<input type="checkbox"/>	ឈ្មួញបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	4. Cambodian
<input type="checkbox"/>	Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	5. Chamorro
<input type="checkbox"/>	如果你能读中文或讲中文，请选择此框。	6. Simplified Chinese
<input type="checkbox"/>	如果你能讀中文或講中文，請選擇此框。	7. Traditional Chinese
<input type="checkbox"/>	Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8. Croatian
<input type="checkbox"/>	Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
<input type="checkbox"/>	Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch

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<input type="checkbox"/> Mark this box if you read or speak English.	11. English
<input type="checkbox"/> اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.	12. Farsi
<input type="checkbox"/> Cocher ici si vous lisez ou parlez le français.	13. French
<input type="checkbox"/> Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
<input type="checkbox"/> Σημειώστε αυτό το πλαίσιο αν διαβάσετε ή μιλάτε Ελληνικά.	15. Greek
<input type="checkbox"/> Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
<input type="checkbox"/> अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
<input type="checkbox"/> Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
<input type="checkbox"/> Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	19. Hungarian
<input type="checkbox"/> Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano

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<input type="checkbox"/> Marchi questa casella se legge o parla italiano.	21. Italian
<input type="checkbox"/> 日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
<input type="checkbox"/> 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
<input type="checkbox"/> ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	24. Laotian
<input type="checkbox"/> Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish
<input type="checkbox"/> Assinale este quadrado se você lê ou fala português.	26. Portuguese
<input type="checkbox"/> Însemnați această căsuță dacă citiți sau vorbiți românește.	27. Romanian
<input type="checkbox"/> Пометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
<input type="checkbox"/> Обележите овај квадратик уколико читате или говорите српски језик.	29. Serbian
<input type="checkbox"/> Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	30. Slovak

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<input type="checkbox"/>	Marque esta casilla si lee o habla español.	31. Spanish
<input type="checkbox"/>	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
<input type="checkbox"/>	ให้กาเครื่องหมายลงในช่องถ้าท่านอ่านหรือพูดภาษาไทย.	33. Thai
<input type="checkbox"/>	Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
<input type="checkbox"/>	Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.	35. Ukrainian
<input type="checkbox"/>	اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔	36. Urdu
<input type="checkbox"/>	Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	37. Vietnamese
<input type="checkbox"/>	באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish

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Performance Enhancement Program

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I. PERFORMANCE ENHANCEMENT PROGRAM OVERVIEW

The Memphis Police Department's members are its greatest asset. The Department has a responsibility to its members and the community to identify and assist members who show symptoms of job stress or personal problems. Such symptoms may be exhibited in a member's work performance.

The Memphis Police Department's Performance Enhancement Program (PEP) is a structured system designed to identify and manage behaviors that result in performance related problems. It is a non-disciplinary system that is designed to improve the performance of Department members through coaching, training, and professional development as described in this policy. The intent of PEP is to provide non-disciplinary intervention, as needed, to assist members in order to provide the highest level of service and satisfaction to the public.

The PEP System shall not be accessed or used for the purpose of discipline or promotion. Allegations that this has occurred may be addressed through existing administrative remedies.

II. DEFINITIONS

- A. PEP: Performance Enhancement Program.
- B. INDICATOR: Behaviors tracked by PEP assigned thresholds which begin from the date of the first event and continue through a 3, 6, 12, or 18 month time period.
- C. ASSOCIATED FACTORS: Events that will be considered in order to provide a comprehensive review of a member, once that member has surpassed indicator thresholds.
- D. THRESHOLD: Aggregate value of indicators which trigger PEP review.
- E. INTERVENTION: A proactive management tool intended to improve the efficiency of members and the Department as a whole.
- F. PERFORMANCE REVIEW: For the purposes of this policy, an informal examination of a member's job performance to review actions that may contribute to PEP Indicator Entries.
- G. COUNSELING: For the purposes of this policy, a meeting between a supervisor and subordinate in a non-punitive setting to discuss the subordinate's performance. Counseling sessions employ techniques designed to reinforce good performance, improve poor performance, and when appropriate, correct behaviors that precipitate or contribute to Indicator Entries.
- H. TRAINING: Training is a non-punitive tool used to enhance member performance. Training may be in-house or referral based, specific to the needs of the member.
- I. PEP/PSU (Psychological Services Unit) / CONCERN REFERRAL: Supervisory or self-initiated referral to the Performance Enhancement Program or Psychological Services Unit.

