

# Aquia Harbour Police Department



## General Orders Manual

Bryan Cameron

Chief of Police

## **Preface**

This manual has been compiled for the governance, direction, guidance, and operational direction of the Aquia Harbour Police Department. Aquia Harbour Police Department policies and orders are the product of staff consideration. Each policy or order is subject to review by command personnel. In this manner, all available experience and knowledge is brought to bear on the particular problem under consideration. This manual brings this product into one organized document for all.

All Police Department employees, both sworn and nonsworn, are encouraged to submit General Order changes through the chain of command for the betterment of the Police Department



## Department Mission Statement

At the Aquia Harbour Police Department, our mission is to foster a safe and thriving community through proactive crime prevention and meaningful outreach. We are dedicated to preserving the peace and maintaining order in our community by building strong partnerships with residents and local organizations to enhance public safety and trust. By engaging with our community, listening to their concerns, and working collaboratively, we aim to prevent crime, address the root causes of insecurity, and ensure a high quality of life for all who live and work in Aquia Harbour.

This will be achieved by providing police services with integrity, commitment to excellence, training, compassion, fairness, and community cooperation.

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**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 01-01 ORGANIZATION OF MANUAL AND DEFINITIONS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:** *Bryan Cameron*  
Chief of Police

**I. POLICY**

Law enforcement agencies are obligated to provide essential services to citizens to foster safe communities through crime reduction and deterrence. Law enforcement administrators are obligated to train, supervise, and guide personnel in performing a variety of tasks which helps create safe communities. At the same time, administrators seek to bolster employees' confidence and competence in performing tasks while reducing vulnerability to liability. To meet these obligations, agencies must manage themselves according to written orders. A manual of policies, rules, and procedures guides the day-to-day legal and ethical functioning of a law enforcement agency. To that end, this manual furnishes a blueprint for the performance of Police Department activities to establish standards of state accreditation.

**II. PURPOSE**

This regulation outlines the organization of the manual, its authority, and defines three kinds of statements that appear in general orders and rules and regulations: policy, rule, and procedure.

**III. DEFINITIONS**

- A. Policy is a statement of the department's policy philosophy on a given issue. Policy consists of principles and values, which guide the performance of department employees. Further, policy is based upon ethics, experience, the law, and the needs of the community.
  - 1. Each rule, regulation, or general order will begin with an agency policy statement.
  - 2. Only the Chief of Police or his/her designee can create or change policy.
- B. General Order defines a method of performing an operation or a manner of proceeding on a course of action. It differs from policy in that it directs action in a particular situation to perform specific tasks, follow specific direction, or complete specific requirements, within the guidelines of policy.
- C. Directives are a written document to guide staff.
- D. Rule / Regulation is a specific prohibition or requirement governing the behavior of employees.
  - 1. Rules / Regulations permit little if any deviation therefrom. Violations of rules normally result in administrative discipline.
  - 2. Rules / Regulations can also appear as general orders.

- E. Procedure defines a method of performing an operation or a manner of proceeding on a course of action. It differs from a policy in that it directs employees' actions in performing specific tasks within the guidelines of policy. Procedures are simply a series of tasks that comply with departmental rules and policies and are designed to facilitate the performance of specific activities and promote uniformity and efficiency of action. The primary purpose of procedures is to assist the organization reach specific end or goals. It is this purpose and need that justifies their development and adoption.
1. Unlike rules, failure to follow a procedure may result in administrative discipline. Procedures constitute the agency-approved guide to performing tasks. Employees may depart from procedures only when, in their professional judgment, the situation warrants. Employees must be prepared to justify their actions.
  2. Procedures appear mostly in general orders and to a lesser extent within rules and regulations.
- F. Memorandums provide useful, specific information to employees not amounting to a formal order or may constitute a directive affecting specific behavior for a specific event or period of time and is usually self-canceling.
1. There are two types of memoranda:
    - a. General memoranda provide useful, specific information to officers not amounting to a formal order. These memoranda may be issued by any department member.
    - b. Instructive memoranda to all personnel constitute directives affecting specific behavior for a specific event or period of time and are usually self-canceling. The executive director, chief, or supervisors may only issue this type of memoranda.
  2. Memoranda are not part of this manual.
- G. Manual is a collection of rules and regulations and general orders of the department.
- H. Retention: The Police Department shall electronically retain the original final drafts with signature of General Orders, Memorandums and Directives until purged under the Records Retention Schedule.

