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SECTION: Weapons

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I. General Information

Regularly commissioned officers and reserve officers are authorized by state law to carry their

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firearms both on and off duty within the State of Tennessee. When firearms are carried off duty, they are to be concealed, so as not to alarm the public, and secured in a holster with a mechanical, pressure, or friction retention device. An appropriate length garment shall cover the firearm.

Only weapons and ammunition authorized by the department may be used by personnel during performance of law enforcement responsibilities. Only department personnel demonstrating proficiency in the use of department authorized weapons will be approved to carry such weapons. All personnel being trained to carry lethal and less lethal weapons will be instructed in and issued copies of MPD P&P Chapter II Section 8 Response to Resistance before being authorized to carry the weapon. At least annually, all personnel authorized to carry weapons are required to receive in-service training on the MPD Response to Resistance policy and demonstrate proficiency with all approved lethal weapons that the officer is authorized to use. In-Service Training for officers authorized to carry less lethal weapons and use weaponless control techniques shall occur biennially.

Before any weapon is used by any employee in the performance of their duty and prior to carrying it on or off-duty, the weapon must be reviewed, inspected, approved and recorded by the FTU Gunsmith department to ensure compliance with MPD Policy and Procedure, proper operating condition and safety. Officers will contact the FTU to have the weapon inspected and qualify with the weapon.

The description of weapons used under the auspices of the department, both on and off duty, shall be properly recorded by the FTU. Records shall include the type, description, model, serial number, owner or assignee's name, name(s) of approving officers and proficiency scores. Records shall be maintained at the FTU and all officers are required to conform to this procedure prior to use. All firearms involved in shootings will be subject to seizure and will not be replaced by the FTU.

Members of this department shall keep their firearms in good serviceable condition. It shall be kept clean, free from an excessive amount of oil or rust preventative and always ready for inspection. No abrasive materials, such as an ink eraser, crocus cloth, sandpaper, emery cloth or steel wool or any other material, which will scratch the metal, should be used in its maintenance, except during authorized repair by the FTU Gunsmith.

Officers will check their personal weapons prior to beginning duty. If at any time a weapon is found to be malfunctioning or otherwise unsafe, the officer has the responsibility to immediately remove the weapon from service and to notify their supervisor so that the weapon may be replaced until repairs can be made. Supervisors shall order any unsafe or malfunctioning weapon to be immediately removed from service. Any equipment that is found to be unsafe or malfunctioning will not be returned to service until inspected by a certified FTU weapons instructor or, in the case of a firearm, the FTU Gunsmith with the approval of the Firearms Training Unit Supervisor. MPD firearms and weapon repairs will only be made by the FTU Gunsmith department.

Personal off-duty firearms may be serviced by a current certified gunsmith, in which case the firearm must again be inspected by the FTU Gunsmith department prior to being put back in service.

Workstation equipment clerks are charged with routinely checking the shotguns and SL-6 for cleanliness and function ability. If any employee has any question regarding the reliability or safety of a weapon, it is to be removed from service and transported to the FTU Gunsmith department to be inspected. If necessary, a replacement weapon will be issued.

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When a firearm is found to be inoperable or unsafe, the gunsmith will tag the weapon for repair and will provide a replacement firearm. The gunsmith will attempt to repair the firearm. If attempts to repair the firearm are unsuccessful, the firearm will be sent to the manufacturer for repair. On rare occasions, the firearm is damaged beyond repair and will be stripped of all usable parts by the gunsmith, cut up into pieces, and destroyed. Prior to the destruction, the FTU supervisor must be notified in writing of the circumstances. The weapon will be noted in the FTU Inventory Control Database as to why, what and when the firearm is being destroyed. Firearm records are not to be removed from the FTU inventory database for any reason.

II. Service Handguns and Ammunition

The **only** authorized on and off-duty police service handguns are listed below. Any other Special Weapons must be approved by the Chief of Police and a list of these approved weapons will be maintained by the FTU. Commissioned personnel are subject to required training and qualification in accordance with Tennessee Code Annotated 39-17-1315 Written Directive and Permit to Carry Handguns.

- A. Duty Firearms – The SiGARMS .40 caliber model 229R, 229R-DAK double action only, stainless steel with non-reflecting Blue/Black finish are the only approved handguns for all police commissioned personnel. Both handguns are authorized for on and off-duty carry and for all uniform and plain clothes (Investigative Services) assignments.
- B. Alternate Duty Firearms – The SiGARMS .40 caliber model P239, double action only, stainless steel with non-reflecting Blue/Black finish, Smith & Wesson 9mm Model 3953, and the Smith & Wesson .40 caliber model 4053 stainless/alloy are the only approved alternate handguns for all police commissioned personnel. These firearms are authorized for on and off-duty carry for all officers NOT working in a uniform capacity, and for all; Majors and above regardless of their duty assignment.
- C. Off-Duty Firearms - The only off-duty handguns authorized by this department will be the Duty Firearms, SiGARMS .40 caliber model P229/229R, 229R-DAK (double action only), the .40 caliber Smith & Wesson model 4043, 4043 TSW, the Smith & Wesson 9MM model 3953, the Smith & Wesson 9MM model 5946, and authorized secondary duty firearms.

Officers must have the off-duty firearm inspected by the FTU Gunsmith department and qualify with the off-duty firearm annually.

D. Secondary Duty Firearms

1. The following handguns are authorized for Secondary Duty Firearms:

a) Smith and Wesson five (5) shot Model handguns:

- | | | | |
|--------|---------|------|------|
| • 36LS | • 6 | • 36 | • 42 |
| • 442 | 4 | • 37 | • 49 |
| • 637 | 2 | • 38 | • 50 |
| • 638 | • 642LS | • 40 | • 60 |

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- 60LS
 - 342
 - 640
- b) Ruger, Model LC9 in 9mm caliber, DAO (no external safeties), Law Enforcement Model #03222 with a laser and Model #03216 without the laser. Ruger LC9s (striker fired) Model #3248 without laser.
- c) Sig Sauer, Model P365 in 9mm caliber, Sig Sauer, Model P290 in 9mm caliber, DAO.
2. Secondary Duty Firearm Specifications:
- Caliber - Must be .38 Special +P or 9mm (no. 357 magnum)
 - Barrel Length - Must not exceed 2 inches in length (revolvers only).
 - Sights- Must be fixed.
 - Ammunition - Only approved by the Firearms Training Unit.
 - Revolver - Must be double action only (not capable of single action), with a bobbed, shrouded or fully enclosed hammer; must be rated for +P ammunition.
 - Authorized Speed loaders/Speed Strips - Only Safariland or HKS speed loaders and Bianchi or Tuff Products speed strips are authorized for secondary duty firearm use and when carried must be kept loaded with 5 rounds of approved service ammunition.
3. The only authorized on-duty carry locations are as follows:
- Ankle Holster with mechanical, friction, or pressure retention device
 - Vest Holster with mechanical, friction, or pressure retention device
 - Pocket Holster
4. Training and qualification:
- Officers must attend an eight (8) hour training session and pass the Secondary Firearms qualification course as determined by the Firearms Training Unit
 - The minimum passing Secondary Firearms qualification score is 80%.

E. Special Weapons - The department may issue or make available “special weapons” (e.g., submachine guns, counter sniper rifles, gas guns, less-lethal impact munitions and other weapons, etc.) to authorized employees who have successfully completed specialized training and qualification in the operation and use of these weapons. (i.e. Tact, OCU, etc.)

All special weapons must be approved by the Chief of Police. A list of these approved weapons, munitions and ammunitions will be maintained by the FTU, and updated as deemed necessary.

F. Ammunition - The only ammunition that will be authorized for the Duty Firearms, Alternate Duty Firearms, Secondary Duty Firearms or the Off-Duty Firearms will be FTU issued ammunition. The FTU will maintain a list of authorized ammunition. Ammunition for qualification will be furnished by the FTU for an officer's Duty Firearms, Alternate Duty Firearms, Off-Duty Firearms, Secondary Firearms and Less Lethal Weapons.

Uniform Patrol officers carrying the SiGARMS .40 caliber model 229R-DAO shall carry the

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FTU approved ammunition and magazines at a minimum of 37 rounds. These rounds are to be carried on their uniform belt and within the weapon. Each magazine will be loaded with 12 rounds (36 rounds) and one round chambered in their SiGARMS weapon for a minimum of 37 rounds. Officers are authorized to carry additional Sig manufactured 12 round magazines with the approved FTU ammunition at their own expense.

Officers carrying other approved weapons will carry the weapon fully loaded at maximum capacity and will carry all magazines at maximum capacity.

No member shall, while in the performance of police duties or acting under the auspices of the department, use or possess any cartridge, which differs from the approved departmental issued ammunition, nor shall he/she alter, polish, tamper or otherwise change the ballistic properties of such ammunition. Ammunition will be replaced periodically by the FTU and a supply shall be available for purchase from FTU personnel. All ammunition purchased from the FTU will be shot on site, unless approved by the FTU Supervisor. Ammunition purchased from the FTU will not be resold.

The mechanical functions of any authorized weapon will not be altered, nor any emblems displayed except those normally placed on the weapon by the manufacturer. Any accessories, prior to being placed on any weapon, must be approved by the FTU Gunsmith (only). (Optional grips are acceptable after inspection and/or modification and approval by the FTU Gunsmith (only).

All members of the department who are commissioned shall be required to attain a minimum score yearly with any primary duty handgun carried. All members, as determined by the Command Staff, shall be required to qualify yearly with the shotgun, if this weapon is required to accomplish their duty assignment. The minimum score for weapons will be 80%. All proficiency training must be monitored by a FTU certified firearms instructor.

When an accidental discharge of a weapon occurs, the weapon shall be forwarded to the FTU Gunsmith for inspection. The gunsmith shall inspect the weapon for malfunctions and make a report by memorandum to the Commander of Training who shall notify the Chief of Police. Officers shall be issued a replacement weapon during the inspection period if circumstances warrant.

III. Shotguns

- A.** The regulation shotgun for the Memphis Police Department is the Remington Model 870, .12 gauge, pump action, riot shotgun. This weapon is owned and issued by the department. No other shotgun may be used, except those designated for Special Units by the Chief of Police and the FTU Supervisor.
- B.** Every authorized officer is required to be proficient with the shotgun in regards to its use,

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care, loading and unloading, visual and operational inspection as taught by the FTU. Daily visual and operational checks will be made by officers who use these weapons prior to going on duty. Weekly inspections will be made by supervisors to ensure proper cleaning and functioning. Periodically, guns will be called in to the FTU for inspection and detailed cleaning. Any deficiencies must be reported to the FTU. All officers when entering the FTU facility with the duty shotgun or any other shoulder firearm is to have the action open, safety on, weapon unloaded and safety flag inserted. Also, the firearm is to be carried with the muzzle in a safe upward position or if the shotgun has a sling it is to be slung with the muzzle down. Officers are to be responsible for the security of any firearms brought into the FTU facility. At the completion of training, sidearms are to be reloaded on the firing line or in the clearing barrels. Duty shotguns should be reloaded after exiting the FTU facility.

IV. 12 Gauge Rifled Slug:

A. Definitions:

1. **Soft Body Armor** – small, light weight, concealable vest made of ballistic panels, trauma plate and designed to protect police officers from death or serious injury during handgun, shotgun pellet, club, and other blunt trauma assaults.
2. **Hard Cover** – any material that provides protection from small arms ammunition.
3. **Extended Range** – Distances from 25 to 50 yards.
4. **Rifled Slug** – A single lead pellet of approximately .72 caliber.
5. **Maximum Effective Range 12 Gauge Rifled Slug** – the maximum effective range is 75 yards.
6. **Maximum Effective Range 12 Gauge .00 buck Shot** – the maximum effective range of the 12 gauge .00 buck shot is 40 yards.
7. **Qualified Officers** – Those Memphis Police Officers who have **successfully** completed slug training and have fired a minimum passing score of **80%** on the slug qualification course.

B. **Only qualified officers are authorized to use 12 gauge-rifled slugs in the following circumstances where Deadly Force is authorized:**

1. On lawful order by a supervisor or commanding officer, or
2. The officer faces immediate danger, and determines that the duty weapon and 12 gauge .00 buck shot is insufficient to neutralize the threat, or
3. The officer determines the suspect is wearing protective body armor or protected by hard cover, or
4. The officer determines that a slug will provide a more accurate shot out to a maximum distance of 75 yards.

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C. Carrying of Slugs - Officers will carry slugs on the shotgun stock or duty gun belt in a shotgun shell carrier approved by the FTU. **Slugs will never be carried in the shotgun until the use of the slug is authorized.**

D. Weapon and Qualification - Rifled slugs will only be fired in a Remington 12-gauge 870 pump action shotgun with ramp bead front sight or other authorized shot guns. Qualified officers will have priority in the issuance of these shotguns during the tour of duty. **Officers will qualify annually and score a minimum of 80%**

V. Carrying Firearms in Medical Facilities and Courts

In any psychiatric facility, the possession of a firearm presents a serious hazard. Officers will follow the guidelines for the carrying, displaying, or securing of their firearms, which are set by each institution involved. Federal government hospitals, installations, and courts each have their own guidelines on carrying weapons as well as some state and county installations, e.g. prisons. Officers will comply with these restrictions.

The judges in the Criminal Courts and Circuit Courts, 30th Judicial Circuit at Memphis, have issued orders allowing law enforcement officers who are required to appear in court as a witness, and are legally authorized to carry a firearm, to wear side arms in the courtroom while court is in session.

Officers who are merely spectators at a court proceeding in Criminal Court and Circuit Court should check in their service weapon in the Property and Evidence Room prior to entering the courtroom. Their weapon must be unloaded and the shells kept in their pocket prior to checking it in the Property Room. A logbook has been set up for the officer to check in his weapon by giving his name, time in, serial number of his service weapon and time out. The officer's weapon will be placed in an individual locker until the officer finishes court at which time he will return to the Property & Evidence Room to sign out and pick up his service weapon.

VI. Firearms Safety, Safekeeping, and Proficiency Qualifications Standards for all Commissioned Officers

A. Officer's Responsibility for Safety of Firearms, Ammunition, and Handcuffs:

1. Officers are responsible for keeping both on duty and off duty firearms, ammunition, and all issued equipment under safe and protected conditions, especially preventing their use, theft, tampering, or damage by others. This responsibility extends when the firearm is carried on the person, or stored in any place. This responsibility extends to officers when in both on duty and off duty status. Officers should take all necessary steps to prevent the loss or theft of firearms.
2. Guidelines for safe and proper storage of firearms:
 - Vehicles - Placing or locking a weapon in a glove compartment or trunk should not be considered safe in itself. However, a secured device such as a gun safe, which is fixed and attached to the vehicle, would be a safe measure.
 - On duty: Loaded or unloaded firearms shall be kept in a locked case, safe, rack, or

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other secure device when not worn by officers. **Portable** locked cases alone and desk drawers are not secure locations for firearm storage.

- Home: All Firearms and ammunition shall be maintained in a secure location in the home, and
 - Secured by a device or mechanism (such as a cable lock), other than the firearm safety mechanism, designed to render a firearm temporarily inoperable; or
 - Placed in a securely locked safe or container.
- 3. No lost or stolen firearm will be replaced without a written memo and an equipment replacement form from the officer to the Deputy Chief explaining the basis for the request. The FTU must also be given a copy of the police report, including the NCIC number, for the firearm.

B. In-Service Firearms and Additional Firearm Proficiency Standards:

All authorized officers (regular and reserve) shall be required to attain a minimum score of 80 % yearly with both the on duty, off duty handgun, and the department issued shotgun. Officers should practice as necessary to maintain their proficiency and familiarization with various weapons in their control.

Pursuant to the department's policy on proficiency with weapons and guidelines for the use of Deadly Force, all Regular and Reserve officers authorized by state law to carry firearms in the performance of their duties are required to complete a minimum of 8 hours of Firearms training, including a Deadly Force Lecture/Lab, during annual In-Service Training. All proficiency training must be monitored and documented by a certified instructor of the FTU.

The In-service qualification will be conducted annually. Training coordinators will schedule their personnel and furnish the Academy with a list of officers scheduled each week for In-Service training.

All issued firearms and equipment is subject to be inspected during annual Firearms training.

C. Successful completion of the Firearms Proficiency Qualifications Test includes a minimum score of 90% on the Deadly Force Use Decision Qualification Tests and a score of 80% or better on the following courses:

- Service Handgun
 - Dim Light Firing
 - Flashlight
 - Shotgun
1. If an officer fails any component of the initial qualification courses, the officer will be placed on non-enforcement status until the failed components are successfully completed. Two more attempts to qualify on each failing component will be made that day of training.
 2. If an officer fails to qualify on these additional attempts of the failed component, they will remain on non-enforcement status and be scheduled for the first available (8) hours Remedial Firearms Training Session. At the end of the eight hour session, the Officer will re-attempt qualification.

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3. If an officer fails to qualify after the (8) hours Remedial Firearms Training Session, he/she will remain on non-enforcement status and be scheduled for the first available (40) hours/ (5) days of remedial firearms training.
 - a. Prior to attending the (40) hour / (5) day session, the Officer must provide proof of an eye exam by a licensed Optometrist, within the last six (6) months of the scheduled remedial session. Officers with corrected vision must also report to remedial training with their prescription eyeglasses or contacts.
 - b. The officer will attempt requalification at the end of the 40 hour remedial training session.
4. At the completion of the (40) hour remedial session, the officers will be allowed a third and final attempt at qualification. The final qualification will be comprised of (three attempts) to pass. If successful, the officer(s) will be returned to full duty upon official notice by a Deputy Chief. If the officer fails to qualify, then the Officer will be separated from employment with the Memphis Police Department.
5. Officers must qualify with a minimum score of (80%) with the off-duty weapon. If the officer fails to qualify with the off-duty weapon, they will make arrangements with the Firearms Training Unit to make another re-qualification attempt. The officer will not be permitted to carry the off-duty weapon until they successfully re-qualify.

D. Responsibility to Report and Monitor Firearms Deficiencies or Impairments of all Officers:

1. All Officers - Responsibility to Report Firearms Deficiencies:
Any officer, who has reason to believe that such deficiency or impairment exists on his/her part, or the part of other officers, shall immediately report same to his/her respective supervisor or commanding officer.
2. Supervisor or Commanding Officer - Responsibility to Monitor:
Any supervisor or commanding officer who has reason to believe that an officer under his command demonstrates or exhibits a physical, psychological, intellectual, or emotional impairment which is likely to result in such officer's unsafe handling or deficient use of firearms shall be required to refer said officer to the Academy for a re-qualification course following the current In-Service proficiency requirements.
3. Supervisor or Commanding Officer - Responsibility to Report:
 - a. Supervisors and commanding officers shall also submit a report of such referrals to the Chief of Police and the Academy Commander. Additionally, the respective Commander shall place such officers in non-enforcement status until returned to full-duty status by the Chief of Police. Supervisors and Commanding Officers shall routinely monitor officers under their command to determine if the aforementioned deficiencies and/or impairments exist.
 - b. All Commanding Officers who hold disciplinary hearings and award discipline of "Remedial Firearms Training" must notify the FTU of the Training Academy of the disciplinary action within three (3) working days in order to schedule the training. The hearing officer will also need to submit, to the FTU Supervisor, a copy of the charges as well as any pertinent facts that led up to the discharge of the

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firearm.

This information is needed to address specific training of the officer as part of his/her remedial training.

E. Use of Departmental Firing Range Facilities:

1. Officers' use other than In-Service:

All officers who wish to use Memphis Police Academy Range Facilities (other than for scheduled firearms qualification) shall do so only with the permission of the FTU Supervisor. Officers granted such permission shall do so only under the supervision of FTU personnel. This section applies to both indoor and outdoor facilities operated by the Memphis Police Academy.

The Firearms Training Unit offers several open range dates each year for officers to attend off-duty and practice with their duty weapons. All officers are encouraged to attend. It will be the responsibility of each officer to call the Firearms Training Unit at 901-636-1680, to verify that no other training has been scheduled for the Saturday(s) they have chosen to attend.

2. Compliance with Safety Rules:

All commissioned officers and trainees using the Firearms Training Unit facilities shall follow all safety rules and regulations of the Firearms Training Unit. All commissioned officers must bring their appropriate leather gear, safety equipment, and body armor in accordance with the policies and procedures of the Memphis Police Department.

3. Guests:

Officers shall not bring guests to any Firearms Training facility without permission from the FTU Supervisor.

4. Use of Range by Other Persons:

No other persons, except commissioned officers and trainees of this Department, shall be permitted to use Academy Range facilities without permission from the Chief of Police Services. All persons receiving such permission must sign a "Hold Harmless form". In addition, such use must be under the direction of FTU personnel, and only with approved ammunition and equipment. Individuals or entities desiring to use the Firearms Training facilities must also fill out a City of Memphis Facility Use Agreements and make arrangements for rental fee payments if applicable.

F. Safekeeping

1. Definition of safekeeping:

The storing of city issued equipment and personal property of a commissioned law enforcement officer at the FTU.

2. The steps of safekeeping are:

- a. Issued MPD equipment and personal property will be brought to the FTU. The equipment will be inventoried by the delivering officer and a member of the FTU.

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A receipt, will be given to the delivering officer, by the receiving Firearms Training Member.

- b. The FTU staff member will check all MPD issued equipment against the data base to insure that the equipment being received is assigned to the individual officer. If there are any discrepancies, the commander of the FTU will be notified.
- c. All safekeeping equipment will be stored in the gun vault, until such time the individual officer's situation is resolved.
- d. The equipment data base will reflect the safekeeping status of all the equipment that is placed in safekeeping. A hard copy will be put with the equipment and a hard copy will be placed with MPD gunsmith.
- e. Any equipment placed in safekeeping, due to the officer being relieved of duty, must have written approval from the Deputy Chief, Assistant Chief or Chief of Police before it is released back to the officer from the FTU.

G. There are three categories of safekeeping:

1. Military Leave: Officers that have been called up for military service. The individual officer will check their equipment in to the Firearms Training Unit with a copy of their orders. The officer may retrieve their equipment, when their military obligation has been fulfilled.
2. Sick or injured: Officers that are unable to take care of their equipment due to a long term illness or injury. Issued equipment may be put into safekeeping by any supervisor on behalf of the incapacitated officer. The officer may retrieve his equipment after the FTU Supervisor has received written confirmation from a Deputy Chief that the officer is cleared to return to duty.
3. Relieved of Duty: Any officer that is administratively suspended of law enforcement powers. Any supervisor may place relieved officer's equipment in to safekeeping. Written notification from a Deputy Chief, Assistant Chief or Chief of Police will be needed when the equipment is brought for safekeeping to the FTU. It will take written notification from the Deputy Chief, Assistant Chief or Chief of Police to release equipment back to the assigned officer.

VII. Police Batons

Officers will be issued a baton, purchased by the City of Memphis. The baton will become a part of the officers' duty equipment and will be carried during the officer's tour of duty. Each officer will be responsible for the care and condition of the baton and all uniform officers will be required to have it on his person on police service calls, or any time while on duty if instructed by a supervisor. Uniform officers will also be required to have the baton within their presence (e.g., police vehicle) during routine patrol, as well as other routine police functions, if the baton is a part of their normal police equipment.

Investigators will not be required to obtain the baton. However, they may obtain one at their discretion.

When in uniform, the baton will be worn in an "O" ring, metal or plastic in construction, silver, brass, chrome, or black in color that attaches to the officer's belt. These "O" rings will not be

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purchased by the City. However, they may be obtained from the officer's annual clothing allotment.

A. Specifications:

1. The wooden baton's dimensions will be 26 inches long and cylinder turned to a diameter of 1-1/4 inches, rounded on both ends, smooth sanded, and stained black. The police baton will be made from high-density, close and straight grain hickory, weighing not less than 14 or more than 18 ounces. The baton shall have a black neoprene rubber sleeve grommet slipped over the baton and positioned 6 to 8 inches from one end.
2. ASP Collapsible Baton: The ASP (Armament Systems & Procedures) collapsible baton will be issued on a regulated basis as of 11/18/03 under the following conditions:
 - The ASP will be used by only those officers who have been certified and received specific written permission from the Chief of Police.
 - Before any officer can be certified to carry the ASP, they must first successfully complete an eight (8) hour ASP training course conducted by the Memphis Police Department Training Academy.
 - The only ASP approved for the Memphis Police Department is the ASP model # F2611 or F26B positive lock 26 inch, or model # F31B positive lock 31 inch (fully extended length) collapsible baton, black-chrome in color with a foam vinyl grip.
 - The ASP will be carried on the officers' belt, in the holder approved by the Memphis Police Firing Range.