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- J. **PERFORMANCE IMPROVEMENT PLAN:** A written performance improvement plan agreed upon by the member, reviewing supervisor, and workstation commander designed to reduce or eliminate identified behaviors that contribute to PEP Indicator Entries. A performance improvement plan must describe the behaviors to be addressed, actions designed to change those behaviors, measures to enable both the member and supervisor to gauge progress and a time-line for reaching the objective of changing, moderating, or eliminating the behavior(s).
- K. **REASSIGNMENT:** An intervention option to be used when absolutely necessary for the welfare of the member (i.e. TA, TL, reassignment to an appointed position or voluntary reassignment through the bid process). * Members on loan or special assignment will be tracked by their current assigned supervisor and their regular assigned supervisor.
- L. **POST INTERVENTION MONITORING:** A follow-up review of a performance improvement plan within three (3) months to determine if the plan should be modified with additional intervention to assist in a member's success.
- M. **DISCIPLINE:** Corrective actions intended to address inappropriate behavior. For purposes of this policy, discipline will only be imposed when intervention has been ineffective or when the member refuses to cooperate in the intervention process.
- N. **DAILY REVIEW:** The PEP Coordinator will forward information to the workstation commanders for intervention daily. Workstation Commanders will notify shift supervisors of any members identified for intervention daily.
- O. **COUNSELING PANEL:** For the purposes of this policy, a panel consisting of a member's supervisor, workstation commander, and deputy chief, who will review cases when a member refuses to sign a performance improvement plan or has a second referral.

III. PERFORMANCE ENHANCEMENT PROGRAM TRACKING

The PEP shall identify and track the following performance indicators:

- 1) Officer-involved firearms discharge
- 2) Non-lethal uses of force
- 3) Criminal arrests and investigations of subject officer
- 4) Officer-involved vehicular pursuits
- 5) Traffic crashes
- 6) Departmental disciplinary actions
- 7) Documented citizen-initiated complaints (i.e. Workstation, IAB, etc.)
- 8) Officer-involved civil suits
- 9) Sick leave
- 10) On-the-job injuries
- 11) Formal Management Referral

IV. PERFORMANCE ENHANCEMENT PROGRAM INDICATOR ENTRIES

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A. The Performance Enhancement Program will identify and evaluate the behavior of members who have been involved in the following incidents within the following time frames:

- Firearms Discharge 2 incidents within 18 months
- Use of Force 3 incidents within 3 months
- Vehicle Pursuits 2 incidents within 12 months
- On the Job Injury* 3 incidents within 6 months
- Management Referral* 1 incident within 18 months
- Traffic Crashes 2 incidents within 12 months
- Overall Complaints 5 incidents within 12 months

* On the Job Injuries and Management Referrals are not counted towards the Overall Complaint total.

All management referrals, even if a part of discipline, must be entered into Blue Team separately.