#### **IV. ORGANIZATION OF THE MANUAL**

##### **A. General Orders**

1. General Orders govern the operations of the Police Department.
2. General Orders constitute a guide to behavior in given situations. In extreme circumstances employees may depart from General Orders only if, in their professional judgment, the situation warrants. Employees must be prepared to justify their departure from General Orders in writing.
3. The Chief of Police has the sole authority to approve General Orders.

4. General Orders are numbered beginning with the Chapter Number followed by the sequential number of the individual order. Individual pages are numbered consecutively within a given General Order.
  - a. Examples: GO 04-02 (04=Chapter 4 (Patrol), 02= the second order within that chapter)

#### B. Special Orders

1. A Special Order shall be issued when an amendment to a General Order is immediately necessary. The Special Order shall clearly state that the Special-Order amends General Order \_\_\_\_, the section of the General Order amended, and the amendment. The Special Order will self-cancel upon revision of the parent General Order.
2. A Special Order will be issued whenever a project, event, or circumstance requires an action not covered in General Orders and is of sufficient magnitude to demand comprehensive instruction or guidance. (i.e. a large ongoing sporting event, a large community festival, etc.) A specific expiration date will be assigned to this type of Special Order.
3. Special Orders shall carry the number of the General Order that they amend or supplement. (i.e. GO 04-02)
4. Special Orders must be approved by the Chief of Police.

#### C. Directive

1. The directive affects specific behavior or a specific event for a specific time. Directives will not conflict with General Orders.
2. The Chief and/or Deputy Chief are the only personnel authorized to issue directives. The Chief must approve all directives.
3. Directives shall be numbered in sequence, by year as follows:
  - a. Patrol
  - b. Year (i.e. 2024)
  - c. Julian Calendar Day Number (i.e. January 3<sup>rd</sup> = 003)
  - d. Example: Patrol 2024-003

### V. PURGING, UPDATING, & REVISING

- A. General Orders are constantly being reviewed by the Chief or his designee. Necessary changes will be made and the review date recorded. General Orders may be revised, updated or purged at any time the Chief directs. When a General Order is amended, notification will be made to all members. The General Order shall reflect the date of the amended change.
- B. Special Orders and Directives, when written, will have an effective date and an expiration date. Directives will be reviewed quarterly by the Chief's designee, and purged if necessary. Persons

authorized to write Directives will review all existing Directives, General Orders and Special Orders for prior statements on the same subject. If there are other orders that exist, care should be taken to ensure they do not contradict each other. The writer is responsible to research these orders.

- C. Memorandum, when written, will have an effective date and an expiration date, if known or applicable. The memorandum will be reviewed by the person authorized to issue the memorandum quarterly and purged if it is still not in effect. All persons responsible for writing memorandums are responsible for reviewing the memorandum to ensure relevance, obsolescence and that there is no conflict with other orders.
- D. All General Orders will be reviewed by the responsible supervisor, at a minimum, biennially— unless new case law, US Supreme Court decisions, or legal updates require the policy to be reviewed and updated immediately.

## **VI. MAINTAINING, DISTRIBUTION AND ACKNOWLEDGEMENT**

All original General Orders, Special Directives, Amendments, Directives, and Memorandums that affect the entire Police Department will be maintained with the Deputy Chief of Police. Memorandums which affect individual members will be maintained also by the Deputy Chief of Police.