B. Training Required:

All recruits will be trained with their police issued baton and ASP in recruit physical training classes. Officers currently in the field will receive techniques training periodically during in-service training classes. No unauthorized police baton is to be carried on duty by any officer, either on the person or in a vehicle. Any violation of this order will result in disciplinary action.

C. Prior Training:

Any previous baton training that any officer has received which may employ any type strike to the head area above the shoulder line should not be utilized. This will include any prior training received through the Memphis Police Academy, military training, or any training received by any other means.

Any prior training received in any type choke-hold, carotid type or otherwise should not be utilized. This will include any prior training received through the Memphis Police Department, military training, or by any other means.

Any prior training received in any type come-along technique which employs a baton, flashlight, or other weapon which applies any type hold to the head area above the shoulder line should not be utilized. This will include any prior training received through the Memphis Police Academy, military training or by any other means.

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D. Exceptions:

The only exception for the use of any strike, choke-hold, or come-along applied to the head area above the shoulder line, would be if the officer was otherwise justified under the current Memphis Police Department deadly force policy.

Personal body weapons (hands, feet, fists, etc.) are excluded from these requirements WITH THE EXCEPTION OF ANY TYPE CHOKE-HOLD.

E. Personal Defensive Weapons:

No other type non-ballistic personal defensive weapons will be carried on an officer's person or in any police vehicle. These weapons will include but not be limited to: (slappers, black-jacks and sap-gloves)

Officers will be allowed but not required to carry a small folding blade knife which may be carried in the officer's pocket. If the officer chooses to carry a knife other than in his pocket it must be completely covered in a black scabbard and attached to the officer's uniform belt. Officers will not carry a knife with a blade that exceeds four inches. The Memphis Police Department views this type knife as a utility tool, e.g. to be used by officers to cut seat belts away from a victim in an accident, or to cut clothing if needed to render first-aid.

VIII. Flashlights

A. Handheld Flashlights

Officers will not carry "metal" flashlights on duty except those prescribed below. Flashlights carried by officers must be constructed entirely of a "non-metal" material (e.g., plastic). This is to include the lens and end caps, the body, etc. **Any violation of this order will result in disciplinary action.**

Metal flashlights may be carried if they met the following guidelines:

1. Must be powered by AA, 3v Lithium, or rechargeable batteries (no C' or D') cell batteries
2. Must be less than 10" in length, 5.25" in circumference at the widest point and must be 15 ounces or less in total weight (including batteries).

B. Weapon Mounted Lights

All authorized weapon mounted lights must meet the following requirements:

1. Have a minimum of (65) lumens output
2. Must be capable of being attached and detached with one-hand
3. Lasers are unauthorized (See subsection VIII, C. for exception)
4. Must have a momentary and constant 'On' switch, only

All officers must qualify yearly with the weapon mounted light. All weapon mounted lights must be approved by the FTU Supervisor or authorize designee.

Officers will be responsible for the purchase of their weapon mounted light and any accessories. A passing score on the Flashlight Qualification Course will be required with a

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regular approved flashlight **AND** the weapon mounted light before the weapon mounted light may be carried in the field. If the officer decides to purchase a weapon mounted light, they must report to the FTU and qualify with the light mounted on the weapon before carrying the light on duty. Weapon mounted lights **WILL NOT** be provided by the FTU. Weapons must be carried in the issued holster for Uniform Patrol. An alternate duty holster which accommodates the weapon with the light attached must be approved for use by the FTU Supervisor and the FTU gunsmith before it may be used on duty. Off-duty or plainclothes type holsters may accommodate the weapon with the light attached, but must incorporate a retention device that secures the weapon in the holster.

C. Lasers

1. **The Tact Unit may use appropriate lasers for any of their duty weapons.**
2. The approved laser for the 5-Shot Revolvers (secondary duty weapons) are the Crimson Trace Model # LG-105, LG-305, and LG-405 black in color only.
3. The approved laser for the LC9 and LC9s Semi-automatic pistol (secondary duty weapons) is the Crimson Trace Laserguard Model # LG-412 black in color only (**Laser Max lasers are not authorized**).

IX. Chemical Irritant Agents

"CHEMICAL IRRITANT AGENTS" are concentrated liquid chemical sprays or gases which cause intense burning, profuse tearing and temporary loss of vision. The effects will generally wear off in approximately 20- 45 minutes with no harmful after effects.

A. Devices for dispensing chemical irritant agents:

Chemical irritant agents can be dispensed by hand held canisters, grenades, or mechanical devices used to disperse the chemical irritant agents over a large area.

The most commonly used device by the Memphis Police Department is the hand held canister which is used to spray the chemical irritant agent into the eyes and facial area of a subject. Memphis Police Department officers shall carry only those hand held canisters of chemical irritant agents issued through the Firearms Training Unit. Each canister is numbered and records are kept on file by the Ordinance Section.

Only T.A.C.T. Unit personnel shall carry other chemical irritant agent dispersing devices, and then only after the officers have received training and are certified on the equipment. Any other exception to this policy must be approved by a Duty Chief.

B. Carrying and maintenance of hand held canister and leather holder:

To ensure each officer's canister is in proper working order, the Firearms Training Unit will test and weigh each officer's canister during annual In-Service training each year. Officers shall carry the canister in the issued leather holder on the duty belt.

It is the responsibility of each officer to properly maintain his/her hand held canister and leather holder. Proper maintenance includes immediately drying off the canister and leather

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holder when it gets wet. If the canister is dropped into a large amount of water, it is to be taken to the Firearms Training Unit to be inspected. An officer should never leave his/her canister where it is exposed to excessive heat or cold.

Example: Leaving the canister in a vehicle during the summer or winter causes a chemical break down, rendering the spray less effective. The leather holder should be kept clean and the snap checked daily to maintain proper working condition.

Officers shall visually inspect the condition of the canister and leather holder before and after their shift. Any debris in the leather holder shall be cleared to prevent obstruction of the nozzle. Any canister which shows visible signs of leakage shall be turned in to the equipment officer for replacement.

ALL OFFICERS WHO USE THE CHEMICAL IRRITANT AGENT ARE REQUIRED TO MAINTAIN AN EFFECTIVE LEVEL OF SPRAY BY HAVING THE CANISTER WEIGHED FOLLOWING EACH USE.

Officers shall have their chemical irritant spray canisters weighed at the Property Room of the Criminal Justice Complex following transport of subjects who have been exposed to the spray. Officers shall record the location, date, time, canister number, weight, and name of Property Room attendant that weighed the spray in the summary of the Response to Resistance Blue Team incident. The same procedure shall be followed when subject(s) are transported to the Regional Medical Center holding area. A digital scale is available for the police supervisor assigned to the Med. Only officers who use the spray and transport to the Med will have their canisters weighed at the Regional Medical Center. A digital scale is available at each precinct. All officers who use their spray during an incident, but did not transport, will report to the precinct equipment room where a supervisor will weigh the officers' canister and document in the BlueTeam Incident.

Before any canister is weighed, the digital scales at the precinct or the Regional Medical Center will be calibrated by using any denomination of U.S. currency. The weight of the currency should be one gram exactly. If the scales are not working properly, the supervisor will contact the nearest precinct to see if that precinct's scales are working properly. If the supervisor is advised the nearest precinct's are in proper working order then the supervisor will have the officer report to that precinct. If the nearest precinct's scales are not working properly, the supervisor will check the other precincts until he/she finds a precinct which has properly working scales.

All scales which are not in proper working order will be taken to the Criminal Justice Complex Property Room by the precinct equipment person for repair or replacement. The above procedure of weighing and recording will assist officers when a false use of chemical irritant agent complaint has been filed.

When the weight of an officer's canister of chemical irritant agent weighs 40 grams or less it is the responsibility of the officer to notify his/her supervisor. The supervisor or the assigned shift equipment person shall meet the officer at the precinct equipment room where the officer shall be issued a new canister after a Response to Resistance Incident in BlueTeam has been

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completed. It is the responsibility of the supervisor to ensure that the used canister and replacement form is given to the assigned precinct equipment person. It is the responsibility of the precinct equipment person to take the canister and a copy of the replacement form to the Firearms Training Unit for a new replacement. A copy of the replacement form shall be placed in the officer's precinct personnel file by their supervisor.

TRAINING: All officers authorized to carry a chemical irritant agent must complete an initial four (4) hours of training, and (2) hours of retraining every (2) years, both of which shall include training on contamination and decontamination techniques as well as testing on irritant agent scenarios (similar to that of the Deadly Force scenarios).

A minimum written score of 80 percent and a minimum scenario score of 90 percent is required for initial certification and annual re-certification.

All officers assigned to the Regional Medical Center and all officers designated as Crisis Intervention Team members will receive special training with 10% Pepper-foam. Regional Medical Center officers and C.I.T. officers will be issued 10 % Pepper-foam canisters and specially designed belt carriers upon completion of training. Both the 10 % Pepper-foam canisters and special belt carriers will be returned to the Firearms Training Unit upon transfer of duty from the Regional Medical Center or removal from C.I.T. status, respectively. The use of 10% Pepper-foam will be controlled by all provisions of the Chemical Irritant Agent Policy, and due to its special design characteristics, will be the only personal chemical irritant permitted to be used in medical facilities. When the weight of an officer's canister of 10% Pepper-foam weighs 70 grams or less it is the responsibility of the officer to notify his/her supervisor for replacement.

Training will be conducted by members of the Firearms Training Unit who have been certified in the use of chemical weapons. Initial exposure to the chemical will be conducted under close supervision by the commander of the Firearms Training Unit. No officer will be certified to carry the hand held chemical irritant agent who has not successfully completed the required training. Records will be kept at the Memphis Police Academy identifying certified officers.

C. Rules on chemical irritant agents - the response to resistance:

Chemical irritant agents will continue to be used in the force continuum between verbal commands and physical confrontation. Because the use of this tool is an escalation of the force continuum, officers must exhaust all verbal means to control a subject prior to chemical irritant agent application. Although the use of the chemical irritant agent is not an actual "hands on" contact with a subject, officers must still adhere to all provisions regarding response to resistance as listed in the Memphis Police Department Policy and Procedures Manual and as governed by statute. The officer must perceive a "credible" physical threat to his/her, the subject's, or another person's safety prior to the application of a chemical irritant agent.

A "credible" physical threat to the officer, subject, or another person must include some type of overt action by the subject. No officer shall use a chemical irritant agent on a subject unless that subject is to be arrested or transported for mental evaluation and has presented a clear physical threat to the officer, himself, or another person.

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Use of chemical irritant agents in compliance with these guidelines is lawful non-deadly force and is authorized to affect a lawful arrest, to prevent escape from lawful custody, or to defend the officer or another from what the officer reasonably believes is the imminent use of physical force, or to restore institutional integrity in a detention facility. Example of an institutional detention facility would be the Shelby County Jail.

Definition: An overt act is an act that a reasonable law enforcement officer would believe indicates an intention to kill or do bodily harm to the officer or another person. An overt act also encompasses a subject who attempts to escape from custody.

WARNING: The chemical irritant agent has the potential to be flammable. For this reason officers shall use extreme caution when using the chemical agent around open flames, lit tobacco products, or any mechanical or electrical devices or EDW (Taser type weapon), which could ignite the agent.

Verbal persuasion (verbalizing) and a warning are required before use of chemical irritant agents if circumstances allow verbalizing and warning without risk to the safety of the officer or others.

A verbalized warning is not required when the defendant resists "soft hand" techniques, resists more substantial force, when there is a risk (demonstrated by an overt act) to the safety of the officer or others if the use of chemical irritant agents is delayed, or if the subject flees from lawful custody.

Definition: "Soft hand" techniques include any touching or attempted touching by an officer, such as applying moderate pressure to turn, guide, or escort the person being arrested. Wrestling a subject, pulling a subject, and bending arms for handcuffing are higher levels of force than "soft hand" techniques.

D. Chemical irritant agents may be used against a person who:

1. By an overt action, refuses to submit peacefully to lawful arrest, or attempts to escape from lawful custody, or refuses compliance with lawful orders during arrest, detention or custody is subject to be sprayed with a chemical irritant agent if:
 - a. the subject has made an imminent physical threat by an overt action and the officer reasonably believes the use of soft hands techniques will jeopardize the safety of an officer, themselves or another person, or;
 - b. the officer has attempted "soft hands" techniques and the arrestee resists that attempt, or;
 - c. the circumstances reasonably indicate, by an overt act, that attempting "soft hands" control may lead to an escalation of force and accompanying risk of serious physical injury to the person being arrested or to any officer.
2. Is a prisoner lawfully confined in a detention or correctional facility, before or after conviction of a crime, is subject to the use of chemical irritant agents if the prisoner assaults or threatens imminent assault of any person, or by language or any conduct incites others to assault any person. This only applies when the Memphis Police Department is requested to assist the Shelby County Sheriff's Department, or another law enforcement agency, which has a detention or correctional facility within Shelby

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County.

Example: The Criminal Justice Complex Jail, Shelby County Penal Farm and both state and federal correctional facilities located within Shelby County. No warning is needed if an imminent physical threat by an overt action exists to the safety of any person.

3. An officer can spray a dog if the animal poses a nuisance and jeopardizes an official police operation. Example: A barking dog which jeopardizes officer safety prior to serving a search warrant upon a dwelling is cause to utilize the chemical irritant agent against the animal.

E. Chemical irritant agents CANNOT be used against a person who:

1. Submits peacefully to arrest and complies with lawful commands during a lawful arrest, or
2. Complies with lawful commands during a valid investigative stop, traffic stop, in custody, or detention, or
3. Is expressing mere verbal disagreement that does not threaten or incite others to threaten an officer and is not significantly delaying or obstructing discharge of duty, or
4. Is a non-threatening subject who does not pose a significant risk to officer safety, or
5. Is an operator of any motorized vehicle, and who has control of the vehicle, such as a traffic violator behind the steering wheel, or
6. Has been taken into custody and who is handcuffed, unless the subject presents a clear and imminent physical threat by an overt action to the officer, himself/herself, or another person (Any incident where a chemical irritant agent is used after a subject has been taken into custody and handcuffed will be forwarded to Internal Affairs for review. Internal Affairs and the FTU will retain all reviewed Response to Resistance Reports on file), or
7. Has merely destroyed property. The mere destruction of property is not considered an overt act, or
8. Is inside the confines of a medical facility, or
9. Is being transported in the squad car. If a subject is violent on the scene prior to transport an additional officer, or officers, will follow the transporting officer to the Criminal Justice Complex Jail, or the Regional Medical Center, and assist the transporting officer during the transport if needed and assist him/her in getting the subject inside the facility. If the subject is calm on the scene and becomes violent while being transported then the transporting officer shall advise the dispatcher of the situation, location, and direction of travel. The officer shall continue transporting and the dispatcher will have additional officers to rendezvous with the transporting officer so the subject can be better secured.

F. After using chemical irritant agents:

1. If circumstances allow, do not attempt to forcibly handcuff a sprayed prisoner immediately after spraying. Give the prisoner a brief opportunity, about 30 to 60

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seconds, to react to the spray and overcome gagging or coughing. This gives the prisoner an opportunity to overcome the temporary effects of the chemical irritant agent on the respiratory system unaffected by the physical stress of handcuffing.

2. It shall be the responsibility of the officer to take necessary steps in safeguarding the personal safety of the prisoner once they have been sprayed.

Example: Some prisoners may panic and run blindly after being sprayed. Officers should anticipate the need to prevent injury during a panic reaction. Immediate restraint of a prisoner who panics may be necessary. Avoid placing pressure or weight on the suspects back if possible.

3. The best first aid for exposure to chemical irritant agents is fresh air and copious amounts of clean cool water to flush out the eyes. Face the subject into a breeze if possible. As stated earlier, the effects will wear off in 20-30 minutes and the prisoner should be made aware of this.

Generally ointments and salves should never be applied on the affected areas, but if the occasion should arise where a certain chemical irritant agent is used and the manufacturers suggested treatment calls for ointments or salves, then an officer will call for an ambulance.

4. When an officer uses a chemical irritant agent on a subject, then he/she will immediately notify his/her supervisor. The supervisor will make the scene and upon arrival he/she will assess the situation. If further medical attention is necessary, appropriate action will be taken. When a chemical agent is used, the officer will complete the **Response to Resistance Incident in BlueTeam**. The supervisor is required to approve the **Response to Resistance Incident in BlueTeam** after the officer has checked it for accuracy. If the supervisor has reservations concerning the accuracy, the supervisor will not approve the BlueTeam incident and will write a memo to the shift commander explaining his/her reservations.

The supervisor will attach the memo to the **Response to Resistance** incident in BlueTeam and forward the memo for the shift commander's review. If the shift commander is in agreement with the supervisor concerning the accuracy he/she will follow the chain of command and forward the BlueTeam report with attached memo to precinct/bureau commander via BlueTeam. The precinct/bureau commander will determine if the report and memo shall be forwarded to the Internal Affairs Bureau for further investigation.

Any supervisor who has reservations and does not approve the **Response to Resistance BlueTeam Incident** shall not weigh the canister, but will have the officer report to the Criminal Justice Complex Property Room. The supervisor shall have the canister weighed by property room personnel. The supervisor will enter the weight information into the comments/instructions block of the BlueTeam incident before forwarding the incident up the chain of command.

All **Response to Resistance BlueTeam Incidents** shall be forwarded to a supervisor with the officer's paperwork at the end of the shift.

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5. No longer is "see arrest" ticket acceptable on the narrative of a Response to Resistance Incident in BlueTeam. The officer shall complete in detail the narrative in the summary section of the BlueTeam incident and articulate the following:
 - a. The reason for the initial police presence;
 - b. A specific description of the acts that led to the use of force;
 - c. The level of resistance encountered;
 - d. A description of every type of force used.
6. Guidelines for transporting prisoners as set forth in the Memphis Police Departments Policy and Procedures Manual shall be adhered to by all officers.
7. To assist in avoiding confusion on the radio when an officer has used a chemical irritant agent spray the officer shall simply advise a supervisor of its use.
8. The same guidelines as set forth in this chapter concerning the completion of the Response to Resistance incident shall apply to the spraying of dogs.

G. Guidelines for monitoring a prisoner's medical condition:

1. For all prisoners, officers must continually monitor the level of consciousness and breathing. When uninterrupted monitoring is not possible, an officer should observe and talk to the prisoner on a frequent basis during custody. Prisoners should not be left alone in a car or in a room for any period of time. Do not assume a silent prisoner is asleep or harmlessly intoxicated.
2. The following prisoners are in a "**special attention**" category for medical emergencies:
 - a. Prisoners who run from officers, or violently resist restraint, or try to assault officers.
 - b. Prisoners whom the officer believes to be impaired by alcohol or drugs.
 - c. Prisoners who are breathing very rapidly, or sweating heavily, or exhibiting pallid skin color.
 - d. Prisoners engaging in deranged and irrational conduct or speech.
 - e. Very obese prisoners, or prisoners with a known medical condition (e.g., diabetes, a seizure disorder, asthma, or heart trouble) or prisoners who are of advanced age.

For "**special attention**" prisoners, an officer should monitor a prisoner's breathing and consciousness on an uninterrupted basis, unless a law enforcement emergency prevents it. If feasible, try to monitor a "special attention" prisoner at all times during and after arrest until the prisoner is released from custody or turned over to another agency. If back-up officers are available, use two officers to transport "special attention" prisoners, whenever possible. Officers should check for a Medic Alert bracelet, necklace, prescription bottles, and medical cards or papers in subject's wallet or purse on "special attention" prisoners.

"**Special attention**" prisoners should be asked if they are suffering from any serious medical condition. If a "special attention" prisoner advises he has a serious medical

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condition then it shall be the responsibility of the officer to call for an ambulance. This will allow a paramedic to check the medical condition of the "special attention" prisoner. The paramedic will make a determination if the subject will need to be transported to The Med for additional medical attention or if the subject can be transported to the Criminal Justice Complex.

3. It shall be the responsibility of the arresting officer to call for an ambulance if he/she observes any prisoner, "**special attention**" or otherwise, who displays or indicates life threatening symptoms by:
 - a. loss of consciousness, or
 - b. stops breathing, or
 - c. suddenly becomes incoherent, or
 - d. begins to hyperventilate.

NOTE: If any prisoner starts to show any of the above medical conditions then the handcuffs should be placed in front of the prisoner, unless officer safety considerations make that too dangerous.

X. Conducted Energy Weapon (CEW)

Selected personnel who are certified Crisis Intervention Team (CIT) or certified (CEW) Instructors. Officers will be trained on Conducted Energy Weapon, including Extended Range Impact Weapons.

A. Definitions

1. Less Lethal Force - Force applied with the intention to subdue or render a subject non-threatening, with a lower probability of producing fatal results.
2. Conducted Energy Weapon (CEW) - The electronic control device is a less lethal, hand held device that discharges an electronic current to override a subject's central nervous system causing temporary incapacitation (probe mode) or discomfort (stun mode).
3. Authorized Users - Only active CIT officers and certified Instructors properly trained in the use of CEWs by the Firearms Training Unit are authorized to carry and use an approved and departmentally issued CEW device within the established departmental guidelines.
4. CEW Cartridge - Sealed unit that contains the CEW probes.
5. CEW Operational Modes:
 - a. Drive Stun Mode - The CEW is placed in immediate contact with the subject's body or clothing. Stun mode creates discomfort in the immediate area around the probe contact points and due to the narrow spread of the CEW probes the stun application will likely not cause motor skill dysfunction.

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- b. Probe Deployment Mode - Two darts on wires propelled from a cartridge to contact a subject's body. The CEW sends an electrical signal to the probes via the wires, which can disrupt the subject's body's ability to communicate messages from the brain to the muscles to disrupt motor skill functions. Disruption depends upon many factors to include distance between probes, probe placement, and subject's clothing thickness.
6. CEW Operational Methods:
 - a. CEW Displayed - The CEW is withdrawn from the holster and is visible to the subject. The subject complies or the incident concludes without the actual use of the CEW.
 - b. CEW Arc Displayed - The CEW is withdrawn from the holster and the electric arcing is displayed to the subject. In response to the subject's observation of the Taser arching, the subject complies or the incident concludes without the actual use of the CEW by either probe deployment or stun mode.
 - c. CEW Laser Pointed - The CEW is withdrawn from the holster and the laser targeting mechanism is activated and pointed in the direction of the subject. In response to the subject's observation of the laser pointing, the subject complies or the incident concludes without the actual use of the CEW by either probe deployment or stun mode.
 - d. CEW Deployed - The CEW is used in Drive Stun Mode or the Probe Deployment Mode is utilized in an attempt to gain compliance.
 7. The CEW may be used only against persons who:
 - a. Present a risk of harm to officers;
 - b. Are physically resisting;
 - c. Present a risk of harm to others; or
 - d. Present a risk of harm to themselves.

NOTE: Officers must be aware that tasing a person multiple times may increase the likelihood of the risk of death or serious bodily injury to the person. Officers must be able to articulate the amount of force used when tasing a person multiple times and be aware that tased persons may not be able to respond immediately to officers commands.

8. **The CEW shall not be used:**
 - a. In any punitive (relating to, involving, or intending to inflict punishment) or coercive manner;
 - b. In Drive Stun mode for pain compliance to prod or escort persons;
 - c. On a handcuffed or secured individual absent an overly combative behavior that may cause harm to the officer or others and that cannot be reasonably dealt with in any other less obtrusive manner;
 - d. Solely as a compliance technique to overcome passive resistance or on any individual who does not demonstrate an overt intention to use violence or force against the officer or another person;

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- e. To rouse unconscious, impaired or intoxicated persons (*This does not mean that the CEW cannot be used on an intoxicated person if other factors apply);
- f. On persons operating a moving vehicle or machinery;
- g. On persons running or fleeing;
- h. For any purpose of horseplay or curiosity exposure when use of the CEW is not allowed, which includes, but is not limited to, arc display or laser pointing. Only certified CEW instructors may demonstrate the CEW to the public or media.
- i. **In any environment where the officer knows that a potentially flammable, volatile, or explosive material is present.**

B. CEW Equipment

1. The only CEW authorized by the Department for certified CIT Officers to carry is the yellow colored TASER X2, manufactured by Axon Enterprise Inc.
2. Any CEW found to be malfunctioning is to be removed from service and taken to the Firearms Training Unit for replacement.
3. CEW's are to be stored in a moderate temperature, dry location. CEW's are not to be stored in vehicles or in direct sunlight. CEW's and cartridges are to be reasonably protected from water, rain, dust, dirt, mud and other contaminants. CEW's are not to be accessible to anyone other than department members.
4. Officers assigned a CEW are responsible for maintaining the CEW's operational readiness. No changes, alterations, modifications or substitutions shall be made to the CEW or the cartridges.
5. At the beginning of their work shift each officer is to check their CEW for operational readiness by removing and visually checking the cartridges for any damages or wear to include the examination of the cartridge expiration date. Officers are to check battery strength in a safe manner by sparking the CEW **while the cartridges are removed for five (5) seconds. This test spark will be noted on each officers log sheet at the beginning of their shifts.** Batteries with 20% or one bar strength should be removed from service and returned to the Firearms Training Unit. Inadequate cartridges or batteries are to be replaced immediately by the Station equipment officer or the Firearms Training Unit.