B. The Performance Enhancement Program will also identify and evaluate the behavior of members **who have received allegations of violations** of the following Departmental Rules:

1) Personal Conduct (DR-104, DR-107, DR-113, DR-121, DR-132, & DR-137):

- DR-104 Personal Conduct 2 in a 6 month period
- DR-107 Courtesy 2 in a 6 month period
- DR-113 Alcoholic Beverages 1 in a 6 month period
- DR-121 Narcotics 1 in a 6 month period
- DR-132 Insubordination 2 in a 6 month period
- DR-137 Domestic Violence 1 in a 6 month period

2) Use of Force (DR-301):

- DR-301 Excessive Force /Unnecessary 2 in a 6 month period

3) Use of Equipment (DR-803 & DR-904):

- DR-803 Rough or Careless Handling of Equipment 2 in a 12 month period

4) Dependability (DR-115, DR-1104, DR-1105, DR-1106):

- DR-115 Punctuality 2 in a 6 month period
- DR-1104 Location When Ill 2 in a 6 month period
- DR-1105 A.W.O.L. 2 in a 6 month period
- DR-1106 Sick Abuse Policy 2 in a 6 month period

Once the system has been in use, thresholds may be modified to make the best use of the analysis

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capabilities of the system. Indicator thresholds, including any adjustments recommended by the PEP Board, are approved by the Director of Police Services.

V. PEP PANEL BOARD MEMBERS

- A. The PEP Coordinator is responsible for the operation of the PEP and for submitting reports to the PEP Board and the Director of Police Services.
- B. The Deputy Chief of Administration shall serve as Chairperson for the PEP Board.
- C. The PEP Board will consist of the following members:
 - 1) Director of Police or designee
 - 2) All Deputy Chiefs
 - 3) One Station Commander from each Uniform Patrol District
 - 4) Health and Safety Officer
 - 5) Police Legal Advisor
 - 6) Training Academy Commander
 - 7) Memphis Police Association Representative
 - 8) Police Psychologist
 - 9) PEP Coordinator
- D. The board will meet on the second Wednesday of every quarter (January, April, July, and October) at 1000 hours at 170 N. Main, to review aggregate information for thresholds met or surpassed during the previous quarter.
- E. The Chairperson may designate a replacement in their absence. The number of board members needed for a quorum will be five, and consist of at least three Department members, with the rank of lieutenant or higher.
- F. The board is an advisory panel as such, on a quarterly basis; the board will review PEP data on an aggregate basis. The board's primary functions are as follows:
 - 1. Review PEP data for identified patterns suggestive of possible problematic performance.
 - 2. Provide recommendations or suggestions to the command staff regarding the use of alternate intervention strategies that may be useful to supervisors and workstation commanders.
 - 3. Review the total number of interventions for the quarter, the types of interventions employed, and the effectiveness of those interventions.
 - 4. Determine future direction, needs, and development for the PEP, including suggested modifications.
 - 5. Review new trends and thresholds as recommended by the PEP Coordinator.

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6. Review quarterly and annual reports prepared by the PEP.
7. Review and recommend changes of relevant policies to the Director of Police.

VI. PROCEDURES FOR INTERVENTION

On a daily basis, IAPRO and Blue Team authorized users will input new complaint information into the system by the end of their tour of duty in order for the PEP to accurately track indicator entries and threshold breaches.

The PEP Coordinator will review the system daily to determine if any member has met or surpassed a threshold. The Coordinator will review the surpassed indicators and associated factor information to determine if a pattern of at-risk behavior exists. If a pattern appears probable, the coordinator will electronically transmit the information to the member's workstation commander for further review and intervention.