All members shall have electronic access to remain current on information pertaining to any document in the event the one received is misplaced or damaged.

A. The Deputy Chief shall:

- 1. Be responsible for the maintenance of all original and approved General Orders, Amendments, and distribution, to include:
  - a. Posting of General Orders and Amendments to an electronic version for employee access via the department's share drive.
  - b. Printing one hard copy for reference to be kept in the Chief's Office, Deputy Chief's Office, and Business Office.
- 2. Maintain a log of Directives and Memorandums issued.

B. Supervisors shall:

- 1. Review all General Orders, Special Orders, and Amendments
- 2. Review all Directives and Memorandum that apply.

C. Members shall:

- 1. Shall be responsible for reading, understanding and maintaining policy.

D. General Orders shall be distributed as follows:

- 1. General Orders are readily available to all members via electronic access in the Police Department Share Drive.

2. Amendments shall be distributed to each member of the Police Department via the Department's email and/or in hard copy form.

## **VII. POLICY SUGGESTIONS AND CHANGE REQUEST PROCEDURES**

The contents of this manual have been issued to provide the best guidance and procedures the Chief of Police can furnish for performing our duties as employees of the Aquia Harbour Police Department. The Chief recognizes, however, that ever evolving rulings, laws and professional techniques cause a need to update and revise policy and orders. Further, employees working in the field often observe defects in procedures that require correction. Any officer or civilian member of the office may suggest or recommend changes to the Chief concerning the Manual.

In order to ensure a proper assessment of a proposed change, and to guarantee continuity when our policies are changed, no one will create a form or institute any change contradictory to orders unless:

- A. The employee submits a memorandum to the Chief of Police suggesting policy change.
- B. The employee includes a narrative as to why the change is needed.
- C. The employee submits the request through the chain of command to be acknowledged and passed on through the chain to the Chief of Police.
- D. If the Chief feels the change has merit, they will distribute the change request to affected personnel.

<b>AQUIA HARBOUR POLICE DEPARTMENT POLICIES AND PROCEDURES</b>	
<b>POLICY: 01-02 DIRECTIVES DEVELOPMENT</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b> <i>Bryan Cameron</i> <b>Chief of Police</b>

## I. POLICY

To achieve its objectives, the department must develop sound, written directives and govern all activities accordingly. Written directives include all written guidance issued by an appropriate authority. Written directives help department employees perform their jobs with confidence that they meet management's expectations. Through consistently applied and regularly revised orders, management promotes high standards of performance while reducing employees' doubts, confusion, anxiety, and distrust. This order describes the formal process by which directives are devised and evaluated.

## II. PURPOSE

To outline the process of drafting and evaluating written directives.

## III. DEFINITION

### A. Directive

Any written order. For the purpose of this Rule and Regulation, "policy" is synonymous with "directive" and is issued only by the Chief of Police.

## IV. PROCEDURES

- A. The Chief is the department's policymaker. He/she shall regularly consult with senior managers to devise, review, and evaluate directives. Departmental directives are embodied within General Orders or Rules and Regulations.
- B. The Chief chairs the standing **Policy Committee** which operates according to the following guidelines.
  1. The Policy Committee should be composed of a cross-section of ranks and functions.
  2. The Policy Committee shall meet at least biennially to create or develop

a new General Order or Rule and Regulation, review older orders according to a schedule, or evaluate new ones. In his/her absence, the Chief shall designate the chair of the Policy Committee. The Policy Committee shall make appropriate recommendations to the Chief about retaining, revising, or developing written orders.

3. The Policy Committee shall conduct an immediate audit following any critical incident to review the applicability of department orders to the incident, to analyze how applicable orders helped or hindered the resolution of the incident, and to recommend changes to existing orders. The audit shall include an examination of how policy is enforced through training and supervision.
4. In consultation with the Chief, the Policy Committee shall set a schedule of orders annually for review and evaluation. All orders shall be reviewed before the expiration of two years (maximum) for most orders, or annually for high-risk ones, as determined by the Chief.