Officers should follow the following steps to conduct the arc test:

- a. Make sure the CEW cartridges are removed before conducting the test
- b. Keep hands and fingers away from the front of the CEW during testing
- c. Point the CEW in a safe direction
- d. Put the safety switch in the “up” (ARMED) position
- e. Depress the “arc switch” and hold for five (5) seconds. **DO NOT PULL THE TRIGGER TO CONDUCT THIS TEST.**
- f. See and hear both bays arcing from arm’s length
- g. Listen for the typical spark pulse rate and if pulse rate is slow, replace the battery and retest. If it is still slow, take the CEW out of service.

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- h. Once the test is complete, place the safety switch in the “down” (SAFE) position and reinstall the removed CEW cartridges.
6. **Issued CEW holsters shall be worn on the support side of the officer’s duty belt in either a cross draw or support side draw position.**
7. Under no circumstances are cartridges to be carried in any pocket to avoid the risk of static electricity causing a discharge of the cartridge.

C. CEW Training

1. Only Firearms Training Instructors certified as CEW Instructors are allowed to train officers to carry and deploy CEW's. The initial CEW training will consist of 8 hours of training and will follow the guidelines of Axon Enterprise Inc. for CEW training.
2. CEW training will include instruction on all MPD policies pertaining to use of force/response to resistance.
3. All officers authorized to carry a CEW device must be re-certified annually by attending a re-certification training class at the Firearms Training Unit.

D. CEW Procedures

1. When practical, CEW Operators should notify their supervisor or commanding officer that an event may require use of the CEW.
2. The Conducted Energy Weapon (CEW) may be used to control violent or potentially dangerous individual(s) when an officer reasonably believes the following conditions or facts exist:
 - a. Attempts to control the conflict by using alternate methods have failed, and the officer's assessment of the facts and circumstances reasonably concludes that other means will be ineffective, useless, or hazardous to the officer(s) or some third party. The immediacy of action is an important element to be considered.
 - b. The officer must communicate his/her identity and purpose, unless these facts are already known or cannot reasonably be made known to the individual under the circumstances.
 - c. The officer must have a clear field of fire that would reasonably protect others.
 - d. Officers shall use only the minimum amount of force which is consistent with the accomplishment of their duties and, if possible, should attempt any reasonable means of prevention, apprehension, or defense before using the Conducted Energy Weapon (CEW).
 - e. Upon firing the CEW the officer shall only expose the subject the minimum number of times and no longer than necessary to accomplish the legitimate compliance objective.
 - f. Any officer who is not issued a CEW who encounters a situation where it is determined that a CEW may be required will, when feasible, request a CEW equipped CIT officer be dispatched to the scene. The intent is to not alert the non-compliant individual or bystanders. If at some point the CEW is no longer required

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prior to the CEW CIT officer arriving on the scene then the CEW request should be cancelled.

- g. For any situation where the use of a CEW is expected, a backup officer should be requested, and if at all possible, the use of the CEW postponed until backup arrives.
3. The CEW is to be utilized under controlled situations to maximize safety of everyone involved. Because of safety precautions, the use of the CEW is not intended for events that cannot reasonably be considered as being controlled (i.e. foot pursuit is NOT a controlled event). Controlled means the individual's movement has been contained and/or restricted (stand-off). Prior to deployment each event should be assessed and meet the requirements for use. Officers shall not intentionally target a subject's head, neck, or genitalia, except where lethal force would be permitted, or where the officer has reasonable cause to believe there is an imminent risk of physical injury.
4. For all response to resistance situations certain individuals may be more susceptible to injury. Unless there are exigent circumstances, the use of the CEW is discouraged for the following individuals: children or elderly, persons of small stature regardless of age, possibly pregnant or pregnant individuals, individuals with a pacemaker, and individuals obviously in poor health.
5. Great care and consideration will be given to any environment where the individual could fall or suffer severe injury or death. This includes but is not limited to an individual standing in water or rain, on an elevated structure, or next to structures that could cause the individual harm should they fall (e.g. steps, stairs or other harmful objects).
6. The individual should be secured as soon as practical while disabled by the CEW to minimize the number of deployment cycles. In determining the need for additional exposed cycles, the officer should be aware that an exposed individual may not be able to respond to verbal commands during or immediately after CEW exposure.
7. In any event in which a CEW has been used either in Drive Stun mode, Probe mode with probes discharged, officers (operators) are required to notify their supervisor and complete the **Response to Resistance Incident in BlueTeam**. A supervisor will report to the scene to ensure departmental policies and procedures have been adhered to. This includes the accidental use of a CEW. Only the use of a CEW by Firearms Training Unit personnel for testing or training purposes is excluded from reporting.
8. If an individual(s) has been struck by probes or stunned and the event is under control, the CEW officer/operator and/or the supervisor should immediately request medical assistance from the Memphis Fire Department.
9. All individuals who have been stunned using drive stun mode or struck by CEW probes are to be transported to an appropriate medical facility (Regional One Hospital) by MFD paramedics. If probes are still embedded in the individual, an officer must ride in the ambulance with the individual to ensure chain of custody of the CEW probes, cartridge and wires. A second officer will follow the ambulance.

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10. With the exception of training scenarios, the following procedures will be used any time a CEW is discharged either in drive stun mode or probe mode on an individual.

a. Removal and preservation of probes

- 1) Probes that have penetrated an individual's skin shall be removed only by trained medical personnel at Regional One.
- 2) CSI is to be called for photographs at the scene to include photos of the probe positions on the individual and any injuries to the individual. If the individual is transported prior to CSI arriving on the scene then the CSI officer will take scene photos and then change location to the hospital for follow up photos to include photos of the individual's injuries and probe positions if probes have already been removed. From either the scene or Regional One, CSI will take possession of the expended cartridges, probes, and wires and tag all in the property room after the probes have been removed from the individual by medical personnel. For probes that are located in sensitive areas of an individual, to include groin or female breasts, the modesty of the individual should be taken into consideration.
- 3) Probes and expended cartridge packs are to be handled and stored as a biohazard.

b. Care of exposed individuals

- 1) ALL individuals exposed to a CEW are to be transported to an appropriate medical facility, preferably Regional One. This includes any individual who has had a CEW effectively used against them during an incident either by Drive Stun mode or Probe mode.
- 2) Any individual showing signs of excited delirium, sudden death syndrome, or is extremely agitated is to be transported **immediately** to Regional One for examination.

11. When an individual has been struck by CEW probes or drive stunned, an Emergency Commitment report **MUST** be submitted if the individual meets mental consumer prerequisites.

12. At the conclusion of all incidents where a CEW has been used either in Drive Stun mode or Probe mode, the officer will report to the Station and a supervisor will download the firing data from the deployed CEW unit. The downloaded data is evidence and is to be treated and documented as such. Each Station will have a designated computer workstation with the download software available for use by a supervisor. The officer will also obtain replacement cartridges while at the Station. The data download and obtaining fresh cartridges must be done prior to the officer returning to service.

13. Once a month a supervisor will download data from each officer's CEW as a part of the monthly inspection.

14. If an individual has been struck by CEW probes or stunned and is subsequently listed as critical or fatal, then the supervisor will notify the appropriate Investigative Services Bureau and perform all duties necessary to accommodate an orderly investigation. This includes removing officer(s) from line of duty assignment pending administrative review.

15. All reports, including the **Response to Resistance BlueTeam Incident**, should be routed,

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preferably by electronic means, to the appropriate Precinct Commander, Duty Chief, Deputy Chief, Crisis Intervention Commander, and Firearms Training Unit Supervisor, for review.

XI. Impact Delivery System (IDS)

Selected personnel who are certified Crisis Intervention Team (CIT) or TACT Officers will be trained on Less Lethal Impact Weapons, including Extended Range Impact Weapons.

A. DEFINITIONS

1. Less Lethal Impact Munitions - Ammunition designed and developed to be launched as Less Lethal Force.
2. Impact Delivery System - Sage SL-6 Multi-Role 37mm Launcher.

B. PROCEDURES:

1. Memphis Police Officers certified to operate the Sage SL-6 Multi-Role 37mm Launcher are the only authorized carriers/operators.
2. The Impact Delivery System (IDS) may be used to control violent and/or potentially dangerous individual(s) when an officer reasonably believes the following conditions or facts exist:
 - a. Attempts to control the conflict by using alternate methods have failed and/or immediacy of action is an important element to be considered.
 - b. The officer must communicate his/her identity and purpose, unless these facts are already known or concluded or cannot reasonably be made known to the individual under the circumstances.
 - c. The officer must have a clear field of fire that would reasonable be expected to protect bystanders / others.
 - d. Officers shall use only the minimum amount of force which is consistent with the accomplishment of their duties and, if possible, should attempt any reasonable means of prevention, apprehension, or defense before using the Impact Delivery System (IDS).
3. The IDS is to be utilized under controlled situations to maximize safety of everyone involved. Controlled in this definition means the individual's movement has been contained or restricted (i.e. stand-off).
Example: When a person is violent and poses a direct threat to themselves or others, and is armed with an implement which may be used to inflict life threatening bodily harm.
4. Because of safety precautions, the use of the IDS is not intended for events that cannot reasonably be considered as being contained (i.e. foot pursuit). If practical, prior to deployment each event should be assessed and meet the requirements for use.
5. If practical, IDS Operators should notify their supervisor or commanding officer that an event is volatile and may require use of the IDS.

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6. If the operator has loaded, prepared to bear the weapon, but does not point the weapon at the subject and the subject gives up, no Blue Team Incident report is required.
7. If the operator points the IDS at the subject and the subject gives up, a Pointed Weapon report is required.
8. If the IDS have been discharged the operator is required to notify their supervisor and complete the Response to Resistance Incident in BlueTeam. A supervisor will report to the scene to ensure departmental policies and procedures have been adhered to.
9. If an individual(s) has been struck by IDS Ammunition and the event is under control, the IDS operator and/or the supervisor should call for Paramedics.
10. All individuals who have been struck by IDS Ammunition are to be transported to an appropriate medical facility. When the Paramedics make the scene, the decision as to which agency will transport will depend on their medical assessment.
11. If an individual(s) has been struck by IDS Ammunition, CSI will be called to take evidentiary photos of any suspect injuries and expended IDS ammunition and ammunition case will be tagged in the property room.
12. If an individual has been struck by IDS Ammunition and is subsequently listed critical or fatal, then the supervisor will notify the appropriate Investigative Services Bureau and perform all duties necessary to accommodate an orderly investigation.
13. All reports, including the Response to Resistance Incident in BlueTeam, should be routed to the appropriate Precinct Commander, Duty Chief, Deputy Chief and Firearms Training Unit Supervisor.

XII. Patrol Rifle Program

The Patrol Rifle Program is designed to train the Patrol Rifle Officer Candidate (PROC) and provide the Uniform Patrol Division/Special Operations Division with additional tools to enhance officer and public safety. The Patrol Rifle Program is **NOT** an organized unit. The Patrol Rifle Officer's (PRO) are assigned to enforcement divisions only and shall report to their supervisors for their normal tour of duty.

A. Definitions

1. Patrol Rifle (PR) - The Memphis Police Department's Patrol Rifle shall be an AR-15 A3/Bushmaster XM15 E2S A2 semi-automatic carbine 16.1 inch barrel length, equipped with department issued Back-Up Iron Sights (BUIS) and EOTech 512 Holographic weapon sight. NOTE: Specialized units such as OCU may issue alternate BUIS and optics as approved by FTU Commander, Departmental Gunsmith, and the Patrol Rifle Instructors.
2. PRP: Patrol Rifle Program
3. PRO: Patrol Rifle Officer
4. PRI: Patrol Rifle Instructor

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5. PROC: Patrol Rifle Officer Candidate
6. PRPC: Patrol Rifle Program Coordinator
 - a. Is the FTU Commander or his designee
 - b. Coordinates selection process for PRO
 - c. Coordinates all PRO and PROC training

A PRO maybe assigned to any unit with approval by the Chief of Police.

B. Modifications

Modifications to the patrol rifle are not authorized unless specifically approved in writing by the FTU Commander, Departmental Gunsmith, and the Patrol Rifle Instructors (PRI). The issued Iron Sights or EO Tech is not to be removed from the rifle by anyone except the Department's Gunsmith.

C. Qualifications

1. The PROC must have and maintain have a score of 94% or better on the Memphis Police Department's In-Service Training On-Duty course (P.O.S.T. course) using their department issued semi-automatic pistol. If the PRO fails to score 94% or better on the On-Duty course of fire during their scheduled In-Service training, then the officer will be allowed one (1) additional attempt for the purpose of maintaining rifle qualification. This attempt must be completed during the same calendar year in order to obtain a satisfactory score. The additional attempt will not be conducted during the PRO's regularly scheduled work shift.
2. The PROC must be assigned to a work station in which the Patrol Rifle is authorized by the Chief of Police.
3. The PROC must be able to work independently and with minimal supervision and maintain a calm and professional demeanor during stressful situations.
4. The PROC must exhibit the ability to communicate with the public, remit effective testimony in court, and have proficient report writing skills.
5. The PROC must be assigned to the Uniform Patrol or Special Operations / OCU Division; any exceptions must be approved by the Chief of Police.
6. The PROC must have three years of patrol duty experience and be certified to ride a one man car.
7. The PROC assigned to the Special Operations Unit must have three years of enforcement experience.
8. Each PROC that meets the above criteria shall successfully participate in the following process:
 - a. Attend a (24) hour Patrol Rifle School.
 - b. Maintain 94% or better on the AR-15 day and night firearms course, designated by the PRI.

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- c. Score 80% or better on a written test.
 - d. Be able to demonstrate field stripping and comprehend nomenclature of the AR-15.
 - e. The PROC shall re-qualify annually with a 94% or better with the AR-15.
9. The PROC must have a recommendation letter from his/her Commanding Officer (Colonel).

D. Reporting

The PRO shall zero (sight) and record their Patrol Rifle zero, at least twice but not more than four, times a year. One of these will be scheduled during Annual Patrol Rifle Re-Certification training. It is recommended that the individual PRO report to the range on his/her own to perform/record the additional patrol rifle zeros. When equipped, the PRO will zero the Back-Up Iron Sights (BUIS) and the issued EOTech optic during each zero session. Failure to comply could result in decertification, see IX. Section C of this order.

E. Deployment

1. Only members certified as Patrol Rifle Officers shall be authorized to handle, deploy, or discharge Departmental Patrol Rifles.
2. Discharge of the Patrol Rifle shall only be affected in situations where an equal or greater force is necessary.
3. The following situations are some examples of authorized Patrol Rifle deployment: conditions described in Part VI, B of this order exist AND,
 - a. The subject is known to possess or is suspected of possessing a deadly weapon or firearm, or
 - b. The subject is beyond the effective range of Departmental pistols or shotguns (25 yards or greater), or
 - c. The subject is known to wear or is suspected of wearing body armor.
4. When a PRO deploys the Patrol Rifle, he/she shall, as soon as practical, advise a supervisor or a commanding officer. Upon deployment, if applicable and practical, the PRO shall advise the Communications Division of the following:
 - a. Safest route for responding officers to approach the scene.
 - b. Location of the PRO and the location of the suspect.
 - c. Crossfire considerations
5. PROs shall not deploy the Patrol Rifle in situations where an Entry Team should be used, except when immediate action is necessary to prevent imminent loss of life or to maintain officer safety. Any other exceptions must be approved by the Chief of Police, or his designee.
6. The Patrol Rifle should not be used in lieu of TACT deployment
7. It is the responsibility of the PRO to advise any field supervisor or commanding officer contemplating inappropriate deployment of the Patrol Rifle.

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8. Patrol Rifles shall not be used to shoot a wounded or dangerous animal without approval from a commanding officer, unless a dangerous animal situation develops after the proper deployment of the Patrol Rifle.
9. Except for actual duty deployment consistent with the provisions of this order, Patrol Rifles shall only be discharged at an authorized firearms range under the direction of a Memphis Police Department's PRI.
10. In all cases, discharge of the Patrol Rifle shall be in accordance with the Memphis Police Department's Deadly Force Policy.
11. Only in a life threatening situation or where there is eminent danger present will the deployment of the Patrol Rifle be acceptable without prior authorization from the PRO's Supervisor or Commanding Officer.
12. Duty Station / Bureau Commanding Officer will be responsible for notifying the Communication Division of which Units have PROs.

F. Responsibilities of the Firearms Training Unit (FTU)

1. The FTU is responsible for issuing the Patrol Rifle to activated PROs. The FTU will also be responsible for the recovery and storage of the Patrol Rifle from deactivated PROs. The FTU will work closely with the PRO's Commanding officer to accomplish this task.
2. Maintenance of the Patrol Rifle beyond operator level maintenance and cleaning shall be performed by the FTU or designee by PRI.
3. The FTU is responsible for supplying and maintaining replacement parts for the Patrol Rifle.

G. Patrol Rifle Officer Assignment

1. During the PRO's assigned shift, the Patrol Rifle will be secured in the rifle rack mounted inside the patrol car. If a rifle rack is not available, the rifle will be placed inside the trunk in a hard or soft rifle case. The Patrol Rifle will also be in Cruiser Ready condition (Bolt forward on an empty chamber, loaded magazine in the Patrol Rifle, and mechanical safety on).
2. At the end of each shift, the PRO will properly clear the Patrol Rifle by removing the magazine from the Patrol Rifle, clear and inspect the chamber of any ammunition, insert the safety flag into the cleared chamber with the bolt forward, and ensure that the mechanical safety is in the on position.
3. Once the weapon is cleared the PRO will properly secure the Patrol Rifle in the Universal Weapons Rack of their assigned duty station.
4. If the PRO does not have access to the Equipment Room, then the Equipment Officer will properly secure the cleared Patrol Rifle in the Universal Weapons Rack.
5. The PRO is not authorized to store his/her Patrol Rifle at their residence, nor leave the Patrol Rifle secured in any vehicle during non-duty hours.

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6. The Patrol Rifle officer shall not draw, receive, or acquire special consideration in the division based on his/her PRO status.

H. Decertification Of Patrol Rifle Officers

1. Decertification shall occur automatically when a member is promoted to a rank other than Patrolman Officer or when he/she is permanently assigned to a position other than a field position in the Uniform Patrol/ Special Operations Division/ OCU unless approved by the FTU Commander or the Chief of Police.
2. A PRO may voluntarily resign from the program by submitting a memorandum through channels to their Duty Station / Special Operations Division Commander/ OCU. The Precinct/Special Operations Division Commander/OCU shall notify FTU personnel of any PRO resignation.
3. The PRPC, or designee, and Duty Station/ Special Operations Division / OCU Commander may decertify a PRO for any of the following reasons:
 - a. Substandard performance
 - b. Failure to successfully complete required training
 - c. Failure to attend program training sessions
 - d. Failure to maintain 94% or better on the In-service On-Duty qualification course.
 - e. Any documented willful and deliberate mistreatment, neglect or improper use of the Patrol Rifle
 - f. Failure to satisfactorily complete a shooting proficiency evaluation and subsequent remediation.
 - g. Exhibiting a pattern of unsafe tactics during actual Patrol Rifle deployments.
 - h. Failure to comply with the provisions of this order or as designated by the Chief of Police.
4. Duty Station/ Special Operations Division Commanders/OCU shall submit a memorandum through channels to the shift supervisor documenting occurrence(s) of any circumstances outlined in IX. Part C of this order, as well as submit a memo to the PRPC. The PRPC and the Duty Station/ Special Operations Division / OCU Commander shall determine if remedial training would rectify the problem(s) or if the PRO should be removed from the program immediately.
5. If it is determined the PRO should be removed from the program immediately, the Duty Station/ Special Operations Division/ OCU Commander shall forward a memorandum to the Chief of Police and to the FTU Supervisor detailing the circumstances, and recommending the decertification and removal of the PRO from the program.

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Inventory Control

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The purpose of this directive is to establish a uniform procedure for inventory and

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Section 2: Inventory Control

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control, and to set forth guidelines for the issuing and reissuing of all agency-owned property utilized by the Memphis Police Department. Property/equipment will only be issued to and operated by personnel who have been properly trained in the care and use of the property. Maintaining stored agency property in a state of operational readiness is a responsibility of the person or unit to which the property is assigned. (17.5.1)

I. Property Inventory Control and Recording

A. In order to prevent loss and unauthorized use of Memphis Police Department property, and to ensure availability of needed equipment, inventories of all assets and equipment must be maintained. Upon purchase of any asset or equipment, the appropriate Inventory Control Unit, as listed below, will be responsible for the inventory and control of the asset.

Upon initial delivery of any asset or equipment to the appropriate Inventory Control Unit, the inventories will be recorded and the component shall issue an asset or control number. If the asset or equipment has not had serial number issued and marked by the manufacturer, the asset/control number will be placed on the equipment. The asset or equipment will be recorded by:

- (1) Make
- (2) Model
- (3) Asset, serial, or control number
- (4) Date Received
- (5) Location of asset/equipment

B. The following Inventory Control Units will be responsible for inventory recording:

1. Radio Maintenance:

- Police Radios
- Radar Guns
- Light bars / Sirens
- Pagers
- Radio Chargers

2. Firearms Training Unit:

- SL-6
- Machine guns
- Shotguns
- Bolt action Rifles
- Impact Weapons
- 37mm/40mm Gas
- Handguns
- Undercover firearms
- Rifles
- OC Canisters
- Handcuffs
- Wooden Batons
- ASP Batons
- Body Armor
- Riot Equipment
- Night Vision
- Tear Gas
- Flash Bang/grenades
- Leather Goods
- Rip Hobble
- Ammunition

3. Fleet/Building Maintenance Supervisor:

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- Vehicles
- Motorcycles
- Scooters
- Boats
- ATVs
- Bicycles

4. Information Systems:

All computer equipment, with the exception of the PDA's, will be recorded by the vendor contracted by the City of Memphis. Information Systems will keep records on this computer equipment inventory as submitted by the City Vendor. Information Systems will maintain records on all PDA's and cellular phones issued to employees.

5. Special Projects Office:

A Capital Asset inventory list will be maintained by the Special Projects Office. The Special Projects Office will oversee all capital projects from planning stages through the project completion until the project is placed in service.

II. Issuance Of Assets/Equipment (17.5.2)

- A. Personnel shall be held responsible for the operational readiness of any and all equipment assigned to them. It shall be the responsibility of Supervisors to whom equipment is issued to ensure the operational readiness of any stored equipment. Commanders, or their designees, shall conduct periodic inspections of such stored equipment. Damaged or lost property may subject the responsible individual to reimbursement charges and/or appropriate disciplinary action.
- B. Upon issuance/assignment to an employee or unit, the asset or equipment will be entered into the database by the employee's name and IBM (or unit assigned), and a hardcopy receipt of issuance (signed by issuing and issued employee) will be completed. The record of issuance will be maintained.
- C. It will be the responsibility of each individual unit to maintain the inventory of the fixed assets and equipment issued to that unit. It will be the responsibility of the Workstation Commander to maintain the inventory of the fixed assets and equipment issued to that precinct. All daily or temporary issuance of the units' or precinct's property will be documented by the name and IBM of the employee that received the equipment. Equipment issued to any specific unit will be cared for and maintained by that unit.
- D. If equipment is returned and re-issued, the Inventory Control Unit responsible for re-issuing the equipment will ensure that the equipment is fit for service. Upon receiving any department-owned property or equipment, the employee receiving such property shall check it for good repair and proper working condition.
- E. Employees shall immediately report to their supervisor any loss of or damage to department property assigned to or used by them. The immediate supervisor shall be notified of any defects or hazardous conditions existing in any department equipment or property.

III. Damaged, Surplus, Obsolete, Or Unused Property

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When it is determined that any piece of equipment is to be replaced by new equipment, is no longer usable, or is damaged beyond repair, he/she shall complete the Surplus Tangible Property Form. Disposal of MPD property must be approved by the Chief of Police.