A. INITIAL REFERRAL – PERFORMANCE REVIEW

1. On a daily basis, workstation commanders shall review electronically transmitted information sent by the PEP Coordinator, create a PEP folder if necessary, and assign reviews to appropriate supervisors.
2. Supervisors shall review the PEP information received from the workstation commander and determine if or what intervention is needed for any members under their supervision. The supervisor shall document the review on a performance enhancement action plan form and forward it to their workstation commander via Blue Team. The performance enhancement action plan form can be obtained from the departmental forms link in the mpdsupport portal. Once the plan has been agreed upon by the member, supervisor, and work station commander, it shall be placed in the member's PEP folder. Any documentation concerning such reviews and plans shall be retained in a member's PEP folder. Any member, who refuses to participate in a performance improvement plan or declines to sign the plan, shall be immediately referred to a counseling panel.
3. The workstation commander shall, within twenty-one (21) days of receipt of a PEP (Blue Team Alert) referral, verify that the required performance review/ performance improvement plan has been completed, attached to the Blue Team Alert, and transmitted electronically to the PEP Coordinator via Blue Team. The workstation commander shall electronically notify the PEP Coordinator if the performance review cannot be completed within twenty-one (21) days, along with the reason(s) why it cannot be completed.
4. The supervisor shall continue to monitor the member's performance after the intervention has taken place, and transmit a performance enhancement assessment follow-up report at three (3) months (post intervention monitoring) to the workstation commander and at six (6) months after the initial intervention.

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5. Upon completion of the six (6) month time period of the plan, the supervisor shall write a memorandum to the workstation commander describing the outcome of the plan and recommending further action if warranted. Completed performance improvement plans shall be retained in the member's PEP folder for six (6) months after completion and then forwarded to the PEP Coordinator for filing. It will be the PEP Coordinator's responsibility to notify the workstation commander to forward the file after the time period has elapsed.

Successfully completed plans shall be placed in a sealed envelope by the PEP coordinator at such time that the affected member has no adverse activity in the PEP System that rises to the level of requiring a performance review for five (5) years. Sealed envelopes will be opened only where required to comply with a court or administrative order or process, or where otherwise necessary to comply with a legal mandate.

6. If the workstation commander is not familiar with the member subject to review due to a recent transfer, the workstation commander's superior officer shall determine whom to assign the performance review. The PEP Coordinator shall be electronically notified of any changes in assignment of a performance review.
7. Supervisors may conclude that a pattern of at-risk behavior does not exist and forward their findings to workstation commander. The workstation commander may concur that a pattern of at-risk behavior does not exist and that corrective action is unnecessary.

Conversely, the PEP Unit may not concur with the supervisor's finding; that a pattern of at-risk behavior does not exist. The PEP Coordinator will electronically forward the name(s) of the member(s) to the respective Deputy Chief for review, who shall ensure that the member's supervisor engages in a performance review and, if appropriate, initiate intervention with the member.

Further the workstation commander shall ensure that the supervisor electronically transmits a report within twenty-one (21) days to the PEP, indicating what type of intervention has taken place.

8. Command and supervisory officers are encouraged to initiate performance reviews and counseling sessions with members under their command whenever they deem it appropriate. Based on their knowledge of the member's work performance, a supervisor may initiate a counseling session prior to a threshold being met or surpassed. Counseling sessions shall not be considered as discipline; however, they may be an essential part of the performance improvement plan. Counseling sessions should be recorded in the member's PEP folder after the member has been given an opportunity to review and sign the documentation.

B. SECOND REFERRAL – PERFORMANCE REVIEW

A second performance review session shall be held with any officer who has been entered into the PEP, and receives one or more additional PEP Indicator Entries within a six (6) month period. This session shall be conducted by the member's supervisor and workstation

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commander within twenty-one (21) days of the second referral from PEP Coordinator.

1. When conducting this second performance review session, workstation commanders and supervisors shall review Quarterly Reports along with the member's PEP Indicators and associated factor history for the last five (5) years.
2. The member, workstation commander, and supervisor shall jointly develop a performance improvement plan in order to address behavior(s) that may contribute to meeting or surpassing thresholds. The plan shall be agreed to and signed by the member, supervisor, and workstation commander. This plan shall be placed in the member's PEP folder. Any member subject to a second referral, who refuses to assist in the development of a performance improvement plan or declines to sign the plan, shall be immediately referred to a counseling panel.
3. If the member's complaint history indicates similar conduct, as reported in the Quarterly Reports, a behavior pattern may be evident. If the member's PEP file documents any prior corrective action or failed performance plans, the matter shall be immediately referred to a counseling panel so that a comprehensive plan can be developed to correct the behavior.