C. General Orders and Rules and Regulations shall be drafted with the following considerations.

1. Determine the employee's objective in performing tasks or activities covered by the order.
2. Identify the problems the employee is likely to encounter when making decisions to reach the objective.
3. Ensure that the order is positive, definitive, clear, and readily understood by all employees.
4. Aim for permanency while promoting flexibility.
5. Ensure that orders are founded upon facts and sound judgment.
6. Ensure that orders are compatible with the public interest and conform to the law.
7. Ensure that employees understand that all orders provide a guide to action in recurring situations. Orders cannot possibly address every circumstance.
8. Ensure that the components of a written order (policy statements, rules, and procedures)
9. General Orders and Rules and Regulations shall meet the standards of state accreditation.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**POLICY: 02-01 LIMITS OF AUTHORITY; CONSTITUTIONAL SAFEGUARDS**

**Effective Date: 09/03/2024**

**Review Date: 06/01/2026**

**Amended Date:**

**Approved:**

*Bryan Cameron*

**Chief of Police**

## **I. POLICY**

The U.S. Constitution guarantees every citizen certain safeguards from government intrusion into their lives. These safeguards have become the cornerstone for the application of criminal justice in America. Consequently, these safeguards have placed limitations on the authority of law enforcement to enforce the laws of the Nation, State, and County of Stafford. The Aquia Harbour Police Department expects its Officers to act with due regard for citizens' civil liberties.

## **II. PURPOSE**

The purpose of this regulation is to define the legally mandated authority for the enforcement of laws, to establish procedures for assuring compliance with constitutional requirements during criminal investigations, to set forth guidelines concerning the use of discretion by Officers, and to define the authority, guidelines, and circumstances when Officers should exercise alternatives to arrests and pretrial confinement.

## **III. PROCEDURES**

A. Law enforcement authority to enforce laws:

1. **Section 9.1-101** gives the authority to any private police department that employs private police officers operated by an entity authorized by statute or an act of assembly to establish a private police department. The authority of a private police department shall be limited to real property owned, leased, or controlled by the entity and, if approved by the local Chief of Police or Sheriff.
  - a. The Chief of Police or Sheriff, who is the Chief local law-enforcement officer shall enter into a memorandum of understanding with the private police department that addresses the duties and responsibilities of the private police department and the chief law-enforcement officer in the conduct of criminal investigations.
  - b. Private police departments and private police officers shall be subject to and comply with the Constitution of the United States; the Constitution of Virginia; the laws governing municipal police departments.
2. **Section 49-1 the Code of Virginia** requires that all officers, upon entering their office, take an oath whereby they swear to support the Constitution of the United States and the Commonwealth of Virginia.

## B. Limitations of Law Enforcement Authority

1. Limitations on law enforcement authority are derived from statutes, federal, state, and local. Limitations are further derived from judicial interpretation of laws, opinions of the Attorney General, Commonwealth's Attorney and Aquia Harbour Police Departments policies/rules and regulations.
2. Furthermore, limitations of law enforcement authority for the Aquia Harbour Police Department are derived from the Memorandum of Understanding entered into with the Stafford County Sheriff's Office.
  - a. Statutory Limitations include:
    - i. The Aquia Harbour Police Department claims and retains all power, authorities and responsibilities as authorized by the Virginia Code as a Private Police Department, meeting all the qualification as required by law, within the boundaries of the Aquia Harbour subdivision and contiguous properties as authorized herein by the Sheriff of Stafford County.
    - ii. As authorized, in addition to the geographical boundaries of the Aquia Harbour subdivision, the Sheriff of Stafford County grants the Aquia Harbour Police Department law enforcement authority on the specific properties contiguous to the Aquia Harbour subdivision, generally known as Aquia Town Center, Aquia Church, Aquia Creek, and Government Island.
    - iii. Authorization of law enforcement to the properties identified as Aquia Town Center and Aquia Creek are granted for the purpose of providing the ability to the Aquia Harbour Police Department to provide assistance to the Sheriff's Office in an emergency or other situation when requested. Routine patrol of those properties is not required nor expected.