Inventory records will be continuously adjusted to reflect items that have been purchased or traded, sold, destroyed or otherwise disposed of. Records should never be permanently deleted, only adjusted to show the property taken out of service.

IV. Separation from Department

Employees are required to surrender all department property in their possession upon separation from the department. Failure to return non-expendable items may obligate and cause the person to reimburse the department for the fair market or replacement value of the article(s). Exiting employees are to complete the Memphis Police Department Check-In List/Employee Exit Form. It will be the employee's responsibility to return equipment to all locations listed on the form. The final destination of the Exit form will be the MPD Human Resources Office, where a copy will be given to the officer and the original retained in the officer's Personnel File. A memo of explanation or receipt of reimbursement must accompany this form for any non-returned items.

V. Inventory Audits

Each Inventory Control Unit will quarterly submit inventories to the Special Projects Office. The Inventory Coordinator in the Special Projects Office will accept the quarterly inventory reports from each Inventory Control Unit in electronic format. The inventory reports will be submitted the 15th day of January, April, July, and October, and will reflect inventory status as of the last day of the previous quarter. These reports will be kept for any future audit purposes. It will be the responsibility of the City of Memphis Auditors to perform audits on inventoried property.

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Uniforms

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I. Policy Statement:

Appearance, safety, discipline, uniformity, and public respect all play a key role in law enforcement service. As officers maintain constant contact with the public, our goal is to present a conservative, professional image that is appropriate to our service at all times. In order to provide effective and efficient service, officers should be readily recognized to members of the public, present an esprit de corps, and present an image of integrity. Moreover, officers should project an image that facilitates the effective functioning of the Memphis Police Department necessary to ensure the safety and security of our citizens.

The Uniform Committee's recommendations are in addition to current policy that has implemented the use of 75% polyester and 25% wool for basic uniform attire. The 100% Polyester uniform is also approved.

II. Uniform Items:

A. Optional Cargo Pants: Lieutenants/ Sergeants/Officers may wear dark navy 100% polyester 6-pocket trouser with mitered, center pleat, two-way cargo style patch pockets that open from the top with a zipper and from the front also. Pockets must be non-bellows type stitched to the pant leg on three sides and bar tacked at all stress points.

B. Class A Ceremony Uniform – This uniform will be worn for funerals and formal functions. Acceptable footwear will be a black, plain toe oxford or the black, Wellington boot. A full-duty uniform blouse coat will be worn by the rank of Colonel and above.

C. Class A Uniform * – Long sleeve uniform shirt, standard pocket pants (not cargo pants) with tie and uniform hat. (Shirt and Pants must be of same fabric: 100% polyester shirt with 100% polyester pants or polyester/wool shirt with polyester/wool pants).

*** It is mandatory that ALL commissioned personnel possess and maintain at least one complete Class A uniform in good condition at all times.**

D. Class B Uniform – Long sleeve duty uniform shirt without tie.

E. Class C Uniform – Short sleeve duty uniform shirt.

F. Turtlenecks or Dickeys – Must be black or navy blue and may be worn under long sleeve uniforms without tie (Class B Uniform). The only lettering permitted on the collar will be M.P.D. (If a conventional T-shirt is worn, it must be black or navy blue).

G. Golf Shirts – The use of polo shirts are prohibited. Commissioned Personnel are prohibited from wearing golf shirts as a duty uniform. Exceptions: approved golf shirts may be worn by the TACT Unit, Training Academy Personnel, Bike Patrol Officers, Property and Evidence Unit.

H. Nylon Web Gun Belt and Holster – Will be allowed with uniforms that are not Class A.

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These belts are lightweight, comfortable, flexible and more adjustable than the leather equipment. The nylon web belts and holsters are also less expensive than leather equipment. Leather and nylon holsters, belts, and accessories will not be worn mismatched.

I. **Headgear** – Each officer will maintain the basic uniform hat (Class A).

- The approved uniform hat for Patrolmen is the Keystone **L-4** Navy Polyester 8 point cap with 2 rows of black soutache, double badge eyelets (1-11/16” separation), with leather or cloth sweatband. An optional summer hat **for Patrolmen only** is the Keystone **L-9** “Kool Mesh” 8 Point, double badge eyelets (1-11/16” separation), with nylon mesh frame and leather or cloth sweatband.
- Sergeants, Lieutenants, and Majors will wear the Keystone **L-4** Navy Polyester 8 point cap with 2 rows of black soutache, double badge eyelets (1-11/16” separation), leather or cloth sweatband with one gold metallic lace band across the front.
- The approved dress style for Lt. Colonel and above is the Keystone **L-4** Navy Polyester 8 point cap, double badge eyelets (1-11/16” separation), with gold embroidered visor , 2 rows of black soutache and one gold metallic lace band across the front.

Sworn and civilian personnel in uniform have the option of wearing approved uniform ball caps while outdoors on duty.

- The approved ball cap for uniform patrol is the Blauer Style 182 stretch fitted cap and the Style 182-1 stretch adjustable cap with the approved logo. Wearing of the ball cap is optional with Class B or C uniforms. The ball cap will be worn straight on the head with the visor down over the forehead. It shall not be worn tilted sideways, up, or backwards on the head. It shall be kept clean and replaced as needed.
- Ball caps will not be worn with the Class A Uniform or during any Ceremonial events, except when authorized by the Chief of Police. Ball caps will not be worn for roll call or inspections, except by certain specialized units and where authorized by the Chief of Police. Department ball caps will not be worn off duty, except when engaged in an authorized police function (i.e. approved secondary employment).

During inclement weather or extreme cold weather officers have the following options for headgear:

- The Class A uniform hat with a water-proof cover.
- Gorgonz Performance Work Gear ear warmers, model 99560-BK. These ear warmers are to be worn behind the head. The ear warmers can only be purchased at uniform stores.
- Blauer Warm Skull Cap, Style 160 B. This skull cap must be fleece lined with a blend of 58% polyester, 21% worsted wool, and 21% low pill acrylic. The letters “MPD” must be embroidered on trim, off centered to left side, white lettering for

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patrolmen (Sergeants and above may have gold lettering) 3/4" high by 2 1/4" long, 3" centered from the side seam to center of the cap on the trim.

J. Safety Vest – The Blauer #343 safety vest is the recommended safety vest. Its daytime visibility, nighttime reflectivity, and comfort level are superior to other products.

K. Miscellaneous – Blauer type sweaters are approved **without** uniform patches or flag.

III. Duty Uniform:

A. Regulation navy blue shirt, short sleeve and long sleeved. Lieutenants may opt for long sleeved (class A) or short sleeved (year round). Majors and above must wear class A uniforms year round.

1. The M.P.D. patch, the American flag patch, the officer's nameplate, and MPD collar insignias will be properly displayed on the shirt.

2. Shirtsleeves will be fully extended, not rolled up. Only the collar button will be open.

B. Regulation uniform trousers.

C. Regulation uniform hat; required with the Class A Uniform or on Special Events detail where a hat is required.

D. Black plain toe shoes, Jodhpur Boots, or Full Boots

E. Black Socks

F. Black Regulation Basket Weave Design Belt.

G. Black Regulation Basket Weave Design Holster.

H. Black Regulation Basket Weave Design Handcuff Carrying Case.

I. Regulation Outerwear

<u>1. Outerwear Style</u>	<u>Model #</u>
Original Blauer Gortex Jacket	9626NV
Fecheimer Gortex Jacket	79130
Blauer Gortex Jacket with Police Pull-down Tab	99052 NV
Fecheimer Gortex Jacket with Police Pull-down Tab	78140
Blauer Non-Gortex Jacket	6120NV
Fecheimer Non-Gortex Jacket	59130
Leather Jacket	4461
Blauer Soft-Shell Fleece Jacket	4660-04
Raincoat	447C-BK
Blauer Sweater	205C-NV
Fecheimer Sweater	730

2. All MPD outerwear (excluding the sweater) must have an MPD (standard) patch on the

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right sleeve and a United States flag on the left sleeve. Service stripes and merit ribbons are optional.

3. When the jacket is worn the badge and nameplate will be displayed on the jacket the same as on the uniform shirt.
4. When the Blauer sweater is worn the badge, nameplate, and MPD insignias only will be displayed.

J. Disposal of MPD patches

Personnel must remove and destroy all MPD patches and markings from uniforms prior to disposing of them.

IV. Class "A" Uniform:

Regulation long sleeved shirt and tie. The remaining uniform items are the same for both the duty uniform and the class "A" uniform. (See * page 2)

V. Optional Uniform Attire

Officers now have the option to wear a Class B or a Class C uniform regardless of the season (year round). All officers must adhere to the Appearance Requirements that are set forth in this chapter under section VIII D; Employees (excluding deep undercover officers) may not appear on duty or in uniform with any visible tattoos, branding or other forms of body art. Employees with body art on the arms visible below the cuff of the short sleeve shirt are required to wear black tattoo-cover sleeves on both arms and the long sleeve shirt during all seasons (year round). The full sleeve, the upper arm sleeve, and the lower arm sleeve are all approved for use. An employee's appearance must be uniform, and they may not wear different length sleeves on each arm. If one arm is covered with a sleeve, then the other arm must be covered with a sleeve of the same length.

Any deviation from these dates will be at the discretion of the Chief of Police or Assistant Chief.

VI. Leather Goods for the Sig P229R

A. Uniform Patrol Belt:

A two-belt over-under Velcro arrangement in which the outer belt is secured firmly to the inner belt by keepers, which insures the holster is being kept securely. The belt will be a wide 2-1/4" black, basket weave design.

B. Uniform Holster:

1. For uniformed officers, the holster will be one of the following security holsters:
 - a. Safariland, Model 070, SSIII, black in color with basket weave design;
 - b. Safariland, Model 6360 and 7360 with or without weapons light capability, black in

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- color with basket weave design; or
- c. Blackhawk, Serpa, Level -3 security holster, model # 44H106BW, black in color with basket weave design.

Any other holster must be approved by the Chief of Police.

2. The following tactical holsters are authorized as an alternate duty holster **for specialized units ONLY**, such as TACT, Canine, and the Organized Crime Unit.
 - a. Safariland, Model 6304 STX – tactical with or without weapons light capability, black in color with a drop flex adapter on a single leg shroud;
 - b. Blackhawk Model 430606BL Serpa, Level – 3 security holster without weapons light capability, black in color; and
 - c. Blackhawk, Model 430705BK Serpa, Level – 3 security holster with weapons light capability, black in color.

All other request to utilize the tactical holsters MUST be approved by the Chief of Police.

3. For plain-clothes officers, the holster must be open and equipped with a safety strap to contain the weapon. Shoulder, clamshell, or trick-operated holsters are not permitted, unless approved by the Chief of Police. All investigators will wear their sidearm, attached to a belt holster and covered by a suit / sport coat, while on duty working in the field. The following holsters are recommended:

WEAPON RIGHT-HANDED HOLSTER LEFT-HANDED HOLSTER

Safariland Paddle

SIG 229R	Model 518-74-61	Model 518-74-62
SIG P239	Model 518-75-61	Model 518-75-62

Gould & Goodrich Comfort Paddle

SIG P229R	B817-26R	B817-26RLH
SIG P239	B817-239	B817-239LH

Don Hume Paddle

SIG P229R	Model H720 (30-1R)	Right or Left
SIG P239	Model H720 (30-C)	Right or Left

In addition, there are any number of leather and kydex, as well as Safariland “Nylok” belt holsters, which have appropriate restraining devices, acceptable for both male and female officers. Prior to purchasing any of these types of holsters, contact a Firearms Training Unit Supervisor in regard to the suitability of a particular model.

Exceptions to these guidelines will be based on individual assessments, especially undercover assignments, or at the discretion of the Chief of Police or Assistant Chief.

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4. After the initial issue of holsters to officers in uniform or plain clothes, it is the responsibility of the individual officer to obtain the proper holster as dictated by any changes in his/her work assignment.
- C. Magazine Pouch: Must be a single or double magazine holder, black with basket weave design.
- D. Uniform Handcuff Cases: Handcuff cases are black in color and basket weave design. While in uniform, all handcuffs must be in a handcuff case. All handcuff cases must be securely attached to the officer's belt, and must be easily accessible.

VII. Issued Equipment:

Members shall only carry equipment and other items that have been issued by the department or approved by the Chief of Police.

A. Handcuffs:

The department issues the Peerless Model 801 Hinged Handcuff in a nickel finish with a handcuff key. Officers shall carry their department issued Peerless Hinged Handcuffs while on duty. Officers may purchase and carry a second set of department-approved hinged or standard link chain handcuffs. The handcuffs shall be similar in color (silver-tone finish) to the current department-issued handcuffs. The department-issued key shall be capable of unlocking the secondary handcuffs. A maximum of two sets of cuffs shall be carried on the duty belt.

B. Traffic Safety Vests

All sworn officers are issued high visibility reflective traffic safety vests that shall be worn to increase officer safety when conducting traffic control duty or investigating a vehicle crash.

C. Bullet Resistant Vests

"Bullet Resistant" vests are issued to every officer. The bullet resistant vest is replaced according to the manufacturer's warranty policy (currently in 5-year intervals). The provided armor must be worn at all times by all officers from the rank of Lieutenant and below who are engaged in any of the following:

1. Wearing the department uniform (including during secondary employment activities).
2. Regular field duty including plain-clothes (See #3).
3. Officers engaged in covert operations may choose not to wear body armor if wearing it would compromise their mission **and** if they first obtain permission from their supervisor.
4. All investigators and administrative officers regardless of duty assignment shall have their body armor immediately available at all times when conducting law enforcement activities (i.e. attempt pick-ups, when the investigation may lead to a suspect).

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- * All officers regardless of uniform type involved in the execution of pre-planned, high-risk situations (i.e. OCU, Tactical Unit, CAT etc.) are required to wear bullet resistant vests whenever discharging those responsibilities. Examples of high-risk situations include but are not limited to barricades, drug raids, search warrants, etc.

VIII. Appearance Requirements:

In order to promote a professional image, all employees on duty or in uniform (including employees working secondary employment) shall adhere to the following professional appearance standards. No exceptions to these standards will be made without authorization from the Chief of Police.

- A. When wearing the duty uniform, no necklace or medallion will be worn in a manner that would allow it to be seen with an open collar. T-shirts must be black or navy blue in color. Police radio dispatchers may wear white t-shirts. Only crew neck T-shirts will be acceptable.
- B. No fraternal or any other type pins will be worn on the uniform other than authorized specialized training pins (ie. FTO, CIT pins) or as when worn as a tie tack.
- C. Watches and rings are to be worn at the discretion of the individual. Ear studs may be worn with the uniform, by female employees. Such items will be limited to no more than one ear stud per earlobe. Earrings will be plain, solid gold or silver in color, will not have loose or dangling parts, will only be worn in the earlobe, and will not extend below the bottom of the earlobe. Male employees, excluding deep undercover officers (Officers who have worked “deep undercover” either as a deep undercover operative or the “handler” of the deep undercover officer for more than six months as defined by the Organized Crime Unit’s Standard Operating Procedure (SOP), where the officer maintains a false identity and severs many personal and departmental relationships/contacts during the life of the operation), are not authorized to wear any type of earrings or any ornamentation attached to the ear while on duty, whether in uniform or not.

While on duty or in uniform, no employee (excluding deep undercover officers), shall be authorized to display piercings or jewelry, other than those for earrings as described above, through the ear, nose, tongue, chin, eyebrow, or any other body part that would be visible while on duty or in uniform. This prohibition applies to male and female members alike and is specifically intended to limit the less than professional appearance associated with vacant holes in the face and other exposed areas of the body. Other piercings concealed by the uniform are discouraged due to the potential for infection and accompanying complications. Under no circumstance shall such concealed piercings and accompanying jewelry be visible through, or interfere with, the professional appearance of employees on duty or in uniform.

- D. Employees (excluding deep undercover officers) may not appear on duty or in uniform with any visible tattoos, branding or other forms of body art. Body art is defined as any permanent decoration of the body including tattoos, piercings, brandings, intentional scarring, mutilation, etc. Employees must ensure that any such body art is covered by clothing consistent with the division's uniform requirements. Employees with body art on the arms visible below the cuff

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of the short sleeve shirt are required to wear black tattoo-cover sleeves **on both arms** or the long sleeve shirt during all seasons (year round). The full sleeve, the upper arm sleeve, and the lower arm sleeve are all approved for use. An employee's appearance must be uniform, and they may not wear different length sleeves on each arm. **If one arm is covered with a sleeve, then the other arm must be covered with a sleeve of the same length.** Employees with body art on legs visible below any approved uniform bottom are required to wear long pants during all seasons (year round).

Body art may not be visible above the collar, including on the face and head. Body art located above the collar and on wrists and hands must be covered with flesh-toned cosmetics matching the skin tone or flesh-toned bandaging. Gloves are also permissible.

- E. The use of gold, platinum, or other metallic veneers or caps for the purpose of ornamentation of teeth is PROHIBITED. Teeth, whether natural, capped or veneer, will not be ornamented with grills, designs, jewels, initials, etc.
- F. Personal items will be worn at the individual's risk.
- G. When an employee is removed from the deep undercover assignment, he or she must comply with the uniform policy.
- H. Any accommodations or exceptions to this policy shall be at the discretion of the Chief of Police or Assistant Chief or his/her designee.

IX. Items Worn on Uniform Shirt and Jacket:

All items worn on the uniform shirt and jacket will be worn in the following manner and as indicated below:

- A. Insignia: The insignia to be worn by PIIs will be the silver MPD (initials) collar brass. It should be worn vertically on the collar. PIIPs will not be allowed to wear any collar brass until they have completed their probationary period (1 year).
- B. Rank Insignia: Sergeants will wear the gold rank insignia patch (stripes) on both sleeves and the gold MPD initials will be worn as collar brass.
- C. MPD Shoulder Patch: The MPD patch will be worn on the right sleeve one inch (1") below the shoulder seam and centered on the crease of the sleeve.
- D. American Flag Patch: The American flag patch will be worn on the left sleeve one inch (1") below the shoulder seam and centered on the crease of the sleeve.
- E. Nameplate: The authorized nameplate for Patrol Officers will be chrome plated metal with black block lettering. The authorized nameplate for Sergeant and above will be brass or gold plated with black block letters. The nameplate will be worn on the right pocket flap centered so that the top border parallels the top seam of the pocket.
- F. Unit Insignia and Specialized Uniforms: The Memphis Police Department will no longer utilize any special unit patches. The standard MPD patch is the only authorized patch. The

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only exceptions are the TACT unit and METRO DUI. Squad Insignias will be worn 1” above the top of the right shirt pocket.

G. Badge: The badge will be worn over the left pocket of the uniform shirt and fastened in the eyelets provided.

H. Medals and Bars: See Chapter I, Section 69: Commendation Program.

I. Precinct Identification Numbers: All uniform officers assigned to an MPD Station (including traffic) will be required to wear a “Station Number” on his/her uniform shirt. The numbers are assigned as the following:

Austin Peay Station.....01	North Main Station..... 06
Raines Station..... 02	Airways Station..... 07
Mt. Moriah Station.....03	Appling Farms Station.....08
Crump Station..... 04	Ridgeway Station.....09
Tillman Station..... 05	Traffic Division.....10

The Precinct Identification Numbers shall be worn centered ½ inch above the officer’s ribbons if being worn or ½ inch above the right pocket if the ribbons are not being worn. Precinct Identification Numbers will be silver in color for the rank of PII and gold in color for the ranks of Sergeant and above.

X. Approved Court Dress:

Officers appearing in Court, Grand Jury, or any designated function where the officers appear as a representative of the Memphis Police Department and are reimbursed for their time, in any way, by or through the City of Memphis, will wear the following:

A. Male officers will wear a neat, clean uniform or a suit/ sport coat and tie.

B. Female officers will wear a neat, clean uniform or a skirt and blouse, a pantsuit, or a dress.

XI. Work Attire for Investigative, Executive & Administrative Services:

A. All civilian and sworn employees who are assigned to Investigative Services, Inspectional Services, Executive Administration, Executive Staff, or any other non-uniform assignment will wear attire, in accordance with acceptable corporate clothing standards or courtroom attire as defined by policy. The dress code will be adhered to unless otherwise approved by the Chief of Police or his/her designee. The following are examples of proper attire:

1. Male employees will wear a business suit or sport coat/jacket, with coordinated slacks, dress shirt, tie and dress shoes.
2. Female employees will wear coordinated business suits, or businesslike pants or skirts, shirts/blouses, and jackets/sweaters, or appropriate dresses.

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3. In inclement weather, or when environmental conditions require it, turnout coats, with the name of the investigator's bureau on the back, may be worn.
- B.** Attire/apparel will be neat in appearance. All suit/sport coats will be of sufficient length to cover police equipment (handgun, handcuffs, etc.). Any time an employee is out of the building and in view of the public, they will wear a suit/sport coat to cover police equipment.
- C.** Certain attire is considered inappropriate for the workplace and is strictly prohibited from being worn. Unacceptable attire includes, but is not limited to: blue jeans or denim apparel; tank, midriff, or halter tops; shirts with potentially offensive words, terms, logos, pictures, cartoons, or slogans; thin strap, bare or off-the-shoulder tops or dresses; sweatshirts or athletic clothing, clothing that is ill fit to the body or immodest; t-shirts/camisoles, unless worn under another blouse, shirt, or business jacket; and flip-flop/thong-style shoes.
- D.** The Optional Uniform for Investigative Services and GIBs can be worn in certain circumstances such as:
1. After hours call-out(s)
 2. Weekend Duty
 3. Recognized City Holidays
 4. Field work that is not compatible with corporate/court attire

The Optional Uniform for Investigative services will consist of:

1. Navy Blue 5.11 polo styled shirt (long or short sleeve) w/MPD seal over left chest and rank/name over right chest
2. Khaki 5.11 BDU pants
3. Black Belt (preferably a ranger belt)
4. Black Boots/Shoes

The only exceptions will be officers assigned to a special detail requiring other attire, which meets with the approval of their supervisor and the Chief of Police or his/her designee.

XII. Work Attire for the rank of Lieutenant

When the long sleeve uniform shirt is worn, lieutenants are **NOT** required to wear the uniform neck tie. When the short sleeve uniform shirt is worn, no neck tie should be worn.

XIII. Work Attire for the rank of Major

The daily duty uniform for the rank of Major will be the Class A uniform.

XIV. Work Attire for the rank of Lt. Colonel and above:

The daily duty uniform for the rank of Colonel and above will be the Class A uniform. Full dress uniforms shall consist of a blue two-piece uniform suit on which the badge will be worn with the nameplate on the outer jacket. The shoulder epaulets will have the rank inscribed, with two (2)

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gold bands on each of the sleeves placed approximately four inches from the seam of the cuff. Departmental patches will also be worn on each sleeve. The shirt will display gold MPD collar brass, badge (optional), and Departmental patches (on both sleeves) with rank insignia on epaulets.

XV. Work Attire for Police Recruits:

Items that are approved for placement on the uniform shirt after Basic Training are:

- | | |
|------------------------------|---|
| A. American Flag | D. Nameplate |
| B. Departmental Patch | E. Writing Instrument(s) |
| C. Badge | F. Tie and Tie Bar/Pin if applicable |

XVI. Uniform Replacement Forms

To secure replacement of authorized required uniform items, officers should submit a Uniform Equipment Replacement Form to their commanding officer. If the request is approved, it will be forwarded to the appropriate Deputy Chief for consideration. If approved by the Deputy Chief, the form will be returned to the commanding officer, who will then have the officer report to the uniform company with the authorized replacement form.

NOTE: The Police Services Division will reimburse an employee up to a maximum of \$25 to repair or replace a wristwatch or timepiece and up to a maximum of \$75 to repair or replace prescription eyeglasses/contact lenses, damaged or destroyed in the performance of duty.

XVII. Officers working the Station Desk/Limited Duty/Non-Enforcement

Officers who are working the precinct desk will wear the department uniform or corporate attire. Officers working limited-duty or non-enforcement officers will wear corporate attire only. The dress code will be adhered to unless otherwise approved by the Chief of Police or his/her designee.

XVIII. Grooming Standards

These work rules for hair length are the maximum. Employees must remember that the hair or mustache must be cut to less than the standard to allow for normal growth.