VII. BEHAVIOR FACTORS

When conducting a performance review or a counseling session, the following behavior factors should be among the items to be considered.

- 1) Is there a behavior pattern that may be causing these PEP indicator entries, whether or not the PEP indicator entries have been investigated or sustained?
- 2) How does the PEP indicator history of the member compare with other members in similar assignments?
- 3) Can PEP indicator entries be reduced by simply advising the member of Department policies and procedures?
- 4) Can better interpersonal skills be developed?
- 5) Can formal or informal training correct the problem?
- 6) Are the details of the PEP indicator entries and the allegations so different as to suggest that there is no improper behavior pattern?
- 7) Is there any other relevant information about the member or circumstances that contributes to the number of PEP indicator entries?
- 8) Is there a common thread of conduct in separate PEP indicator entries that may be contributing to the frequency of PEP indicator entries?
- 9) In addition to the other options provided in this program, supervisors may make referrals to the Performance Enhancement Program or the Psychological Services Unit.

VIII. OVERSIGHT OF THE PERFORMANCE ENHANCEMENT PROGRAM

Each Deputy Chief is responsible for ensuring that their subordinates adhere to the

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provisions of the Program. If the Deputy Chief determines that a Supervisor has not complied, the Deputy Chief shall direct the Workstation Commander to determine the reason for failed compliance. It is the responsibility of the workstation commander to ensure that their workstation is in compliance and that appropriate action has been taken. A written response shall be forwarded to the respective Deputy Chief within twenty-one (21) days, who will, determine whether disciplinary action is appropriate. In addition, the workstation commander may be required to prepare a plan to bring the unit into compliance. If a workstation commander has not complied, the respective Deputy Chief will be notified by the PEP Coordinator, and the Deputy Chief will submit their findings to the Director of Police within twenty-one (21) days.

On a quarterly basis, the PEP Coordinator will forward the number and names of members who have met or surpassed system indicators, associated factor information, and supervisors' intervention documentation to the Deputy Chief of Administration for review and distribution to the PEP Board. The PEP Coordinator will provide quarterly and annual statistical reports to the Deputy Chief of Administration, who will in turn provide the reports to the Director of Police.

The Deputy Chief of Administration shall review the reports and provide this statistical information to the Director of Police.

An audit of the Performance Enhancement Program will be performed every six (6) months to verify accuracy of data. The audits shall evaluate the data entry system, the outcomes of supervisory interventions, and the quality of supervisory reviews. Audit results shall be forwarded to the Deputy Chief of Administration, who will review them and forward them to the Director of Police.

Annually, the quarterly reports and audits will be used to assist in completing an evaluation of the system. The evaluation will help determine if the system is effectively working and assisting employees in improving their performance through non-disciplinary measures.

IX. INTERVENTION RESOURCES

There are numerous avenues of intervention available to members of the Memphis Police Department. This list below outlines some of the most widely used programs. This is not a comprehensive list of all intervention methods that may be employed.

INTERNAL RESOURCES

- Anger Management
- Cultural Awareness
- Conflict Resolution
- Remedial Driving
- EVOC
- Remedial Firearms
- MPD Psychological Services
- EAP
- Counseling/ PEP
- Enhanced Remedial Training
- Reassignment
- Fitness for duty
- Communication Skills
- Telephone Communications
- Verbal Judo
- Critical Incident Diffusing
- Defensive Tactics
- Tactical Response to Critical Incidents

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- Professionalism and Ethics
- Policing with Honor
- In-Service Training
- Supervisor Counseling
- Peer Training

OUTSIDE RESOURCES

1. CONCERN

- Marriage, Divorce, and relationships
- Parent/Child Issues
- Alcohol
- Drugs
- Emotional concerns
- Grief
- Gambling
- Elder care
- Financial problems
- General Stress
- General Life Skills

2. Behavioral Health

3. Civilian Vehicle Course