### b. Judicial Limitations

Courts constantly interpret laws that place limitations on the authority of law enforcement officers. The more common include Miranda rights/warnings, rulings on search and seizure, eyewitness identification and lineups.

## IV. MIRANDA RIGHTS

### A. The fifth amendment guarantees rights against self-incrimination:

1. The voluminous case laws covering Miranda (Miranda v Arizona, 384 U.S. 436, 1966) warnings have established several guidelines or law enforcement officers to help decide when warnings must be administered. Miranda applies only to custodial interrogation. Interrogation is defined below. As to what constitutes custody, if a reasonable person in the suspect's position believes that he or she is not free to leave, then Miranda

applies. It is important to note that an Officer's view of what constitutes custody and that of the suspect may differ. Officers must remember that the reasonable belief of the suspect is what counts.

2. In determining whether a suspect is free to leave the Officer's presence, a court will look at the circumstances of the interrogation. If questioning is conducted in an Officer's car or at the Police Department, the environment may be construed as a coercive one, and the interview custodial. Practically speaking, an arrest or physical restraint of a suspect places him or her in custody, and Miranda warnings must be administered before the Officer asks questions about the offense. In short, Miranda warnings must be given when:
  - a. The suspect reasonably believes that he/she is in custody;
  - b. The suspect is interrogated.

## B. Definitions

1. An interview may be construed as any conversation with a suspect, witness, victim, or other citizen.
2. An interrogation, according to the Supreme Court, includes the following, per *Rhode Island v. Innis*, 446 U.S. 291 (1980): "express questioning or its functional equivalent... any words or conduct on the part of a law enforcement (other than those normally attendant to arrest and custody) that the law enforcement officer should know are reasonably likely to elicit an incriminating response from the suspect."
3. Officers are reminded that an interrogation does not rely solely or exclusively on words, for example, conduct can be the "functional equivalent" of asking questions.

## C. Rights Admonition

1. Aquia Harbour Police Officers will be issued cards with the Advice of Rights and waiver on them. In order to achieve uniformity in administering those Advice of Rights as well as uniformity during courtroom proceedings, Officers will be issued the same card that is issued to Stafford County Deputies.
2. Officers shall cease all questioning whenever a suspect invokes their right to remain silent.
  - a. Once charges have been obtained, Officers can no longer question a suspect unless that suspect waives their right to counsel. Suspects do not have to specifically waive their right to counsel; they only must be advised of their Miranda Rights and state they understand them.
  - b. If the after being advised of their rights, the suspect has requested counsel, Officers shall not attempt to obtain a waiver of rights or of counsel unless the suspect initiates conversation with the officer. At which point, the Officer shall ask the suspect if they now wish to waive their right to speak with the Officer.
  - c. Officers will advise juveniles of their rights to counsel as well and ensure that the

rights are understood before securing a waiver. Officers shall honor a juvenile's request to speak with a parent or guardian before waiving their rights, when appropriate.

#### D. Exemption / Special Cases

1. Miranda warnings do not apply to the following situations:
  - a. Brief on-scene questioning and/or investigative detention;
  - b. Identification procedures such as fingerprinting, conducting a line-up, sobriety tests, or routine booking procedures;
  - c. Volunteered, spontaneous statements unless further questioning is to be conducted;
  - d. Roadside questioning during routine traffic stops;
  - e. Any non-custodial interview

2. Public safety exception

When an Officer urgently needs information from a suspect because lives are in immediate danger, Officers may delay giving Miranda warnings until the Officers have received information sufficient to dispel the emergency *New York v. Quarles*, 104 S. Ct. 2626 (1984), police frisked a felony suspect who was thought to be armed. Finding no weapon and worried about its location because of nearby children and without administering Miranda, the Officers asked where the gun was located; to which the suspect replied with its location. The presence of the gun constituted a public safety hazard, justifying the questioning without the administration of Miranda.