- A. Hair:** All male employees shall keep their hair neat, clean, well groomed and properly trimmed at all times. The hair must be balanced cut and contoured to the shape of the head. The hair shall be cut so that the ear lobe will not be covered. The hair shall be cut in such a manner as not to extend below the top of the uniform shirt collar in the back when standing. Hair must not be visible on the forehead when the uniform cap is worn. Any hairstyle must not extend outward from the scalp more than one and a half inches (1 1/2") in length and must taper or block at the back of the neck to top of collar length. In addition, hairstyles shall not feature spikes, shaved patterns, lines, tails, dreadlocks, braids, cornrows, symbols, names cut into the hair, or any other styles that distract from the professional appearance of officers. Hair color for all employees will be of a color so as to appear natural.

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All female employees shall keep their hair neat, clean and styled in such a manner as not to extend below the top of the uniform collar when standing and still allow for proper fit of the uniform hat. Also, female employees shall not wear any hairstyle that extends outward from the scalp more than the prescribed one and a half inches (1 ½") in length. In addition, hairstyles shall not feature spikes, shaved patterns, lines, tails, dreadlocks, cornrows, symbols, names cut into the hair, or any other styles that distract from the professional appearance of officers. Braids shall be maintained or adorned in such a manner wherein the length does not extend below the top of the uniform shirt collar in the back when standing. Hair color for all employees will be of a color so as to appear natural. Objects such as combs, curlers, rollers, barrettes, etc., will not be worn, unless authorized.

- B. Sideburns: Sideburns shall be well groomed and neatly trimmed and shall not extend below a horizontal line level with the bottom point of the ear. Sideburns will not be wider at the end of the sideburn than at mid-ear.
- C. Mustaches: A short and neatly trimmed mustache of natural color may be worn. Mustaches shall not extend below the border of the upper lip or beyond a vertical line drawn from the corner of the mouth. Mustaches may not be of the length to impair the air passages of the nose.
- D. Beards: Full and partial beards, goatees, and other facial hair not falling within the above criteria for mustaches and sideburns shall not be permitted, except under the following circumstances:
 - 1. Officers in special assignments such as undercover operatives in OCU will be permitted to wear beards for the duration of such assignments. However, upon transfer or upon successfully bidding for other positions with the Division, such officers shall conform to Division grooming standards.
 - 2. Officers who have medically documented skin problems (Pseudofolliculitis Barbae or others) shall be permitted to have a neatly trimmed beard. **If appropriate medical authority prescribes beard growth, the length required for medical treatment must be specified.** No facial/neck hair shall be shaved, manicured, styled or outlined, nor exceed one quarter (1/4) inch in length. **Goatees and other eccentricities are not permitted.** Supervisors of individuals with shaving waivers shall actively monitor and ensure treatment regimen is followed.
 - 3. Medical documentation on the continued skin problem and inability to shave must be provided to the officer's supervisor quarterly if the condition lasts longer than three months.
 - 4. If the personal doctor documents that the officer will never be able to shave, the officer should be sent (by appointment) to see the panel doctor. If the panel doctor agrees that the officer will never be able to shave, the officer will not be required to bring in quarterly documentation from his personal doctor. The officer should then visit the panel doctor once a year for continued documentation.

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- E. Cosmetics: Lipstick, make-up, and other cosmetics, etc., may be worn but only in a manner that mildly accentuates the natural appearance. Excessive or extremely bright-colored cosmetics are not permitted.
- F. Any accommodations or exceptions to this policy shall be at the discretion of the Chief of Police or his/her designee.

NOTE: Officers in special assignments with beards, earrings, etc. will not wear the MPD uniform.

XIX. Uniform Clothing Disposition and Return of Equipment at Retirement, Termination or Resignation

The below procedures shall be followed in returning departmental equipment/property upon separation from the department:

- A. Upon separation from the payroll, the employee will report to their workstation, where they will be given a property check-in list. This list is divided into six (6) areas and the employee must report to each applicable area to return listed property.
- B. The employee will keep the check-in list in his/her possession and it will be his/her responsibility to take it to all areas. The final stop will be the Memphis Police Department Personnel Section, Room 12-36, in the Criminal Justice Complex. In the Personnel Section, the list will be signed and a copy will be given to the employee as a receipt. The original will be retained in the employee's personnel file.
- C. The property to be returned to each area will be checked in by the person in charge or their designee, who will in turn initial the proper block showing the property returned, not returned, or not issued. The receiver of the property will then affix their signature and employee number in the designated area.
- D. A letter or memo must accompany the check-in list on any non-returned items, and restitution must be made before the final paycheck will be released.

XX. USE OF CELLULAR TELEPHONES

Officers are **strictly prohibited** from utilizing personal cellular telephones while actively performing any uniform patrol duties, such as but not limited to, operating a police vehicle, handling calls for service, conducting traffic stops, directing traffic and participating in a special events detail.

At no time will a personal cell phone be attached to the uniform while on-duty or during roll call. All uniform personnel are prohibited from using hands-free accessories such as earpieces and Bluetooths. Personal usage should be limited to emergency contacts.

If circumstances dictate the use of a cellular telephone for official business, officers must

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consider the safety of themselves and others involved in each situation prior to the use of the cellular telephone.

Violations of this policy may result in disciplinary actions.

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES
SECTION: Uniforms and Equipment Inspections

Uniforms and Equipment Inspections

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In order to ensure that all members of the M.P.D. are in compliance with all policies, rules,

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SECTION: Uniforms and Equipment Inspections

regulations, orders and directives, a series of formal and informal inspections will be maintained. These inspections are in keeping with the commitment of the Police Department to provide a safe and functional working environment for all officers. These inspections will be conducted in three phases: Roll Call Inspection, Individual Inspection and Field Inspection.

I. ROLL CALL INSPECTION (53.1.1.a)

All units of the Memphis Police Department will have daily roll call at the beginning of their tour of duty. During the daily roll call all supervising officers will visually inspect all officers for the following: appearance, physical fitness and equipment serviceability. This is to ensure that prescribed standards of this department are observed. Roll Call Inspections do not require a written report. (53.1.1d)

II. INDIVIDUAL INSPECTION (53.1.1.a)

A. Each officer is to be individually inspected a minimum of one time per month. This inspection will be conducted in the work station during or after roll call. (53.1.1.b)

B. Items to be inspected (Required and Optional)

1. Grooming Standards
2. Uniform/Civilian Clothes
3. Service Equipment
4. Leather Goods
5. Other authorized uniform equipment used in the performance of duty

C. It is the responsibility of the supervisor to conduct the inspection in a fair and impartial manner, keeping in mind that the goal of an inspection is to further the goals of the department and enhance its performance. (53.1.1.c)

D. The discretion of the supervisor will be used to address any corrective or disciplinary action if deficiencies are found. The supervisor will also be responsible for follow-up inspection, if needed. Supervisors will fill out a Uniform/Equipment Inspection Form for each officer. (53.1.1.e,d)

III. FIELD INSPECTION (53.1.1.a)

A. Each officer is to be inspected in the field, “working environment”, a minimum of, but not limited to, one time per month. This inspection will not be conducted in a location that is unsafe or otherwise inappropriate. (53.1.1.b)

B. Items to be inspected - issued and/or authorized uniform equipment (required or optional), which include:

1. The shotgun, which is required and will be properly loaded and placed in the shotgun rack of all marked patrol cars.

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES

SECTION: Uniforms and Equipment Inspections

2. Issued equipment. Safety Reflector Vests and "Bullet Resistant" Vests are issued to every officer. The bullet resistant vest is replaced according to the manufacturer's warranty policy (currently in 5-year intervals). The provided armor must be worn at all times by all officers from the rank of Lieutenant and below who are engaged in any of the following:
 - Wearing the department uniform (including during secondary employment activities).
 - Regular field duty including plain-clothes.
 - Officers engaged in covert operations may choose not to wear body armor if wearing it would compromise their mission and if they first obtain permission from their supervisor.
 - All investigators and administrative officers regardless of duty assignment, shall have their body armor immediately available at all times when conducting law enforcement activities (i.e. attempt pick-ups, when the investigation may lead to a suspect).
 - **All officers regardless of uniform type involved in the execution of pre-planned, high-risk situations (i.e. OCU, Tactical Unit, CAT etc.) are required to wear agency provided protective vests whenever discharging those responsibilities. Examples of high-risk situations include but are not limited to barricades, drug raids, search warrants, etc.**
3. Uniforms, service equipment, and leather goods (for serviceability).
4. Other authorized equipment used in the performance of duty (desk, locker, etc).
5. Policy and Procedures Manual (current and updated).
6. M.P.D. Vehicles: The vehicle in its entirety, and any contents therein. This includes all equipment and paperwork necessary for the safe and effective performance of duty.

NOTE: *The intent of listing items to be inspected is not to restrict inspections, but rather to provide guidance for supervising officers. The scope of each inspection will be determined by the supervising officer and current departmental needs.*

- C. It is the responsibility of the supervisor to conduct the inspection in a fair and impartial manner, keeping in mind that the goal of an inspection is to further the goals of the department and enhance its performance. (53.1.1.c)
- D. The discretion of the supervisor will be used to address any corrective or disciplinary action if deficiencies are found. The supervisor will also be responsible for follow-up inspection, if needed. Supervisors will fill out a Uniform/ Equipment Inspection Form for each officer. (53.1.1.e,d)

IV. FIELD INSPECTION INTEGRITY (53.1.1.a)

A random field inspection may be conducted by an officer's supervisor in the presence of at least two members of the Inspectional Services Bureau. The Supervisor will perform the inspection

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES
SECTION: Uniforms and Equipment Inspections

while the members of Inspectional Services observe and record information regarding the officer's equipment on the field inspection form. (53.1.1.b, c, d)

The completed field inspection form will be signed by the officer, the officer's Supervisor, and any Inspectional Services personnel observing the inspection. This procedure is solely intended to preserve the integrity of the field inspection process and is in no way considered to be a formal investigation.

If any incriminating evidence is located during a field inspection or there is a lack of cooperation or refusal to submit to a field inspection, the Inspectional Services Bureau commander will be notified immediately and will make the scene. Once on the scene, the I.S.B. commander will notify the Duty Chief of the situation.

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES
SECTION: Vehicle Safety Inspection Policy

VEHICLE SAFETY INSPECTION POLICY

The Memphis Police Department's policy on **Vehicle Inspections** was designed to ensure safety and equipment serviceability for all Police Officers and civilian employees.

- A. All employees will thoroughly inspect their assigned vehicles before assuming responsibility of said vehicles. Procedures will require proper documentation after inspecting the vehicle for the following:
1. **Vehicle Property Damage** - Damage to the vehicle or any attached equipment (i.e. License Plate Readers (LPR) and speed monitoring equipment) should be noted on the Officer's Daily Log Sheet. **Apparent new damage should be reported to the employee's supervisor or commanding officer immediately.** Employees will be held accountable for any vehicle/ property damage that occurs while in possession of the vehicle. When damage to a vehicle is not reported by an employee prior to assuming responsibility for the vehicle, the last employee driving the vehicle will be held accountable.
 2. **Vehicle Maintenance** - Check the vehicle for **any** repairs that may be needed. This will include attached equipment, such as the blue lights/siren, shotgun rack, P.M. schedule, LPR, etc. If repairs are needed, a Vehicle Work Request Form will be filled out and turned in to ensure the repairs are made.
 3. **Vehicle Interior Content** - Employees will thoroughly examine the interior of their assigned vehicle for any contraband, evidence and/or weapons that may have been previously overlooked. An employee will notify a supervisor or Commanding Officer immediately when any contraband, evidence and/or weapons are located during this inspection.

Vehicle Inspections will **also** be conducted at the end of an employee's tour of duty; or at such time the employee relinquishes that particular assigned vehicle during their tour of duty.

- B. The Vehicle Safety Inspection policy includes properly checking the interior of the officer's vehicle:
1. **BEFORE and AFTER** placing person(s) in the officer's vehicle.
 2. **After all** transporting of person(s).

This Policy enhances officer safety and provides charges against person(s) for the discovery of contraband, evidence and/or weapons.

MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES
SECTION: Police Vehicle Operation/Pursuit Policy

Police Vehicle Operation/Pursuit Policy

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SECTION: Police Vehicle Operation/Pursuit Policy

I. Police Vehicle Operation

T.C.A. 55-8-108, allows the driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law, to proceed past a red or stop signal or sign and to exceed the speed limit so long as the driver does not endanger life or property. This law applies only when an emergency vehicle is making use of audible (siren) **and** visual (blue light) signals. **THE PROVISIONS OF THIS LAW NEITHER RELIEVE THE DRIVER OF AN AUTHORIZED EMERGENCY VEHICLE FROM THE DUTY TO DRIVE WITH DUE REGARD FOR THE SAFETY OF ALL PERSONS NOR PROTECT THE DRIVER FROM THE CONSEQUENCES OF HIS RECKLESS DISREGARD FOR THE SAFETY OF OTHERS.**

Whenever an officer responds to an emergency call and such response requires exceeding the speed limit or going through stop lights or signs, the officer must use both his blue light and siren prior to entering the intersection. Failure to use this emergency equipment could result in the officer and the City being held civilly liable for any damages caused by a traffic crash.

Although State Law authorizes the driver of an authorized emergency vehicle to violate traffic laws, signs, and signals when responding to an emergency, this action must be taken with extreme caution. If an officer violates the traffic laws in such a way as to be negligent, causing a crash, then the officer could be considered at fault, equally with or greater than the citizen who failed to yield to an emergency vehicle. If the evidence indicates that the officer did not drive with due regard for the safety of all persons or had the greater ability to avoid the accident in light of the conditions at that time, the officer will suffer the consequences of the penalty for the City or State law violated.

The use of roadblocks by Memphis Police Department personnel is prohibited. (61.3.4)

II. Definitions

A. VEHICLE - any motorized instrument capable of transporting people.

B. PURSUIT - an event that is initiated when a law enforcement officer, operating an authorized emergency vehicle, gives notice to stop (either through the use of visual or audible emergency signals or a combination of emergency devices) to a motorist who the officer is attempting to stop, and the motorist fails to comply with the signal by either maintaining his or her speed, increasing speed, or taking other evasive action to elude the officer's continued attempts to stop the motorist. When the driver who, when required to stop in the approved manner and having had the opportunity to do so, indicates by their actions or continuance of their manner of driving that they have no intention of stopping for police and the police driver believes that the driver of the subject vehicle is aware of the requirement to stop and decides to continue behind the subject vehicle with a mindset to either report its progress or stop it, the police driver will be deemed to be in a pursuit.

C. TRAILING/FOLLOWING -- The simple act of following along behind the violator while giving

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both visual and audible indication that the violator should stop, and advising dispatch and other units of the violator's location and actions. The terms "trailing" or "following" should no longer be used in the context of police pursuits. Research has shown that there is no difference in the behavior of the officers involved in either a pursuit or the act of following or trailing.

- D. FLEEING** - Resisting apprehension through maintained or increased vehicle speed, the disobeying of traffic laws, or the disobeying of emergency signals and/or verbal commands of a law enforcement officer.
- E. PROBABLE CAUSE** - Facts and circumstances which would lead a reasonable and prudent officer to believe that a crime has occurred and that a person(s) occupying a particular vehicle committed the crime.
- F. VIOLENT FELONY** - An offense that involves serious bodily injury, death to a victim or bystander, threats reasonably calculated to produce such results, or sexual contact or sexual penetration.
- G. EMERGENCY RESPONSE** - Operation of a police vehicle using audible (siren) and visual signals (blue lights) in response to an emergency where violation of traffic laws by the responding officer is authorized under state law.
- H. EMERGENCY SITUATION** - Circumstances which would lead a prudent officer to believe that immediate response to the scene is critical to prevent possible loss of life or serious injury to a citizen or another officer.
- I. EMERGENCY VEHICLE** – Any Memphis Police Department vehicle that is equipped with blue lights and a siren.
- 1. MARKED PATROL VEHICLE** – Vehicles conspicuously marked with "MEMPHIS POLICE" and equipped with a fixed exterior mounted light bar and audible siren.
 - 2. UNMARKED VEHICLE** – Any Vehicle that is not conspicuously marked with "MEMPHIS POLICE". Despite lacking the visual markings of law enforcement, there may be the operational need to outfit a number of unmarked vehicles with emergency response equipment (blue lights and audible siren).
- J. SPECIAL PURPOSE VEHICLE** – A vehicle used because of considerations of weather, terrain, the need for inconspicuous appearance, quietness, storage requirements, special operational needs, etc. Includes:
- Tactical Vans
 - Bomb Disposal Vehicles
 - Mobile Command Posts
 - All Terrain Vehicles
 - Boats
 - Mopeds / Scooters
 - Aircraft
 - Prisoner Transport Vehicles
 - Motorcycles
 - Bicycles
 - Animals
- K. UNACCEPTABLE LEVEL OF DANGER** - the degree of danger created when the need for immediate apprehension is insufficient to warrant the initiation or continuation of a pursuit

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due to conditions exceeding the performance capabilities of driver and vehicle; if the pursuit involves excessive speed, reckless driving, and other factors. In determining whether an unacceptable level of danger potentially exists, an officer must be aware, and continuously consider and evaluate conditions such as :(41.2.2.a)

1. Time of day/night and expected density of traffic ordinarily present.
2. Weather conditions and its effect on traction, maneuverability and visibility.
3. Special conditions that may exist in the area of the pursuit, i.e. school zones, public gatherings, crowds, road construction etc.
4. Whether the identity of the occupant(s) is known and immediate apprehension is not necessary to protect the public or police officers and apprehension later is feasible;
5. The seriousness of the offense; and
6. The presence of other persons in the police vehicle.

**** NOTE **** Any alteration, either addition or deletion, to City of Memphis Police Department vehicles must be approved by the Chief of Police.

III. Routine Operation of Police Vehicles

- A. Each officer during daily operation of a police vehicle, whether in an emergency response mode or on routine patrol should be aware of prevailing road and driving conditions and should exercise safe, defensive driving techniques.
- B. Officers intending to make stops shall endeavor to be in close proximity to the violator's vehicle before activating emergency equipment, thus eliminating the violator's temptation to attempt evasion.
- C. When conducting a traffic stop, officers will position their vehicle as far out of the roadway as safety permits. If necessary, use the public address system to direct the violator to a position where safety is maximized and the interruption of traffic flow is minimized.

IV. Response to Calls:

The following procedures shall be adhered to by officers for the operation of police vehicles:

- A. When an officer receives a call, he or she will be given the nature of the call by the dispatcher. The nature of the call will dictate the type of response required by the officer (routine or emergency). The following call natures will be classified as emergency calls, and officers will respond in emergency mode with both emergency lights and siren being used.

- Armed Robbery in progress(business and residential)
- Carjacking in progress

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- Cobra Alarms
- Criminal Assault (in progress)
- Officer calling for help
- Active Shooting or stabbing with victim injured
- Vehicle pursuits.

An officer may respond to other types of calls in emergency mode. However this decision will be made based on a belief that an immediate response to the scene is critical to prevent possible loss of life or serious injury to a citizen or another officer.

Once the decision is made to respond to the call in an emergency mode, all of the heretofore mentioned provisions of the law should be foremost in the officer's mind to insure the emergency response will be as safe as possible. (41.2.1)

- B.** If the call does not require an emergency response as defined above, then the officer should proceed immediately to the scene, as safely as possible, observing all the traffic rules and regulations.
- C.** When in the course of his or her response to an emergency call, an officer approaches a red light or stop sign (controlled intersection), such officer shall come to a complete stop, proceeding through the controlled intersection only after exercising due care for the safety of others.
- D.** In response to any emergency call where several cars are responding, an officer should be cognizant of his or her distance from the scene and whether it is reasonable or necessary for emergency response on his or her part, in view of the fact other cars are closer and may be able to reach the scene quicker and safer than he or she will. In this situation, the officer should proceed immediately to the scene or area, as safely as possible, observing all traffic rules and regulations. Each officer, when given a call, will give his or her location at the time of acknowledging the call. A police unit responding to the scene of an emergency call shall not overtake and pass other police units responding to the same scene.

Authorized Vehicle Pursuits

- A.** Vehicle pursuits are authorized only when an officer has probable cause to believe that one or more occupants of a fleeing vehicle have committed a Violent Felony. In those cases, the officer initiating the pursuit must activate lights and siren, then immediately provide the dispatcher with the following information: (41.2.2.b)
1. Unit number of officer requesting authorization to initiate pursuit
 2. Location and direction of travel
 3. Speed of vehicles involved
 4. Description of suspect(s) and suspect vehicle
 5. Applicable criminal charge(s) involving the suspect(s)

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6. Any other pertinent information, i.e., weapons, hostages, identity of person, etc.
- B.** Authorization to pursue must be obtained from a supervisor at the rank of Lieutenant or above within one minute of pursuit origination or the pursuit must be terminated by the officer.

VI. Vehicle Pursuits Prohibited:

Vehicle pursuits will be strictly prohibited under the following circumstances:

1. When the officer knows that the suspect is wanted only for a traffic violation, a misdemeanor, or a non-violent felony.
2. When the officer has failed to obtain supervisory approval within one minute of pursuit origination.
3. When the pursuit has reached an unacceptable level, as defined in Section II of this policy. (41.2.2.a)
4. When the officer fails to activate audible (siren) and visual (blue lights) signals upon initiation of a pursuit.
5. When the pursuing police vehicle(s) is occupied by anyone other than a commissioned police officer.
6. When the officer has reason to believe that his/her police vehicle is mechanically defective or otherwise unsafe for pursuit or emergency response.

VII. Inter-jurisdictional Pursuits (41.2.2.i)

- A.** Pursuits Leaving the City of Memphis. 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. MPD units will stand by at a designated location until notified by the dispatcher to proceed to the termination point (if the suspect has been apprehended).
- B.** Pursuits entering the boundaries of Memphis, Tennessee from another jurisdiction. Officers shall not become involved in another agency's pursuit 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. A supervisor must specifically authorize engaging in the pursuit. In these instances, all Departmental pursuit policies are in effect.

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When a pursuit enters our jurisdiction, the supervisor shall request the critical information regarding the pursuit from the dispatcher. The supervisor shall determine if the pursuit is in conformance with MPD policy and shall provide appropriate direction to the units. If the outside agency's pursuit does not meet the minimum pursuit guidelines in this policy, MPD officers are prohibited from engaging in the pursuit.

Officers shall not leave the boundaries of Memphis, Tennessee to assist in a pursuit not originating within the boundaries of Memphis.

VIII. Pursuit Procedures

A. Only emergency response vehicles will participate in vehicle pursuits. The emergency equipment (blue lights and siren) must be activated, not only to warn the pursued, but also to protect the officers and others on or near the roadways. Emergency response vehicles will notify the supervisor monitoring the pursuit that they are in pursuit in an unmarked vehicle. Upon availability of a marked vehicle, the unmarked vehicle will become the secondary unit. If a second marked vehicle becomes available the unmarked vehicle will abandon the pursuit and proceed to the termination point of the pursuit if the suspect is apprehended. (41.2.2.d)

B. Number of Police Units Participating: The pursuit shall be limited to the primary unit and a secondary unit. The primary unit is the police vehicle initiating the pursuit. The secondary unit is the second police vehicle joining the pursuit behind the primary unit. All other units shall stay clear of the pursuit. (41.2.2.d)

EXCEPTION: # 1 If an officer in a special purpose vehicle initiates the pursuit, he or she shall abandon the pursuit when a marked patrol unit joins the pursuit. The officer in the special purpose vehicle shall proceed to the termination point of the pursuit if the suspect is apprehended.

EXCEPTION: # 2 See VIII, F. Helicopter Assistance.

C. Primary Unit: The first responsibility of the unit initiating the pursuit (primary unit) is the apprehension of the suspects without unnecessary danger to themselves or other persons. Unless relieved by a supervisor, the officer in the primary unit shall be responsible for the broadcasting of the progress of the pursuit, controlling the pursuit tactics, and deciding if the pursuit should be abandoned. If the primary unit is unable to continue the pursuit, the secondary unit shall become the primary unit. (41.2.2.b, .c)

D. Secondary Unit: Officers in the secondary unit shall make the necessary notifications, assuring the dispatcher that no additional units join the pursuit. (41.2.2.c)

E. Pursuit Driving Tactics:

1. There shall be no paralleling of the pursuit route, unless the pursuit passes through a unit's assigned area. The paralleling unit shall not be operated under emergency conditions (blue lights and siren).
2. The primary and secondary units shall be the only units operating under emergency

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conditions (blue lights and siren), unless other units are assigned to the pursuit by the Supervisor monitoring the pursuit.