3. No firm guidelines exist governing when fresh warnings must be given. In considering whether previously administered Miranda rights have become legally stale, investigators must consider the length of time between the first warning and later interrogation.

#### V. SEARCH AND SEIZURE

- A. Law enforcement action is termed a search where (1) there is a "prying into hidden places by the officer" in which (2) the person whose premises or person is being searched has a reasonable expectation of privacy.
- B. The Fourth Amendment guarantees the right for people to be free from unreasonable searches and seizures of their homes, persons, and things. The Supreme Court is constantly interpreting the Fourth Amendment as it applies to law enforcement conduct. Illegally seized items of evidence will not be admitted in court and may be cause for a lost criminal case. Additionally, an

illegally conducted search invites civil suits under the Civil Rights Act. In order to ensure that Fourth Amendment rights are protected, officers will obtain search warrants upon probable cause in all appropriate criminal cases except the following:

1. Consent searches
2. Emergency searches
3. Plain view
4. Abandoned property
5. Inventory searches of vehicles
6. Incident to arrest
7. Pat-down of suspicious persons

#### C. Consent

1. A search warrant is not necessary when a person who has authority or control over the thing or place to be searched; consents to the search.
  - a. Generally, such authority extends to a person who shares use, access, or control of the property.
  - b. If two people have joint ownership of property, either may give consent.
  - c. A landlord, including owner of residence who rents a room, cannot consent to a search of a tenant's premises, unless the tenant has been evicted or has abandoned the property.
  - d. A husband or wife, or one member of a cohabitating unmarried couple, may consent to the search of areas in common ownership or use.
  - e. A parent may consent to a search of premises occupied by a dependent child.
  - f. An employee cannot give valid consent to a search of their employer's business unless he has been left in custody of the premises.
  - g. An employer may generally consent to a search of premises used by employees, except premises used solely by an employee. (e.g., locker)
2. Consent must be voluntarily given. If an officer requests consent from a citizen under circumstances, which a reasonable person would consider coercive, then officers must seek a search warrant. The officer may have the burden of demonstrating voluntariness.
3. A person who initially gives consent may withdraw it at any time. This person must not be secured in an area where they cannot withdraw their consent, such as the back of a cruiser or outside the premises. If this person withdraws their consent, officers shall then secure the premises and attempt to seek a search warrant, if probable cause exists.

#### D. Emergency searches

1. A search warrant is not necessary in an emergency. An emergency is sometimes termed “exigent circumstances”.
2. The Virginia Supreme Court, in *Verez v. Commonwealth*, 337 S.E. 2d 749, 1985, gave ten factors to be considered in evaluating whether an emergency exists:
  - a. The degree of urgency involved, and the time required to get a warrant.
  - b. The officer’s reasonable belief that contraband is about to be removed or destroyed.
  - c. The possibility of danger to others including officers left to guard the scene.
  - d. Information that the possessors of contraband are aware that police are on their trail.
  - e. Whether the offense is serious or involves violence.
  - f. Whether officers reasonably believe, the suspects are armed.
  - g. Whether the officers have probable cause
  - h. Whether the officers have strong reason to believe the suspects are present on the premises.
  - i. The likelihood that the suspects will escape.
  - j. The suspects entry into the premises after hot pursuit.

#### E. Plain View

1. A plain view seizure is, technically, not a search. To make a plain view seizure of property (contraband, fruits or instrumentalities of the crime), the officer must inadvertently observe the property in a place where he has a legal right to be.
2. It must be immediately apparent to the officer that the item(s) he or she observes may be evidence of a crime, contraband, or otherwise subject to seizure.
  - a. An officer may not move, look inside, underneath, or behind items for serial numbers or other identifying marks. If such movements are necessary then the officer shall obtain a search warrant.