3. There shall be no caravanning of units paralleling the pursuit or attempting to join the pursuit.
4. Officers involved in a pursuit shall not attempt to pass other units, unless requested to do so by the primary unit.
5. In vehicle pursuits, the use of any of the following actions by an officer is prohibited:
 - a. Using the police vehicle as a battering ram to force the vehicle being pursued to stop.
 - b. Pulling alongside the vehicle in an effort to force the vehicle over, or pulling alongside the vehicle for any other reason.
 - c. Using a police vehicle to block the path of a vehicle being pursued.
 - d. Driving at unsafe speeds and violating traffic laws in order to join a pursuit when the officer's location is such a distance from the pursuit to make such an attempt impractical and unsafe. (41.2.2.g)

IX. Helicopter Assistance

When feasible, the helicopter shall join the pursuit. (41.2.2.d)

- A. The helicopter shall advise the pursuing unit that the helicopter has joined the pursuit.
- B. The ground unit shall relay all necessary information to assist the helicopter unit.
- C. The helicopter, when practicable, shall advise the ground unit of upcoming traffic congestion, road hazards, and other factors which might endanger the safety of the pursuing unit or others.
- D. When the pursued vehicle is lost or the pursuit terminates and the suspect flees on foot, the helicopter unit shall broadcast information which may assist the ground unit.
- E. The helicopter will become the primary vehicle when circumstances do not warrant continuation of a pursuit due to the pursuit reaching unacceptable levels.

X. Stop Stick Tire Deflation Devices

X: Stop Stick Tire Deflation Device

Only officers who have successfully completed proper use and deployment techniques training of the *Stop Stick Tire Deflation Device* are authorized to deploy

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the device. Only department issued *Stop Stick Tire Deflation Devices* will be utilized.

A. Notification

Once the equipped officer has determined Stop Sticks can be used without jeopardizing the safety of other officers and civilians, they must advise their immediate supervisor and receive permission for deployment.

Once an officer receives authorization, they will advise the dispatcher of the exact location where the device will be deployed and the dispatcher will notify all units involved in the pursuit.

B. Procedure

Officers must make every effort to deploy Stop Sticks in an area that minimizes the possibility of unacceptable collateral damage to surrounding property once the suspect's tires are deflated.

The *Stop Stick Deflation Device* may be utilized:

- During pursuits which have been authorized by a supervisor.
- In the travel path of stationary vehicles, if feasible.
- In the travel path of vehicles in motion leaving the entrance/exit of business parking lots and or choke points (a narrow passage that restricts traffic) to prevent a vehicle pursuit.
- Whereas the driver of a fleeing vehicle would be subject to lawful detention or arrest and – pursuant to policy a vehicle pursuit would not be authorized – Officers are not actively pursuing the vehicle (e.g. stolen vehicle; subject committed a non-violent felony crime; reckless driving; DWI; etc.)

During these situations, Officers must have a supervisor's authorization before deploying the tire deflation device. Officers must consider the totality of the circumstances and the need to apprehend the suspect as compared to the risk to the deploying officer, the public, and the fleeing suspect.

C. Deployment of Stop Sticks

- Flat portions of roadway between intersections;
- Areas where the vehicles are going at minimal speed;
- Roadways leading away from crowds/events;
- Areas of unobstructed views of the roadway in both directions to aid in deployment and lessen the possibility of a crash.

If roadway conditions allow, the deploying officer should position themselves on the side of the roadway opposite of the suspect's direction of travel and deploy the device as trained. Example: If the suspect vehicle is westbound on Park Ave., the deploying officer's vehicle should be in the eastbound lane with headlights and emergency lights activated. The officer should attempt to conceal themselves from the suspect's view while

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maintaining a position of safety behind natural or man-made barriers.

Officers should maintain a safe distance from their vehicles when deploying the deflation device in the event that it is struck by the oncoming suspect vehicle. The deployment vehicle must be unoccupied.

Once the primary and secondary pursuit vehicles reach the location of the deployment, officers should slow down to allow ample distance to compensate for the slowing of the suspect vehicle once tires begin to deflate, thus avoiding collision with suspect vehicle and possible contact with the deflation device. The device should be removed from the path of pursuing officers immediately after contact with suspect vehicle.

If the deploying officer fails to pull device from the path of the primary vehicle, the primary driver should run over the device and NOT make an abrupt evasive maneuver. Radical evasive maneuvers put the pursuing officer at risk of a dynamic rollover, loss of control, or a chain reaction collision with other pursuing officers.

After contact with the suspect vehicle, the deploying officer must retrieve the spent deflation device. They may assist pursuing officers if conditions allow, but under no circumstances will the deflation device be abandoned on the scene of the deployment.

Supervisors should proceed to the point of termination of the pursuit and complete a Supervisor' Vehicle Pursuit Report.

The serial numbers of the spent Stop Stick cartridges must be recorded in a legible manner on the form. This form will be submitted to Stop Tech Ltd. so replacement cartridges can be issued.

Replacement cartridges will be installed in the canvas carriers from the replacement inventory.

D. When Stop Sticks, including, but not limited to the following should not be deployed:

- Within 300 feet of a major intersection;
- On motorcycles or vehicles with two or three wheels, including ATV's (all-terrain vehicles);
- On streets with heavy traffic flow, congestion, or construction (discretion advised);
- On curves or slopes where an immediate crash could occur;
- In areas with large groups of pedestrians or crowds attending legal or authorized events;
- Near or around standing water to include rivers or lakes.

XI. Communications

After a broadcast has been given as to the location and other information indicating the vehicle has been lost or the vehicular pursuit terminated, the units which have been involved shall take the steps necessary to coordinate the search for the pursued vehicle or suspects fleeing on foot.

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XII. Loss of Pursued Vehicle

When the pursued vehicle is lost, the primary unit shall broadcast necessary information to assist other units in locating suspects. The primary unit shall be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot pending the arrival of a supervisor.

XIII. Termination of the Pursuit

Officers of the primary unit are responsible for the arrest of the suspect when the suspect voluntarily terminates the pursuit or becomes involved in a traffic crash. The secondary unit shall be responsible for backing up the primary unit and making the necessary broadcast to terminate the vehicular pursuit. If the officers of the primary unit become involved in a foot pursuit, the officer of the secondary unit or the responding Supervisor shall be responsible for coordinating any further activity, to include the securing of the primary unit and the suspect vehicle. (41.2.2.b, .c)

XIV. Discontinuing the Pursuit

Officers involved in a pursuit must continually question whether the seriousness of the violation reasonably warrants continuation of the pursuit. (41.2.2.a)

- A. The pursuing officers must consider present danger, seriousness of the crime, length of pursuit, and the possibility of identifying the suspect at a later time when determining whether or not to continue the pursuit. (41.2.2.b)
- B. All officers involved in vehicular pursuits will be held accountable for the continuation of a pursuit when circumstances indicate the pursuit should be discontinued.
- C. A pursuit shall be discontinued when there is a clear danger to the pursuing officers or the public. (41.2.2.h)

EXAMPLE: When the speeds dangerously exceed normal traffic flow or when pedestrians or vehicular traffic necessitates unsafe maneuvering of the vehicle.

XV. Reporting of the Pursuit

An "MPD Vehicle Pursuit Report" will be completed when all of the following criteria have been met:

- A. The officer has given the vehicle notice to stop through the use of visual (blue lights) and audible (siren) emergency signals; AND
- B. The motorist fails to comply with the officers' emergency signals by means of increasing speed or continuing to take evasive actions that indicate they have no intention of stopping for police; AND
- C. The officer believes that the driver of the subject vehicle is aware of the requirement to stop and

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thus notifies dispatch of the intention to continue behind the subject vehicle with a mindset to arrest a suspect in the fleeing vehicle.

The Primary Officer of the pursuit at the point of termination will be responsible for completing the “MPD Vehicle Pursuit Report” and submitting the report to the supervisor who monitored the pursuit.

XVI. Supervisory Responsibility (41.2.2.f)

- A. To immediately identify himself/herself to the dispatcher as the supervisor monitoring the pursuit.
- B. To determine the necessity of the pursuit within one (1) minute of origination.
- C. To insure immediate broadcast of proper charges by the pursuing officer.
- D. To alter any action taken by pursuing vehicles during the chase.
- E. To order termination of a pursuit which he/she has determined to have reached an unacceptable level.
- F. If a supervisor discontinues a pursuit due to the necessity of the pursuit or due to unacceptable levels for continuation of the pursuit, the supervisor will have the pursuing officer(s) give their location. The supervisor will direct the units to stand by at the location where the pursuit was discontinued. The supervisor will then proceed directly to the unit’s location for verification that the pursuit was discontinued. (41.2.2.h)
- G. To respond immediately to the pursuit termination point.
- H. To assume responsibility for all police action at the termination scene.
- I. The Supervisor monitoring the pursuit will ensure that the “MPD Vehicle Pursuit Report” is completed and submitted by the primary officer at the time of the pursuit termination. The Supervisor will review the submitted report for accuracy and assess the pursuit regarding adherence to policy. The Supervisor may add any necessary information to the report in the space provided for Supervisor comments. The Supervisor will identify any pursuit-related training, policy, equipment, or disciplinary concerns and relay these concerns to the appropriate Commander in memo form. The Supervisor will forward the completed pursuit report to his/her precinct/unit Commander, Training Academy Commander, and the Traffic Division Commander. (41.2.2.j)

XVII. Review and Analysis of Vehicle Pursuits

Pursuit Reports will be forwarded to the Commander of the Training Academy. The Commander will see that the Pursuit Reports are properly stored, reviewed, and an analysis is completed. The reports will be reviewed for the following:

- Was Department policy and procedure adhered to?
- Is the applicable policy clearly understandable and effective in covering the incident?

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- Is current departmental vehicle pursuit and operations training adequate?
- Is the department's equipment adequate?
- Are there vehicle operation issues that should be addressed in training?

On January 31st the Training Academy Commander will submit an annual "Vehicle Pursuit Analysis" to the Chief of Police. The annual report will analyze the frequency and circumstances of vehicle pursuits for the previous year. Additionally, the report will outline any issues regarding departmental training, equipment, or Policy and Procedure. (41.2.2.L)

XVIII. Escorts

- A. Emergency escorts will not be allowed as there are no City ordinances or State laws granting us such privilege.
- B. Directional escorts are allowed upon permission granted by a Supervisor, with the understanding that all traffic signals and posted speed limits will be adhered to by the concerned officer and there will be no use of emergency equipment. (Examples of directional escorts: out-of-state private vehicle or ambulance attempting to locate doctor or hospital services, etc.)
- C. The Traffic Division will perform escorts in accordance with the Traffic Standard Operating Procedures as directed by the Chief of Police or his/her designee.

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I. Police Vehicles

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A. Patrol Vehicles - Each marked vehicle used in routine patrol service must be equipped with at least the following equipment in operational order:

- Blue emergency lights
- Siren and public address system.
- Police radio
- Alley lights and spotlight
- Shotgun lock

If an unmarked vehicle is used in the patrol function it will, at a minimum, be equipped with blue lights and a siren. (41.3.1)

PST vehicles will be equipped with an amber emergency light and police radio.

B. Securing Vehicles - Unattended police/PST vehicles shall be locked and secured to reduce the possibility of vandalism or theft of property from the vehicles. Operators of police/PST vehicles will comply with the following procedures:

1. Turn off all accessories, and then shut off the ignition when a vehicle is to be parked for more than three (3) minutes.
2. Remove ignition keys from unattended vehicles. At no time will the operator leave the ignition keys unattended in the vehicle
3. Lock the vehicle when it is to be left unoccupied and out of sight. All police/PST vehicles will be secured when not under physical control of the operator.

Disregard any of the foregoing when safety or tactical considerations warrant. That authority rests with the officer operating the vehicle, subject to the overriding judgment of a supervisor or commanding officer.

C. Out of State Travel

Any police vehicle which is authorized to leave the State of Tennessee shall be reported to Risk Management prior to departure. An "Out of State Vehicle Insurance Request Form" will be completed and sent to Risk Management via fax at 576-6454.

D. Fuel conservation

Fuel conservation will be achieved by reducing idling time on engines.

E. Vehicle Maintenance

Officers/PSTs are responsible for the care and routine maintenance of their assigned vehicle. Care includes checking oil and other fluids, checking air in the tires, etc. Supplies are available and officers/PSTs are expected to maintain these functions. Other types of maintenance (i.e. oil changes, alignments, etc.) are the responsibility of General Services, and require a shop work order to be completed.

Prior to the start of each shift, each officer/PST assigned to a vehicle will check the vehicle and its equipment to ensure it is operational.

If the vehicle is damaged the officer/PST shall notify their supervisor and the shift/precinct inventory/equipment personnel. If the vehicle damage or equipment malfunction is severe

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and renders the vehicle non-functional, the officer/PST will immediately notify equipment personnel. The equipment personnel will determine if the vehicle should be taken out of service and, if necessary, will assign another vehicle to be used.

F. Towing of Police Vehicles

When any officer/PST has to have a police vehicle towed for any reason, they should contact the dispatcher for the city wrecker. If the city wrecker is not available or is unable to make the pull, the city lot will make arrangements through a contracted wrecker service to tow the police vehicle. Wreckers from the rotational list are not to be used.

II. Special Purpose Vehicles

Special-purpose vehicles shall be used according to their purpose or as authorized by proper authority. Any special qualifications or training records for operation shall be maintained at worksite along with maintenance log and log of inventoried inside equipment (if applicable) logs.

III. Take Home Vehicles

A. Unmarked Police Vehicles

The following job descriptions within the Police Services Division meet the requirements for assignment of city-owned “Take Home Vehicles”. The Chief of Police must approve all exceptions not listed below. Personnel approved to take their assigned vehicles home will be governed by the residency requirements at the time they were hired. No employee who is afforded Take Home Vehicle privileges shall travel outside of the boundaries of Shelby County, Tennessee, without the expressed written approval of the Chief of Police or his/her designee.

- Executive Branch: Chief of Police, Assistant Chief, Executive Assistants, Public Information Officer, Employee’s Support/EIP Manager and the Mayor’s Protection Unit.
- Administrative Services: Deputy Chief of Administrative Services, Communications Manager, Information Technologies Manager, and any Network/Support Staff “on call”.
- Investigative Services: Deputy Chief, Investigative Services Commander and Assistant Commander, designated Task Force personnel, Homicide “when on call”, Sex Crime/Juvenile Abuse Squad “when on call”, and designated Task Force personnel.
- Special Operations: Deputy Chief, Colonel, Lt. Colonel or designated Assistant Commander, TACT Commander, and TACT Officers.
- Uniform Patrol: Deputy Chiefs, Colonel, Lt. Colonel or designated Assistant Commander.
- Inspectional Services: Commander and all personnel.
- OCU: All personnel assigned to this unit.
- Training Academy: Commander, designated Assistant Commander, Firing Range

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Commander and Personnel designated “on call”.

The above-designated personnel will be required to submit a “*Vehicle Take Home Request*” form to their immediate supervisor for final approval by the Chief of Police.

Personnel are also required to comply with Internal Revenue Service regulations concerning assigned “Take Home Vehicles”, which shall be considered taxable income.

“Take Home Vehicles” may not be used for personal use other than commuting and “*de minimis personal use*”, which is defined by IRS rules and regulations as including only stops for a personal errand between business or business stops and the employee’s home.

Failure to comply with this policy shall result in the revocation of all “Take Home Vehicle” privileges and may result in further disciplinary action.

B. Marked Vehicle Take Home Policy

The below designated personnel may drive a marked vehicle home due to their job descriptions. They must live in the City of Memphis, unless approved by the Chief of Police:

- Communications Executive Commander and Manager of Police Communications Maintenance.
- Officers of the Month.
- Canine and Bomb Squad Officers will be allowed to take their assigned vehicles home as governed by the residency requirements at the time the officers were hired.

The “take home” vehicle may not be used for any personal use other than commuting and “*de minimis personal use*”, and shall generally include stops for a personal errand between business or business stops and the employee’s assignment. Unauthorized passengers are not allowed. No employee who is afforded Take Home Vehicle privileges shall travel outside of the boundaries of Shelby County, Tennessee, without the expressed written approval of the Chief of Police or his/her designee. The following guidelines must also be adhered to:

1. Commission personnel must be armed and have all the equipment necessary to place themselves on duty while operating a marked vehicle. Acceptable attire will consist of a Class A Uniform or civilian clothing suitable for courtroom appearance.
2. Vehicles cannot be operated outside the city limits, unless approved by the Chief of Police or Assistant Chief.
3. No unauthorized animals or cargo that might damage or alter the appearance of the vehicle will be permitted.
4. Officers operating marked take home vehicles will:
 - a) Assume the responsibility of keeping the vehicles on a required preventative maintenance schedule.
 - b) Keep the vehicles clean and ready for inspection.
 - c) Monitor the radio channel of the precinct they are in while operating the vehicles.
 - d) Take proper action in response to emergency calls or requests for assistance.
 - e) Immediately notify the dispatcher using assignment and IBM numbers.
 - f) Take interim action as may be required until on-duty personnel arrive.

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C. Compensation:

Officers will be compensated for “actual time worked”. Officers will place themselves on a call to activate the beginning time and notify the dispatcher when the activity is completed. These times represent the “actual time worked” and will be computed towards satisfying prime time. Officers will utilize log sheets to record their activities, and will indicate “off duty” in the assignment block. These log sheets will be submitted to their workstations promptly and will serve as compensation vouchers for the purpose of accountability.

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Buses Location:

1. Bus P#220 is located at the T.A.C.T. Office, 51 S. Flicker.
2. Bus S#428 is located at the Fire Academy, 79 S. Flicker.
(The Fire Department maintains this bus. It should be used for local trips only. Chief Warren ph #320-5371).

Reserving the Bus:

The Detail Commanding Officer (other than Special Events) will be responsible for reserving the bus from the T.A.C.T. Unit Office (327-5670). Only current listed, qualified operators may sign for and operate the vehicle.

Bus Operation:

The driver of the Memphis Police Bus should wear a uniform and have with him/her a handi-talkie.

No smoking, drinking, or eating will be permitted anytime on board the bus. All passengers must remain seated at all times while the bus is in operation.

It will be the responsibility of the assigned driver to report any accidents as outlined in the Memphis Police Department Policy and Procedures Chapter VIII, Accidents involving police vehicles, and Chapter XIII, Towing of police vehicles.

It will be the responsibility of the driver to make a pre-trip and post-trip inspection of the bus and report the findings. If there are any defects that could cause a breakdown, note it on the trip/check-out form.

The operator is responsible for completing a bus trip/check-out form (see attachment) upon returning the vehicle. Should the facility be closed, the form may be returned the next business day.

In case keys to buses are not available, all drivers should be familiar with keyless starting procedures.

If a trip requires continuous driving of six (6) hours or more, there should be a second driver on board

Break Downs:

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SECTION: Bus Policy

In the event the bus breaks down while in the City and there are no passengers that would require the delivery of another bus to complete the trip, contact the Communications by radio or telephone.

If the bus is in the City and there are passengers to be transported, notify Communications who will call the Command Duty Officer to secure another bus and driver to assist you.

If a bus front tire or both rear dual tires become flat, advise Communications of the situation either by radio or telephone. An approved tire repair service will be contacted to fix the flat. The city lot does not have the equipment to jack up the bus.

Bus Operation Outside the City:

Before any Memphis Police Department Bus can be utilized outside the City limits, authorization must be obtained in writing, by a Deputy Chief.

The bus operator, when driving outside of the City should:

1. Go to Fiscal Affairs to secure credit cards for fuel or break downs.
2. Secure a portable phone at the Training Academy for P#221 or the T.A.C.T. Squad Office for P#220.

If the bus breaks down, call the Command Duty Officer at (901) 576-2665. The CDO will send a General Services wrecker to make the tow back to Memphis and send another bus to complete your trip. In the case of a flat, use the City's credit card to charge the repairs. Any repairs other than a flat must be approved by higher authority through the Command Duty Office prior to those repairs being made.

In the event of a breakdown, advise the CDO of the following:

1. The nature and the location of the breakdown
2. If there are passengers to be transported
3. Your destination

You are responsible for the passengers' safety. Keep them in a place of safety while the bus is being repaired. Passengers should never ride on the bus while it is being towed.

Bus Tire Repair Service:

The Steel Tire Company (365-2211) is the authorized tire repair service for the buses.

Assignment of Drivers:

Bus driving assignments will be coordinated by the Special Events Office in accordance with

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established policy.

A roster of commercially licensed drivers will be maintained by the Special Events Office for use in making assignments. Events at the Liberty Bowl Memorial Stadium will be excluded from roster assignment rotation due to special requirements involved in those events.

After being contacted by Special Events, the assigned driver is responsible for procuring the bus and any other necessary equipment from one of the three locations where the buses are parked. It is also the driver's responsibility to return the bus immediately upon conclusion of the assignment. The bus is to be full of fuel at that time. Fuel is attainable at the City Lot, 671 St. Jude Pl., or any Memphis Fire Department station which has a diesel fuel pump.

It is the responsibility of officers holding a valid commercial license to provide their names and proof of commercial certification to Special Events for inclusion on the roster. Officers who fail to do so will not be called for driving assignments. It is also the responsibility of individual officers to notify Special Events when, for any reason, their names should be removed from the roster, i.e., loss of commercial certification, change in duty assignment, etc. The list will be kept current by Special Events based on said notifications and information provided via weekly Special Orders.

If a need arises where another bus driver is needed as a co-driver, or if the original driver is unable to make it to the trip's destination, contact the CDO who will notify an approved driver.

Physical Fitness & Wellness

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I. Physical Fitness

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SECTION: Physical Fitness & Wellness

Physical fitness will be a professional goal of every member of the Memphis Police Department. Research and statistical evidence proves that physical fitness and a proper diet improve health and performance in our daily lives and particularly its importance in the law enforcement profession. The Command Staff encourages all officers to utilize the Training Academy's Physical Training Facility and any other department facility open to department employees i.e. Station exercise rooms, City Hall. (22.3.2)

II. Wellness Program

All employees are also encouraged to participate in the City of Memphis Wellness Program. The Wellness Program is a voluntary program open to all City employees. It is operated by certified trainers in physical fitness. The program is designed to help individuals make positive changes in their health behavior, resulting in increased productivity and reduced risk for health related illness and disease. Individual Health Screenings along with fitness assessments are available to all employees. Individual education, counseling sessions, goal setting, evaluation, and follow-up correspondence will be provided at no cost to the employee. The Program Coordinator, Lonnie Lewis, can be reached at 901-636-1375.

III. Academy Physical Training Facility

A. Rules and Regulations: All officers utilizing the facility are expected to familiarize themselves with the following rules of operations:

1. Everyone must sign in and out when using the facilities.
2. Only Memphis Police Department employees or other approved law enforcement personnel are permitted to use the gymnasium facilities. Approval for other than M.P.D. Personnel must be obtained by written request to the Chief of Training. With approval, a Hold Harmless Form must be signed and recorded.
3. Due to the potential danger of heavy, cumbersome objects lying around, no children will be permitted in the gymnasium. There are no accommodations for them to wait while an officer works out.
4. Visitors, including children, are welcome during scheduled, organized events. Nevertheless, the inviting officer will bear the responsibility of controlling his guests, so that they are not injured or allowed to be disruptive to the training environment.
5. There will be no eating, drinking or smoking allowed in the weight room or on the gymnasium floor. This is for your protection as well as the protection of the premises.
6. After using equipment, it should be returned to its respective storage location. This includes, but is not restricted to: balls, weights, belts, gloves, bars and stereo equipment. (This particularly applies to weights in the weight room).
7. If it becomes necessary for you to alter the operation of a piece of equipment, please advise the Academy Staff Personnel on duty before doing so.

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8. Movement inside the Academy Staff Personnel's Office should be kept to a minimum. A telephone is provided for use by officers in the hallway adjacent to the soft drink machine.
9. Anyone that is not a member of the Academy Staff should park away from the curb, just as he or she would during In-Service Training. The Academy Staff parking slots are assigned and there are no exceptions.
10. The gymnasium hours will vary according to: time of the year, scheduled events, and other considerations. Notices will be posted on the bulletin board in the hall as soon as the Academy Staff has confirmed a change in the schedule. The Academy Staff advises you to call to verify the current operating times.
11. The current gymnasium operating hours will be posted on the bulletin board. This means that you should dress and workout within the posted times. You should not enter the facility prior to the posted opening time, and you should depart prior to the posted closing time.
12. Any injuries sustained in the gymnasium should be brought to the attention of the Academy Staff member on duty. Any potential hazards should be brought to the attention of the Academy Staff immediately.
13. All persons having suggestions for improvement in the operation of the facility are encouraged to express their opinions to the Academy Staff.

B. Reserving the Gymnasium Facility

Memphis Police Department employees wanting to reserve the gymnasium facility for an organized event **must** contact the gymnasium supervisor, allowing as much advance notice as possible.

The Chief of Training will make final approval of all requests.

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SECTION: Radio Equipment

Considerable and unnecessary down time and repair costs have been incurred by the Police Department as a result of rough or careless handling of radio equipment. The Handie-Talkie has been especially vulnerable to casing and housing damage as a result of careless or rough handling.

In addition, considerable damage to both police vehicles and radios has occurred as a result of the microphone being hung on the rear view mirror of the car.

Personnel will exercise due care to prevent damage to Handie-Talkie Radios and car radios. Deviation from the intended usage of these important pieces of equipment will result in disciplinary action.

Radios are assigned to and the responsibility of each individual officer.

Pagers are assigned to and the responsibility of each individual officer.

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SECTION: Computer Equipment and Security

Computer Equipment

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MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES

SECTION: Computer Equipment and Security

I. Policy

Employees are encouraged to view the use of Personal Computers, the internet, and e-mail as legitimate and appropriate business and communication tools to support employee productivity. The access to and use of City of Memphis (hereafter referred to as "City") owned computer hardware or software will be conducted in an ethical, professional and lawful manner, exclusively for business purposes in support of City operations and not for personal use. "Hardware" includes all laptop and desktop computers, Personal Data Assistants (PDA), handheld devices and printers. Department members will not access or use these tools in any manner that breaches confidentiality of City business, legal or other proprietary information, causes the City to come into disrepute because of false, injurious, slanderous, abusive, racist, sexist, or other harmful communication.

Violations of this policy will result in departmental disciplinary actions, which may include revocation of all access to internet and e-mail. Department members may be liable for any costs arising from violations of this policy.

II. Privacy

Access to and use of City-owned personal computers is not to be construed as private, nor should the term "personal" in "personal computer" be interpreted as giving the right of private use to the user. No City employee may regard any electronic communication, file or other information, generated or received on a piece of City-owned equipment as private or confidential. The City reserves and intends to exercise the right to review, audit, intercept, access, and disclose all content and messages created, received or sent over the internet or via the electronic mail system for any purpose. The contents of electronic mail may be disclosed by the City without the permission of the employee.

- 1) **Logs** - Logs of internet access, internal email, external email, and individual email messages by any user may be initiated, maintained and retrieved by the City, with or without the user's knowledge or permission. Any information gathered from such logs will be used to deal with violations of this policy.
- 2) **Inspection** - Authorized representatives of the City may, without the user's knowledge, access the user's PC at any time to inspect or copy any files on the PC. Department members may be required to furnish passwords to assist with such inspection.
- 3) **Business use only** - PC's, external e-mail, internal email, and internet access will only be used in a manner that supports or contributes to work on behalf of the City. Email will be used to generate and transmit only messages dealing with City business or the employee's professional development as a City employee
- 4) **Employee use only**. Department members will not make PC, internet, or email access available for use by visitors or to other employees who may or may not be authorized to view sensitive or confidential information stored on the user's PC.

III. Computer Hardware Procedures

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PC hardware will be used in a reasonable and appropriate fashion, not subjecting the equipment to undue stress, either intentionally or with reckless disregard to the risk of damage to the equipment. All moving of desktop PC's from one location to another will be performed only by Technicians from Information Systems. Department members will not remove parts or components of any kind from PC hardware. All repairs or adjustments to equipment beyond the obvious capability of a user to perform will be performed only by authorized Technicians from Information Systems. Department members will not attempt to make their own repairs or disassemble PC equipment for any reason.

- **Audio and Visual Operation** - Department members will not operate the speakers on their PC equipment at a volume that disrupts or interferes with the work of other Department members. Department members will not use the video screen on their PC's to display objectionable or inappropriate graphics or text, especially graphics or text that would contribute to a sexist, racist or otherwise hostile work environment.
- **Shutdown** - Department members will shut down their PC's at the close of business each day, using established shutdown procedures incorporated into the PC's operating systems. Such established shutdown procedures are necessary to avoid harm to the PC or software.
- **File Storage** - Department members will not save non-work-related files to City servers. Entertainment media such as MP3 or other Audio files, video files or pictures are not to be saved to the City's file servers unless the file is work related. The My Documents folder and all of its sub folders and the "P" drive are actually on a City file server.

IV. Software

A. Authorized software - Department members will not seek to install any software or programs other than what may be installed by authorized Technicians from Information Systems. In particular, Department members will not download or install:

- Recreational games
- Programs such as America Online™, AOL Instant Messenger™, or ICQ™.
- Any internet e-mail software (e.g., Juno™ e-mail).
- Any executable files or compressed executable files

This is necessary to protect PC's from viruses, to ensure that nonstandard software is not loaded onto PC's, and to ensure that software copyrights are not violated.

Aside from using any built-in "user preference" features of software to choose such things as display colors, type fonts, icons, etc., Department members will not seek to alter or modify, in any way, any software installed on their PC's.

B. Copying of software - Department members will not copy software, which has been installed on any City of Memphis computer. Authorized Information Systems staff may copy software for business use if all copyright and licensing provisions are observed.

V. Internet Access

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Internet access is access to text, graphics and programs on the worldwide web; in other words, on computer file servers outside the City's control. Such access is enabled through software associated with internet protocols; e.g., Microsoft Internet Explorer™ or similar software. Specific provisions of the internet, e-mail and PC policy applying to internet access are as follows:

- **Confidentiality** - Department members will not transmit or post messages online or via external e-mail disclosing sensitive or confidential information regarding the City's business, except in authorized communications with vendors or other parties with a legitimate interest in such information.
- **Games** - Department members will not access, or participate in, web sites offering recreational games or social chat rooms.
- **Objectionable Use** - Department members will on no account use their PC's to access web sites, download, post, obtain, transmit, or store graphics, multimedia, or text that promotes or advocates racism, sexism, pornography, violence, hatred of specific groups, use of illegal substances, civil disobedience, or other illegal behavior.

VI. Email

The City maintains an electronic mail system to assist City employees as they conduct business. All messages composed, sent, or received on the electronic mail system are the property of the City of Memphis. They are not the private property of any employee. The volume and content of these messages are of organizational concern and we are required to manage this tool diligently.

Internal e-mail consists of messages generated, transmitted, received and stored via software installed for this purpose on City computers, and transmitted only between City Department members.

External e-mail consists of messages generated, transmitted, received and stored via software installed for this purpose on City computers, and transmitted only between City Department members and Department members who are not on the City's internal e-mail network.

Specific provisions of e-mail use are as follows:

- A. Department members will not generate or transmit harmful, objectionable, or inappropriate messages via internal e-mail. Such messages would include, but not be limited to, false, profane, abusive, defamatory, racist, sexist or threatening messages.
- B. The electronic mail system may not be used to solicit for commercial ventures or political causes, outside organizations, or other non-job-related solicitations.
- C. Department members should transmit messages stating official City positions only if authorized to do so. No message may be transmitted to the entire group of City Department members unless the sender has been specifically authorized to transmit such messages by the appropriate City authority, as described in the Policy on Electronic Communication in the City Personnel Manual.
- D. All messages generated and transmitted via internal e-mail should be professional and courteous in tone. Department members should proofread all messages before sending, for grammar, spelling,

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usage, clarity and coherence, to ensure that all messages reflect well on the user and his or her Division.

- E. Department members should periodically review their e-mail in-boxes and out-boxes to delete older messages that are no longer needed. Department members must not use their e-mail account as an “electronic filing cabinet” because this taxes the resources of the City’s e-mail server.
- F. The electronic mail system shall not be used to violate copyrights or other proprietary rights by distributing unauthorized copies of materials owned by others.
- G. Department members will generate and transmit messages only on their own internal e-mail accounts and will not transmit from another user’s e-mail account or otherwise misrepresent themselves as being another user

VII. Personal Data Assistant (PDA)

- A. Department members will not use the PDA while driving. Department members who are passengers in a vehicle may use the PDA.
- B. Department members will not disclose any information accessed via PDA to any person other than a sworn law enforcement officer. An officer acting in his official capacity for an authorized law enforcement function may disclose information to another sworn law enforcement officer. The data stored in the TIES system must be protected to ensure correct, legal, and efficient dissemination and use. It is incumbent upon officers as operators of PDAs to follow the necessary procedures to make the PDA and data secure from any unauthorized access or use.
- C. Any time the PDA is not in use it will be password protected. Officers will not change the lockscreen security. Officers will not alter the Gmail/Google username or change the Google password. User IDs, passwords, and access codes will not be shared among Department members, except as approved by the system administrator. No unauthorized persons shall have access to user IDs, passwords or access codes.
- D. Software installed at the time the device is issued will not be uninstalled or altered in any way except to install updates. Unauthorized software or Applications will not be installed.
- E. Users will not ‘join’ any unsecured wifi access points. Usage outside the continental United States is forbidden unless approved by a Deputy Chief and is strictly for City business.
- F. Devices will not be ‘rooted’ or ‘jailbroken’.
- G. Department members must maintain their TIES Query Certification in order to utilize the PDA.
- H. Department members assigned PDAs will be responsible for keeping them clean by using plain rubbing alcohol and a soft cloth only.
- I. No lost or stolen PDA will be replaced without a written memo and an equipment replacement form from the officer to the Deputy Chief explaining the basis for the request. Once the scanned copy of the Equipment Replacement form is emailed to the PDA Team signed by the Officer’s supervisor a replacement will be made ready as soon as possible.
- J. Department members will immediately notify the MPD PDA Team when their assigned PDA is malfunctioning, lost, stolen or damaged. It is imperative that immediate notice is given to the PDA

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Team if the device is lost so that access to CJIS information is disabled. A replacement PDA will be issued as soon as possible to the officer at no cost to the officer. The officer should contact a member of the PDA team to schedule a time to pick up the replacement.

- K. Officers are responsible for their PDAs as well as all issued equipment. Equipment lost, stolen or damaged due to neglect will be documented in the Equipment Replacement form and a Statement of Charges will be issued.
- L. **Officers are prohibited from making or receiving calls on their PDA/Department Phones except to other Verizon customers.**

VIII. Media Security

Employees of the Memphis Police Department will ensure that all media containing sensitive or classified information is stored, disseminated, and disposed of properly. Basic security awareness training will occur within six (6) months of initial assignment and biennially thereafter for all personnel who have access to Criminal Justice Information Services (CJIS).

Media protection procedures shall be implemented and documented to ensure that access to electronic and physical media in all forms is restricted to authorized individuals. Procedures shall be defined for securely handling, transporting, disposing of, and storing media. For the purpose of this section, the following definitions will apply:

- 1) Access – the physical or logical (electronic) ability, right, or privilege to view, modify or make use of Criminal Justice Information (CJI). Access to NCIC/TIES and related systems is limited to those agencies that have statutory authority. The access must pertain to law enforcement information relating to crimes, criminals, and criminal activity being investigated by the agency or as specifically authorized by statute. Curiosity inquiries, general or personal messages, and redistribution of the information to unauthorized persons are all specific examples of access which is not allowed and subject to disciplinary actions. When discrepancies or incidents of misuse are discovered, they must be documented and reported to the agency administrator and the agency TAC. The TAC should promptly notify the Tennessee Bureau of Investigation (TBI) of any compliance issues or misuse, including any disciplinary action taken.
- 2) Criminal Justice Information (CJI) – an abstract term used to refer to all of the FBI CJIS provided data necessary for law enforcement agencies to perform their mission and enforce the laws, including but not limited to: biometric, identity history, person, organization, property, and case/incident history data. In addition, CJI refers to the FBI CJIS – provided data used to make hiring decisions. **CJI is sensitive information and should be safeguarded accordingly to prevent unauthorized/improper use, or dissemination/release.**
- 3) Dissemination – the transmission/distribution of CJI to authorized recipients within an agency.
- 4) Electronic media – electronic storage media including memory devices in laptops and computers (hard drives) and any removable, transportable digital memory media, such as magnetic tape or disk, optical disk, flash drives, external hard drives, or digital memory card.

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- 5) Sanitization – removal of all information from disks and drives through degaussing, overwriting at least three times, or destruction. MPD uses the Wipemaster Hard Drive Data Eraser, which meets D.O.D. specifications for sanitization.
- 6) Secondary Dissemination – the re-dissemination of CJI from an authorized agency that has direct access to the data to another authorized agency. Secondary dissemination is the same as “chain of custody” – not only the agency it is given to but also whose hands it is put into must be documented.
- 7) Sensitive/Classified Media – any papers or records; any data diskettes, hard drives or other data storage device that contain information which is:
 - Personal in nature (Address, Social security Numbers, Driver’s License Information, etc.) or is
 - TIES, NCIC or Criminal Justice Information Systems (CJIS) Related.

A. Storage and Access of Media

Electronic and physical media shall be stored within physically secure locations or controlled areas to protect CJI for unauthorized disclosure, alteration or misuse. All physical access points will be controlled and individual access must be verified from an individual's credentials. Visitors must be authenticated before receiving escorted access to the physically secure location. Visitors shall be escorted at all times and their activity monitored.

Support personnel, contractors, and custodial workers with access to physically secure locations or controlled areas (during CJI processing) shall be subject to a state and national fingerprint-based record check, unless these individuals are escorted by authorized personnel at all times.

Only authorized individuals shall have access to electronic and physical media. An audit trail shall be maintained of all employees requiring access to restricted files.

eAgent (TIES) Users will comply with CJIS policy requirements for password security. All passwords for the eAgent Desktop and eAgent Force Web will:

1. Be a minimum length of eight (8) characters.
2. Not be a dictionary word or proper name.
 - a. If you can find it in the dictionary, you can not use it.
 - b. If it's a name of a person, place or thing, you can not use it.
3. Not be the same as the UserID.
4. Expire within a maximum of 90 calendar days.
5. Not be identical to previous ten (10) passwords.

If you used it before, you can not use it again.

When electronic and physical media is transported outside of controlled areas, it shall only be done by an authorized officer or other authorized personnel, and it shall be done in such a manner as to protect and control the media from unauthorized persons. The authorized person transporting media will deliver the items directly to an authorized place or person to minimize the chance of items being lost or damaged during transport.

Access to and dissemination of CJI, III, CHRI, and Hot files is only for criminal justice purposes. Such data can only be used for authorized criminal justice purposes consistent with the purpose for

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which it was requested. Criminal justice purposes (also known as administration of criminal justice) means performance of any of the following activities: detection, apprehension, detention, pre-trial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities, and the collection, storage, and dissemination of criminal history record information.

Sharing information or using information for anything other than job related criminal justice duties constitutes a violation and may result in administrative charges. Unauthorized requests, receipt, release, interception, dissemination, or discussion of CJIS data/CHRI could be considered a criminal offense and result in criminal prosecution. Secondary dissemination should only be to authorized agencies. (See also P&P Chapter XI Section 11)

B. Repair of Media Devices

Only authorized repair persons should attempt to repair any issues with media devices. Instructions may be provided for simple corrections to devices; but no unauthorized persons should attempt to make repairs to agency media devices. City of Memphis field technicians are authorized repair persons, who have been trained in CJIS procedures.

Authorized repair persons should make every attempt possible to repair an item on-site, before considering the option of transporting the item to a secure repair location. If an item has to be transported by an authorized repair person, an officer should accompany the item to the place of repair to ensure the security of the data. If this is not possible, the hard drive shall be removed by authorized personnel before releasing the item for transporting.

C. Media Sanitization and Disposal

No one, including City of Memphis Information Technology personnel, will be permitted to remove any MPD computer, laptop, scanner, file server or copy machine until the hard drives have been sanitized. If sanitization of a hard drive is necessary for the removal of equipment, the Supervisor of MPD Information Systems will be notified and will be responsible for ensuring sanitization is accomplished in a timely manner. Sanitization or destruction of media will be witnessed and carried out by authorized personnel. A written record of the steps taken to sanitize or destroy electronic media shall be maintained.

The controls and security measures in this policy also apply to CJI in physical (printed documents, printed imagery, etc.) form. Physical media shall be protected at the same level as the information would be protected in electronic form. Physical media shall be securely disposed of when no longer required. The disposal or destruction of physical media shall be carried out or witnessed by authorized personnel to minimize the risk of the compromise of sensitive information by unauthorized individuals.

Hard copies and printouts containing sensitive or classified information shall be destroyed in one of three manners:

1. Personal shredder
2. Delivered and shredded at Central Supply. A TIES certified officer must accompany the material until it has been properly disposed of.

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3. Place the documents in the Shred-it bin. The bin is to remain secured, and a TIES certified officer must accompany the contents to the Shred-it truck and observe the disposal of the materials.

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MPD Bicycle

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I. OBJECTIVE

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The objective of bicycle operations by Memphis Police Officers is to provide a visible, effective, proactive force in crime detection and enforcement in smaller, restricted areas in which the standard marked patrol vehicle is ineffective. By being more readily assessable to the general public, bicycle units provide a valuable tool for law enforcement. (41.1.4a)

II. LIMITATIONS AND AUTHORIZATION OF USE

- A. Due to the lack of proper emergency equipment, officers on bicycles shall not conduct major traffic accident investigations that require the blocking or partial blocking of a roadway. Officers on bicycles may work minor traffic accidents only if the vehicles involved can be moved out of the roadway.
- B. Unless otherwise authorized by a supervisor, officers on bicycles shall ride as a team of no less than two (2) officers.
- C. Officers assigned a police bicycle shall not ride in icy conditions or when lightning is present. The two (2) officer team or supervisor shall determine whether to ride in rain or in extreme temperature.
- D. Officers assigned a bicycle shall not expose the bicycle to unreasonable hazards or abuse except as is required in training or in performance of official duties. (41.1.4b, c)
- E. No one other than certified bicycle officers who have received and successfully completed appropriate bicycle training is permitted to ride a department-owned bicycle except when an officer is in certification training. (41.1.4g)
- F. Police bicycles shall not be left unattended except after being secured with department-approved cable lock/ handcuffs except when in pursuit of a suspect or as may be required for officer safety.

III. QUALIFICATION AND TRAINING

Bike Officers shall meet the following criteria and training: (41.1.4d)

- (1) Must be in good physical condition;
- (2) Must not be medically exempt from normal patrol duties or from physical activity; and
- (3) Must successfully complete the 40 hour Police Cyclist course at the Memphis Police Department Training Academy.

IV. EQUIPMENT

- A. All officers assigned for patrol on bicycles shall have the necessary equipment to perform

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patrol duties. Officers riding bicycles are not required to have a Memphis Police Department Policy and Procedures Manual on their person while on the bicycle, but will have the Manual accessible at the workstation if called upon for inspection.

B. Officers will ride department issued mountain bikes equipped with the following: (41.1.4f)

1. Rear bicycle cargo rack (attached to bike);
2. Cargo bag, mounted to the cargo rack, with "Police" in white lettering;
3. Bicycle headlight;
4. LED flashing light/ Blue strobe light;
5. Lock;
6. Water bottle and rack.

C. Uniform Required:

1. Approved MPD Bicycle Uniform (coordinating with MPD Uniform change dates):
 - Shirt – yellow long or short sleeve bike shirt (comparable to the J. Marcel shirt) with velcro name tag, sewn-on MPD patch, flag, and badge, and three (3) inch silver reflective "POLICE" lettering on the back
 - Pants – dark navy bicycle pants or bicycle cargo shorts, minimum 3/4 length of the thigh or nine (9) inches long
2. Approved helmet
3. Black shoes (approved)
4. White or black socks
5. Departmental issued utility belt and all required equipment
6. Traffic safety vest
7. Flashlight
8. Reflective navy/ yellow jacket/ windbreaker for cold/ incimate weather with three (3) inch silver reflective "POLICE" lettering on the back.

V. MAINTENANCE

A. Each officer assigned a police mountain bike shall be responsible for its maintenance, care and cleanliness; and shall perform or cause to be performed routine and preventive maintenance as necessary and required. If the Bicycle is assigned to a workstation and is not assigned to one officer, the equipment person for the workstation shall see that the Bicycle is maintained and repaired as necessary. Any officer finding defects will notify the equipment officer immediately. All major repairs and periodic maintenance shall be performed by a certified bicycle mechanic authorized by the department. (41.1.4e)

B. A daily safety check for safe operation and use shall be completed by each member prior to the beginning of his/her tour of duty. Such check shall include the following:

1. Brakes (cable adjustments, wear);

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2. Tires (wear and inflation);
3. Wheels and spokes;
4. Drive train;
5. Auxiliary equipment (lights, speedometer/odometers, cargo rack etc.); and
6. Front and rear derailleurs.

Each officer assigned to patrol on bicycle may also make minor repairs and adjustments. Such repairs/adjustments shall include the following: changing flat tires, adjusting brake and gear cables, basic chain repair, derailleur adjustments, maintaining proper tire inflation, tightening of nuts and bolts, seat adjustments, truing tire rims and other minor repairs and adjustments as required and approved by the immediate supervisor.

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Rappelling Tower

Entry 2
Rappelling 2
Physical Training 3

I. ENTRY:

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- A. No one shall enter the Rappel Tower without WRITTEN consent from at least one of the following:**
1. Deputy Chief of Special Operations
 2. Colonel of Special Operations
 3. Lieutenant Colonel of Special Operations
 4. Commander of the Memphis Police Department's TACT unit
- B. Only TACT Supervisors and the On-Duty Air Support Division Supervisor will have keys to the Rappel Tower. NO duplicate keys are to be made by any personnel. The key assigned to the Air Support Division is the key that is signed out once written permission has been obtained and the master usage log has been signed.**

II. RAPPELLING:

- A. All rappelling must be done under the direct supervision of a sight supervisor. The sight supervisor may be either an MPD TACT Unit officer or a MFD firefighter with a current Rappel Master Certification. The sight supervisor must sign in on the master usage log sheet located inside the Memphis Police Department Air Support Division office prior to using the Rappel Tower.**
- B. The sight supervisor can stop rappelling exercises at any time for any reason.**
- C. The sight supervisor must inspect and approve all equipment prior to its usage at the Rappel Tower. Log records must be kept current on **ALL** rappelling equipment; this includes the purchase date, dates of inspection and dates of usage. There will be a log sheet kept at the Memphis Police Department's TACT unit governing all equipment utilized and inspected by the Memphis Police Department. There will be a log kept at the Memphis Fire Department's Training Academy governing all equipment utilized and inspected by the Memphis Fire Department. These logs are subject to audit at any time by the Memphis Police Department.**
- D. No rappelling exercises will be conducted without a sight supervisor, a rappel master and a ground safety officer.**
- E. No one will rappel or belay without wearing an approved helmet, secured by a chinstrap, and safety goggles.**
- F. A belay man must support all rappels.**
- G. Appropriate attire will be worn during all Rappel Tower training exercises; helmet, safety goggles, turnout clothing, rappelling gloves, rappelling harness and boots.**
- Tennis shoes and shorts are unacceptable for Rappel Tower Training exercises.**
- H. Any injuries must be reported immediately to the sight supervisor.**

NOTE: Safety is the first priority. Conduct that is not conducive to a safe environment for

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rappelling **WILL NOT BE TOLERATED**. Disciplinary action will be taken immediately for any violation of this Policy and Procedure.

III. PHYSICAL TRAINING:

A. The Memphis Police Department's Training Academy, the Memphis Fire Department's Training Academy and other outside agencies may conduct physical training of recruits and other officers on the rappel tower after obtaining written permission from one of the following:

1. Deputy Chief of Special Operations
2. Colonel of Special Operations
3. Lieutenant Colonel of Special Operations
4. Commander of the Memphis Police Department's TACT unit

NOTE: The supervisor responsible for the training must read and familiarize him/herself with the Rappel Tower rules prior to its usage for group or class physical training on the rappel tower.

B. Each individual assigned to a class or group utilizing the rappel tower for physical conditioning/training must read and familiarize him/herself with the Rappel Tower Rules and Policy and Procedures and must sign a waiver prior to entering the tower. These waivers are available at the TACT Unit office and the Air Support Division. Waivers shall be submitted as a class or group and shall be turned in by the supervisor responsible for the group prior to entering the Rappel Tower.

C. Copies of all waivers for physical training will be kept on file at the TACT Unit office and the Air Support Division.

D. A signed waiver on file at these locations will serve as on-going permission to utilize the rappel tower for physical training by the class or group. Once the member of a group has completed or been dismissed from the training course, he/she no longer has permission implied or written for usage of the Rappel Tower.

E. A supervisor must physically accompany the trainees onto the rappel tower and a second supervisor must be present on the ground. At no time will trainees be allowed onto the rappel tower without a supervisor present on the tower and a supervisor present on the ground.

F. All group physical training must occur under the direct supervision of the individual who received written permission for usage of the Rappel Tower. Tennis shoes and shorts may be utilized for physical training.