#### F. Abandoned Property

1. A search warrant is not required for property that has been abandoned.

2. To constitute abandoned property, two conditions must apply:

- a. Property was voluntarily abandoned.
- b. Property was discarded outside the area in which someone has a reasonable expectation of privacy.

G. Inventory searches of vehicles

A lawfully impounded vehicle, or a vehicle removed from the street and placed in law enforcement custody may have its contents inventoried for purposes of law enforcement management. Any evidence or contraband found during the inventory may be used to formulate probable cause for a subsequent search or arrest.

## VI. PROBABLE CAUSE AND REASONABLE SUSPICION

A. Probable cause

Most searches and all arrests are based on the officer's perception of probable cause. According to the Supreme Court, probable cause exists where the facts and circumstances are such that it would cause a reasonable law enforcement officer to believe that a crime has been or is being committed. The probable cause should be based on personal knowledge or trustworthy information.

B. Reasonable suspicion

Reasonable suspicion involves a standard less than probable cause, generally defined by the courts as a circumstance or collection of circumstances that would lead a trained, experienced officer to believe that criminal activity may be afoot.

## VII. EYEWITNESSES

- A. Eyewitness identifications generally do not provide reliable evidence during criminal investigations. Consequently, the Supreme Court has addressed this issue in numerous cases and set forth guidelines to be followed when eyewitness identifications are solicited by officers.

## VIII. HEARSAY

- A. Officers must understand the rules by which hearsay can be considered evidence and therefore of use during their investigation.
1. According to the Virginia Supreme Court, hearsay is "evidence not proceeding from the personal knowledge of the witness, but from the mere repetition of what he has heard other say".
- B. Hearsay is generally inadmissible in court.
- C. Some hearsay is useful as evidence. Exceptions to the Hearsay rule, and therefore admissible, include:

1. A dying declaration, or a statement, oral or written, made by a mortally wounded person who knows the he or she is about to die and has abandoned hope of recovery.
2. Spontaneous declarations, or exclamations of a participant or bystander concerning an incident, made without time for reflection.
3. Public records, or reports prepared by public officials under a duty imposed by law or regulations.
4. Spontaneous admissions, or admission following admonition of Miranda warnings.

## IX. VEHICLES

A. Preferably, officers shall search vehicles under authority of a warrant whenever there is sufficient time to obtain one.

1. If a vehicle has broken down or is parked on private property and there is little likelihood that the vehicle will be driven away or that evidence within it will be destroyed, officers shall obtain a warrant to search said vehicle.

B. Custodial arrests

1. Officer may search a vehicle without first obtaining a warrant if:

- a. No opportunity exists for securing the warrant, and
- b. The search is made pursuant to a full custodial arrest of a person who is inside or beside a vehicle at the time of arrest, and
- c. The search is based upon probable cause.
  - i. A “full custodial arrest” means an arrest where the suspect is taken into custody for the purpose of transporting him/her to a holding facility or jail.
  - ii. LIMITATIONS. Officers searching vehicles under the above circumstances must limit their search as follows:

(1) To the entirety of the person being arrested.

(2) To the passenger compartment of the auto and the area in the immediate control of the person being arrested from which he could reach for a weapon or for evidence of a crime. The search may include open or closed containers in the passenger compartment.

1. The search may not extend to the trunk unless the probable cause has been established during the search incident to an arrest that contraband, weapons, fruits or instrumentalities of the crime are located there.

(3) The search incident to custodial arrests legally can be undertaken

to protect the officer, prevent the suspect from escape, and to prevent destruction of evidence.

C. Probable cause only – apart from custodial arrests, officers may search a vehicle without a warrant if:

1. Probable cause exists that the vehicle contains evidence of an illegal act, and
2. The vehicle is moving or capable of being moved quickly so that if the officer does not search immediately, evidence could be destroyed or lost.
3. When officers have probable cause to believe that contraband is concealed somewhere within a vehicle, they may conduct a warrantless search of the entire vehicle, including all containers and packages that may conceal the object of the search. If, however, probable cause is directed at a specific container within the vehicle, an officer may seize the container and must obtain a warrant before searching it.