All physical training on the rappel tower will be restricted to cardiovascular exercise and calisthenics. No trainee shall be put into a position that places him/her in danger of falling from the rappel tower

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All agency animals are to be used and dispatched for designated purpose. Verification of training and other qualification requirements for handling will be maintained at the appropriate workstation. Maintenance, care and necessary equipment shall be monitored and logged.

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In-Car Video/Body Worn Cameras

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MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES
SECTION: In-Car Video/Body Worn Cameras

I. PURPOSE

It is the goal of the Memphis Police Department to strengthen its services to the community by authorizing the use of Body Worn Cameras (BWC) and In Car Video (ICV) technology. The BWC/ICV program will add further clarity and transparency to the examination of police related events. This examination aids in improvement of prosecution by adding reinforcement and authentication to police casework, methods and evidence. The BWC/ICV program has the potential to improve community relations by providing an objective record that can be used to confirm valid allegations, while providing an unbiased record that may assist in disproving false allegations. Furthermore, the ICV/BWC program improves accountability by providing objective data for review. Supervisors **must** review ICV/BWC prior to finalizing any official documents involving response to resistance/use of force. Finally, the Memphis Police Department will gain valuable training tools which supply the means to examine the effectiveness of training.
(41.3.8A)

Prior to using a BWC, affected personnel shall receive Department-approved training on its proper operation, care and the department's policy with respect to the use of the BWC/ICV. Additional training shall be provided at periodic intervals to ensure the continued effective use of the equipment and to incorporate changes, updates or other revisions in policies or equipment.
(41.3.8F)

II. DEFINITIONS

Body-Worn Camera System (BWC): Wearable (on-officer) camera system with secured internal memory for storage of recorded video and audio.

Computer Aided Dispatch (CAD): Automated dispatching software used by police dispatchers to dispatch calls. This software generates an event number referred to in this policy as a CAD event number.

Digital Evidence: BWC/ ICV files, including photographs, audio recordings and video footage, captured by a BWC/ICV and stored digitally.

Evidence Transfer Manager (ETM): The docking unit used to recharge the BWC. The ETM also encrypts the video data and transfers it to Evidence.com using a secure connection.

Evidentiary value means that the information may be useful as proof in a criminal prosecution, related civil or administrative proceeding, further investigation of an actual or suspected criminal act, or in considering an allegation against a law enforcement agency or officer.

Mobile Data Terminal (MDT): The computer and associated hardware that is installed in police vehicles, which controls the ICV system.

In-Car Video System (ICV): A mobile video recording device permanently installed in a police vehicle.

Mobile Video System (MVS): Refers to both BWS and ICV systems.

III. PROCEDURES – BODY WORN CAMERA

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A. Beginning of Shift Procedures

1. At the beginning of each shift, an officer will be issued a BWC and will be responsible for confirming the BWC is fully charged and has no physical signs of damage. An officer must confirm that there is no data retained on the device from a previous shift. An officer shall start a shift with his/her device free of digital evidence.
2. The officer should determine that the BWC is functional by producing and labeling a test video. The officer shall verify that the audio and video are recorded appropriately when reviewing the test video. This test shall be performed prior to a shift supervisor placing the shift in service and available for calls. Officers will make ready the device prior to leaving the precinct in accordance with the manufacturer product manual and per Memphis Police Department provided training.
3. An officer will immediately notify a supervisor if any damaged or malfunctioning equipment is discovered. The supervisor should then contact the MVS team, located at the Real Time Crime Center, in order to remedy, replace, or report the said equipment.
4. Each BWC is assigned to a specific officer and shall not be shared with or assigned to any other officer. Officers shall maintain issued components (e.g. cord, belt clip, mounting devices) and verify that those components are in good working order. (41.3.8E)

B. Use of BWC During the Shift

1. An officer shall at all times during his/her shift have BWC equipment ready to record police interactions with those they may encounter. This state of readiness includes having the BWC on and in standby mode. Officers shall attempt to maintain a clear, level, and unobstructed forward-facing view. Officers shall attempt to keep the microphone portion of the device unobstructed in order to accurately record audio.
2. **Officers shall activate their BWC when responding to all calls for service prior to making the scene of a dispatched call.** In the event that recording was not started prior to making the scene of a dispatched call, an officer will activate the device as soon as reasonably possible.
3. Officers shall record all law-enforcement encounters and activities. Calls for service, self-initiated events (specials), and citizen contacts while not engaged in police activity are to be documented via BWC. It is not necessary for an officer to record in a constant state, but is required when his/her duties are being performed and allowed when otherwise prudent. It should be understood that under no circumstance shall an officer's safety be compromised in an effort to record an event.
4. Unless unsafe, impractical, or impossible, officers shall inform subjects that they are being recorded at the beginning of the contact (e.g. "Ma'am/Sir, I am advising you that our interaction is being recorded").
5. It should be understood that even when individuals are in various stages of undress, medically incapacitated, or in a location where video would otherwise be prohibited, BWC recording should continue. Videos will be redacted in a manner to reasonably protect privacy.

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6. **Once a recording event begins, the BWC shall remain activated until the event has concluded in order to conserve the integrity of the recording.** Once an event has concluded, an officer will mark the conclusion of the recording verbally after clearing the call/special. In cases of arrest, an officer shall continue recording until custody is transferred.

***Exceptions:** Should an officer have an activated BWC and respond to a call inside of a location that is out of view of the ICV system, the officer may discontinue the ICV recording (e.g. indoor report calls, crime scenes, and other police related events). Should the call progress back towards the car and contact with another individual is made, the event should be recorded by the ICV system.*

7. Officers will document the fact that a BWC video was or was not captured on all incident reports, arrest tickets, misdemeanor citations, summons, and traffic citations. This documentation will be referenced by the Computer Aided Dispatch number written on/in the document. In the event that the BWC was not activated, terminated early, or otherwise interrupted, a supervisor will be immediately notified.
8. Officers will be permitted to review their own BWC video when preparing official documents. Officers may only view content on their assigned device and not those devices of other department members when preparing an official document. The supervisor **must** also review the BWC video prior to completing or approving official reports involving response to resistance/use of force. The viewing will be utilized as a tool when completing written reports to ensure the accuracy and consistency of events. The availability of this review does not supersede policy directives governing the circumstances in which an event must be recorded. An officer may not simply stop recording in order to complete a report unless policy permits (e.g. cleared the scene, supervisor approval, etc.).

The following situations are exceptions to the above policy statement:

- a. If the officer is involved in (or witness to) a use of force incident that per policy requires the response of an Inspectional Services Bureau investigator, **only after** the ISB investigator has been consulted and approved may an officer be authorized to view their BWC recording. The viewing of any BWC recording will only be permitted after receiving authorization from the ISB investigator acting under the direction of the commander of ISB.
 - b. If the officer is involved in (or witness to) a critical incident, such as a police shooting or an in-custody injury resulting in death, **only after** the commander of ISB and commander of Homicide have been consulted and approved may the officer be authorized to view their BWC recording. The viewing of any BWC recording will only be permitted after receiving authorization from both commanders and/or their designees.
9. Officers are responsible for the labeling and the categorization of videos they produce. The videos will be categorized in accordance with the available choices in the system. Officers will obtain the Computer Aided Dispatch number either through an automated feature, from the dispatcher, or through a manual lookup and entered in the ID field. (41.3.8G) Officers who categorize videos incorrectly may be subject to discipline.

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10. Activation of the BWC is not required during periods of unassigned time, breaks or lunch periods.
11. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.

C. End of Shift Procedures

At the end of each shift, each officer is responsible for turning in their issued BWC device to a department-approved area (e.g. equipment room) where an ETM is located. Designated personnel (e.g. equipment room officer) will be the only authorized additional handler of BWC equipment other than the assigned officer. The designated department member will verify that the BWC is properly docked to the ETM to facilitate digital transfer of evidence.

D. OCU Procedures

Members of the Criminal Apprehension Team (CAT) and Gang Response Team (GRT) will utilize the Body Worn Camera (BWC) when performing daily enforcement.

1. The BWC will not be activated for the following:

- The BWC/ICV **will not** be used to knowingly record confidential informants or undercover officers.
- Officers **will not** record any type of tactical briefings, IE Search Warrants, Rips, Reversals, Prostitution Stings, etc.
- Officers **will not** record any aspects of training, unless specifically requested to do so by the OCU Commander.
- The BWC **will not** be used during undercover operations.

2. OCU Personnel Working Non-OCU related details:

Any OCU officer working overtime in a Uniform Patrol Station, Special Event Detail, Blue Crush Detail, or a THSO Detail will be acting as a Uniform Officer and will be governed under the Memphis Police Department's Uniform Patrol Body Worn Camera policy.

OCU officers will store their BWC cameras inside the MPD approved BWC cabinet that is located within their assigned workstation. Whenever OCU officer(s) choose to work a Non-OCU related detail, it is the officers' responsibility to notify his/her immediate supervisor, **in advance**, in order to pick up his/her assigned BWC. When an officer takes control of his /her BWC for a detail, he/she should ensure the camera is taken to a work station to be docked until the camera is ready to be utilized.

Officers working in an undercover capacity will not utilize the BWC.

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IV. PROCEDURE: IN-CAR VIDEO

A. Beginning of Shift Procedures

1. At the beginning of each shift, an officer that is issued an ICV equipped vehicle will be responsible for ensuring that the system is void of physical damage. An officer must visually inspect the front and rear camera, MDT, mount, and microphone along with its charging base for damage.
2. The officer should determine that the ICV is functional by producing and labeling a test video. The officer shall confirm that the audio and video are recorded appropriately when reviewing the test video. The test video will include the availability of ICV triggers (e.g. weapons release, emergency lights, brake, mic, and mic mute). This test shall be performed prior to a shift supervisor placing the shift in service and available for calls. Officers will make the ICV equipment ready prior to leaving the precinct in accordance to Memphis Police Department provided training.
3. An officer will immediately notify a supervisor of any damaged or malfunctioning ICV equipment. That supervisor should then contact the MVS team, located at the Real Time Crime Center, in order to remedy, replace, or report the damaged or malfunctioning equipment. (41.3.8E)
4. The officer assigned the ICV vehicle shall remain logged in until the conclusion of the shift. In the event that there are two officers assigned to the vehicle, the driver will be the primary officer logged in and the passenger officer will login as the secondary.

B. Use of ICV During the Shift

1. An officer shall at all times during his/her shift have their ICV system ready to record police interactions with those they may encounter. This state of readiness includes having the MDT logged on and in standby mode with a clearly focused, level, and unobstructed forward-facing view. The microphone portion of the system must remain affixed to the officer and should remain unobstructed in order to accurately record audio during an event.
2. Officers shall activate their ICV system when responding to all calls for service prior to making the scene of a dispatched call. In the event that recording was not started prior to making the scene of a dispatched call, an officer will activate the device as soon as reasonably possible. Additionally, officers will begin recording specials prior to initiating any citizen contact or as soon as reasonably possible.
3. Officers shall record all law-enforcement encounters and activities. Calls for service, self-initiated events (specials), and confrontations while not engaged in police activity are to be documented via ICV where available. It is not necessary for an officer to record in a constant state, but is required when his/her duties are being performed and allowed when otherwise prudent. It should be understood that under no circumstance shall an officer's safety be compromised in an effort to record an event.

Exception: *Should an officer have an activated BWC and respond to a call inside of a location that is out of view of the ICV system, the officer may discontinue the ICV*

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recording. Should the call progress back towards the car and contact with another is made there, the event should be recorded by the ICV system.

4. When an officer makes contact with an individual(s) and the circumstances reasonably dictate, officers shall advise that the interaction is being recorded (e.g. “Ma’am/Sir, I am advising you that our interaction is being recorded”).
5. It should be understood that even when individuals are in various stages of undress, medically incapacitated, or in a location where video would otherwise be prohibited, ICV recording should continue. Videos will be redacted in a manner to reasonably protect privacy.
6. **Once a recording event begins, the ICV shall remain activated until the event has concluded in order to conserve the integrity of the recording.** Once an event has concluded, an officer will mark the conclusion of the recording verbally after clearing the call/special. In cases of arrest, an officer shall continue recording until custody is transferred.

Exceptions: *An officer shall stop recording an event counter to the above policy when directed to by the officer’s supervisor and/or a bureau supervisor. It must be understood that the officer is wearing a device that has captured evidence and that the evidence must be collected as part of an investigation. (41.3.8B)*

7. Officers will document the fact that an ICV record was or was not captured on all incident reports, arrest tickets, misdemeanor citations, summons, and traffic citations. This documentation will be referenced by the Computer Aided Dispatch number written on/in the document. In the event that the ICV was not activated, terminated early, or otherwise interrupted, a supervisor will be immediately notified.
8. Officers will be permitted to review their own ICV video when preparing official documents. Officers may only view content on their assigned device and not those devices of other department members when preparing an official document. The supervisor **must** also review the ICV video prior to completing or approving official reports involving response to resistance/use of force. The viewing will be utilized as a tool when completing written reports to ensure the accuracy and consistency of events. The availability of this review does not supersede policy directives governing the circumstances in which an event must be recorded. An officer may not simply stop recording in order to complete a report unless policy permits (*e.g. cleared the scene, supervisor approval, etc.*).

The following situations are exceptions to the above policy statement:

- a. If the officer is involved in (or witness to) a use of force incident that per policy requires the response of an Inspectional Services Bureau investigator, only after the ISB investigator has been consulted and approved may an officer be authorized to view their BWC recording. The viewing of any BWC recording will only be permitted after receiving authorization from the ISB investigator acting under the direction of the commander of ISB.
- b. If the officer is involved in (or witness to) a critical incident, such as a police shooting or an in-custody injury resulting in death, only after the commander of ISB

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and commander of Homicide have been consulted and approved may the officer be authorized to view their BWC recording. The viewing of any BWC recording will only be permitted after receiving authorization from both commanders and/or their designees.

9. Officers are responsible for the labeling and the categorization of videos they produce. The videos will be categorized in accordance with the available choices in the system. Officers will obtain the Computer Aided Dispatch number either through an automated feature, from the dispatcher, or through a manual lookup and added in the incident field. Officers who categorize videos incorrectly may be subject to discipline.
10. An officer shall turn the AM/FM radio off prior to recording an incident and it will remain off for the duration of the recorded event. If the AM/FM radio was not turned off prior to the start of the recording, it will be turned off as soon as conditions reasonably permit.
11. Officers who are issued an ICV vehicle shall utilize ICV equipment during any pursuit involvement. Pursuits should be recorded in their entirety even in the event of termination. In the event a pursuit is terminated, either by a supervisor or by the officer, the officer will record until met by a supervisor in conjunction with policy objectives set forth in Chapter 13: Section 6 at the location of termination.
12. Officers issued an ICV vehicle shall record all responses that require the use of emergency equipment (*e.g. call for assistance, hold-ups, etc.*).
13. Officers transporting prisoners, mental health consumers, and 'Signal-5' passengers shall record until custody has been transferred or the 'Signal 5' is complete and contact has ended.
14. ICV vehicles must remain locked any time an officer is not occupying the vehicle. The MDT must remain secured from unauthorized access at all times.
15. The MDT shall remain locked in the mount at all times. Only authorized personnel may remove the unit.

C. End of Shift Procedures

1. At the end of each shift, an officer assigned to an ICV equipped vehicle shall park in a precinct designated ICV parking area. This designated area is preferable to wireless access in order to extract data from the ICV system.
2. An officer shall only log off of the ICV system. Officers shall not turn the MDT off or close the device.
3. Officers will ensure that the microphone is secured in the charging base.
4. Officers shall lock the ICV equipped vehicle after their tour of duty is completed.

V. PROHIBITED VIDEO RECORDINGS AND RESTRICTIONS (41.3.8B)

A. Conversations between department employees will not be recorded without all parties to the

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conversation being aware of the fact that it is being recorded except those instances involving criminal investigations of department personnel.

- B.** Conversations that are not required to be captured as evidence for the furtherance of completing a police report and/or subsequent police investigation will not be recorded.
- C.** The BWC/ICV will not be activated in places where a reasonable expectation of privacy exists, such as locker rooms or restrooms, unless the activation is for the purpose of official law enforcement activity such as a call for service. When possible, every precaution shall be taken to respect the dignity of the victim by avoiding recording videos of persons who are nude or when sensitive areas are exposed. If this is unavoidable, the video may later be redacted.
- D.** The BWC/ICV will not be used to knowingly record confidential informants or undercover officers.
- E.** Officers shall not remove, dismantle, or tamper with any hardware or software component or part associated with the BWC/ICV.
- F.** Officers shall not destroy, erase, disseminate, edit, alter, tamper, or otherwise use BWC/ICV recordings without the written permission of the Chief of Police.
- G.** Recordings may not be copied, recorded or shared except for official law enforcement purposes.
- H.** Recordings shall not be downloaded or converted for personal use or posted to any social media sites.
- I.** BWC/ICVs shall not be used while working secondary employment. Recordings will not be made of non-work related personal activities.
- J.** Officers shall not display BWC/ICV videos for members of the public unless approved by a supervisor.
- K.** Officers shall not use any other electronic device or other means in order to intentionally interfere with the functions of the BWC/ICV.
- L.** Officers shall not use BWC/ICV equipment in instances where there would be an immediate need for the officer's personal privacy. In the event that this circumstance arises, the break in recordings should be noted verbally and the recording restarted upon return to duty.
- M.** Activation of the BWC is not required during periods of unassigned time, breaks or lunch periods.
- N.** Recording devices will not be used for the purpose of intimidating an individual or to discourage an individual from observing police activity, making appropriate inquiries of an officer, or making a complaint.
- O.** Officers shall not record a particular person based solely on the person's race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, homelessness status, physical disability status or political affiliation.
- P.** Officers are encouraged to inform their supervisor or any recordings that may be of value for

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training purposes.

VI. SUPERVISOR RESPONSIBILITIES

All supervisory level personnel shall take prudent steps to ensure that the sworn members under their command understand that improper use of the BWC/ICV systems will not be tolerated and evidence of such practices will not be condoned or ignored.

Supervisory personnel shall ensure that officers who are equipped with BWC devices utilize them in accordance with policy and procedures defined herein. Supervisory personnel shall ensure that officers log into the MDT and conduct the required test video at the beginning of the shift. This will be done through the *Veretos* site once officers have been placed in service. Supervisors will also ensure that videos have been given a classification and assigned a CAD number.

When an incident arises that requires the immediate retrieval of BWC recordings for chain of custody purposes (including, but not limited to: serious crime scenes, officer involved shootings or other situations as determined by policy/supervision), a supervisor will respond to the scene and ensure the BWC remains affixed to the officer in the manner it was found and that the BWC recording remains uncompromised. The supervisor is responsible for the care and custody of the BWC until it has been removed and secured by the lead investigator or ISB.

BWC/ICV videos will not be randomly reviewed to assess an officer's performance, but may be viewed as follows:

1. The supervisor is investigating a specific act of officer misconduct.
2. The officer has been placed on a performance improvement plan within the Performance Enhancement Program in order to address identified behavioral or performance deficiencies.
3. The supervisor is directed by the rank of Colonel or above via written directive. The aforementioned is not meant to limit or restrict the Department's review as part of an official investigation.
4. On a monthly basis or at the request of the Chief of Police or his/her designee, supervisors may randomly review BWC recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required. This review should be documented.

VII. GENERAL PROCEDURES FOR HANDLING RECORDINGS

- A. Copies may only be made for court, approved training, or other approved purposes authorized by the Chief of Police or his/her designee.
- B. Recordings may be reviewed in any of the following situations:
 1. By an officer viewing their own recordings,
 2. By a supervisor investigating a specific act of officer conduct,
 3. By an Internal Affairs investigator who is conducting an official investigation,
 4. By an investigator conducting a criminal investigation,

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5. By attorneys or media personnel through a specific approved open records request,
6. In a courtroom during an official judicial proceeding,
7. For approved training purposes. If the officer involved in the recording objects to the showing of the recording, the objection will be reviewed by the Chief of Police or his/her designee to determine if the training value outweighs the officer's reason for not showing the recording.
8. Employees desiring to watch a recording made by another officer shall submit a request in writing to their Deputy Chief.

VIII. CRITICAL INCIDENTS

In circumstances where an officer may be involved in or witness to an event that requires the collection of digital evidence in the field as part of an investigation:

- a. Officers shall not stop recording until directed to by the officer's supervisor.
- b. Supervisors, after consulting with the bureau charged with investigating and/or supporting the investigation, may be directed to secure the officer's BWC/ICV equipment. When instructed to do so, the supervisor will verbally state the date, time, and the bureau supervisor issuing the order prior to assuming control of the device. This equipment will be held for the investigating bureau supervisor.

NOTE: In the event an officer is rendered incapacitated and the scene conditions permit, the first responding officer shall secure the officer's MVS equipment and handover the equipment to the first available scene supervisor. If an officer is injured and ambulatory, the scene supervisor shall remove the MVS equipment and secure the device(s) from the injured officer being transported when practical. For the purpose of this note, MVS equipment pertains to ICV Microphone and BWC along with the attached controller.

IX. Retention Requirements

As a general rule, recordings classified as non-evidentiary will be retained for ninety days before deletion. Recordings classified as evidentiary will be retained for one year after any final legal disposition. Further, evidentiary data shall be retained for the period specified by any applicable state or local statute. When a particular recording is subject to multiple retention periods, it shall be maintained for the longest applicable retention period. (41.3.8G)

X. Violations

Members of the Memphis Police Department who violate the policies and procedures set forth in this chapter shall be subject to corrective disciplinary action pursuant to applicable Department Rules.

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SECTION: LPR (License Plate Reader) Vehicles

LPR (License Plate Reader) Vehicles

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I. Overview

The License Plate Reader (LPR) system consists of a license plate reader camera, display camera,

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Forward Looking Infrared (if installed), DVR, monitor, keyboard and miscellaneous electronic equipment to complete the system.

The use of the LPR equipment is intended to provide access to stolen and wanted files, and for the furtherance of investigations. Use is restricted to these purposes only. No officer may use or authorize the use of the equipment or database records for any other reason. The LPR is designed to read vehicle license plates and run the results through multiple databases in order to provide both officer safety and reasonable suspicion in order to make a vehicle stop. The system is designed to alert the officer to any hits identified within the database systems.

II. Training

To operate a vehicle equipped with a LPR system, officers must successfully complete a certification course hosted by the Real Time Crime Center or MPD Training Academy. Officers are not allowed to operate LPR cars based on training received through other departments. Only commissioned officers may operate the LPR system and use the data that it collects.

III. Operation

- A. LPR cars should only be assigned to officers who have been trained by the RTCC to operate the LPR system.
- B. The LPR system and information that it gathers is to only be used for official law enforcement purposes. All LPR Systems will be password protected. Access will only be authorized to officers who have received the proper training.
- C. At the beginning of each shift, officers assigned to LPR cars must complete an operational check to ensure that the system is operational. Once the operational check has been completed, the officer shall make the appropriate notations on the back of the log sheet. If the system is not operating, the officer will notify the shift's equipment officer, who will schedule a repair time for the car. The car can remain in service until repairs are made.
- D. If an officer locates any damage to a LPR system, the officer shall immediately notify a supervisor and complete a memo describing the damage. The damage should be photographed and the photos included with the memo.
- E. When an officer receives a hit on a license plate, prior to taking any action, the officer shall confirm that the license plate number that was read matches the image of the license plate. Hits on warrants, stolen vehicles, suspended driver licenses, and expired license plates should be verified through Station B prior to taking any enforcement action (arrest or issuance of citation).

IV. Prohibitions

- A. Operators are prohibited from attempting to load any unauthorized software onto the system. This includes, but is not limited to, games, music, and video files.
- B. Officers are prohibited from attempting to modify or delete any part of the LPR system.
- C. The LPR equipment shall not be used as a drink holder or eating tray.

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- D. LPR cars shall not be assigned to officers who have not been trained by the RTCC in their operation.
- E. Officers shall not take any enforcement action without verifying the accuracy of the information provided by the LPR system

V. Data

- A. All data and images gathered by the LPR system are for the official use of the department. LPR data may contain confidential information, it is not open to public review.
- B. LPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law.
- C. LPR data not of evidentiary value is to be retained for a period of no more than 90 days. LPR records will be stored on servers at the RTCC in accordance with Tennessee State Law.
- D. If it has been determined that specific LPR data will be needed as evidence for a case, officers will notify Real Time Crime Center supervisors in order that the evidence may be preserved to C/D or DVD and tagged in the Property and Evidence room.