## X. LIMITATIONS ON AUTHORITY

A. Limitations on law enforcement authority by local courts:

Occasionally, the local courts may limit law enforcement authority to enforce state statutes and local ordinances. These limitations include, but are not limited to:

- a. The enforcement of certain parking ordinances.
- b. The handling of juvenile offenders
- c. The issuance of summonses as opposed to arrests/incarceration.
- d. Restrictions relating to animal control ordinance.

B. Limitations on law enforcement authority by Commonwealth's Attorney:

Occasionally, the Commonwealth's Attorney may issue opinions, which may impose limitations on officers. These areas include, but are not limited to:

- a. Prosecution of certain cases.
- b. Extradition.
- c. Enforcement of certain statutes pending opinions from the Attorney General's Office.

C. Limitations on enforcement actions by the Board of Supervisors, or the Sheriff include, but are not limited to:

1. County code violations
2. Parking violations

## **XI. CONSTITUTIONAL REQUIREMENTS**

### **A. Compliance with constitutional requirements during criminal investigations:**

1. All officers, when conducting criminal investigations will take all precautions necessary to ensure that all persons involved are afforded their constitutional safeguards. Officers will ensure that:
  - a. All statements or confessions are voluntary and non-coercive.
  - b. All persons are advised of their rights in accordance with this regulation.
  - c. All arrested persons are taken promptly before a magistrate for formal charging.
  - d. All persons accused or suspected of a criminal violation for which they are being interrogated are afforded an opportunity to consult with an attorney.
  - e. Prejudicial pre-trial publicity of the accused is avoided so as not to interfere with a defendant's right to a fair and impartial trial.

### **B. The use of discretion by Officers:**

1. Officers, by the nature of their job, are required to exercise discretion in the performance of their duties. The Police Department provides these rules and regulations and general orders, patrol assignments, and training in order to aid them in making decisions which govern discretion in performing their duties.
2. With the exception of the Police Department's rules and regulations, the Police Department's policy generally gives officers guidelines to consider in exercising their discretion. It is up to the individual officer to consider the relevant facts, the situation, and then, using knowledge, training, and good judgement, make appropriate decisions. Supervisors must closely observe the use of discretion by their subordinates and point out factual errors or alternatives that may be more appropriate.

### **C. Alternatives to arrest/pre-arraignment confinement:**

1. Under certain circumstances, officers are faced with situations where an arrest and pre-arraignment confinement will not be possible. In this case, officers may elect to exercise certain alternatives such as the issuance of summonses, referral to a social service agency, or simply a warning. Examples may include but are not limited to:
  - a. Mentally or emotionally disturbed persons.
  - b. Domestic situations where counseling may be appropriate.
  - c. Juvenile offenders
  - d. Transient persons who need shelter and food.
  - e. Certain misdemeanor cases

2. Authority to issue summonses in lieu of arrest/confinement:

- a. **Section 19.2-74 of the Code of Virginia** authorizes officers to issue a summons in lieu of arrest for persons charged with a misdemeanor criminal offense except DUI and drunk in public. Additionally, this section authorizes the use of summonses when enforcing county ordinances.
- b. The use of summonses by officers:
  - i. In determining whether a summons should be used, the officer should:
    - (1) Decide whether the offense committed is serious.
    - (2) Make a judgement as to whether the accused poses a danger to the public or him/herself.
    - (3) Decide, based on circumstances, whether the person may disregard a summons.
    - (4) Will criminal activity continue?

3. Informal handling of criminal matters:

Officers often deal with situations where the public interest would be better served by social service agencies or crisis and professional organizations. When in the judgement of the officer a better solution to the problem will be achieved by use of alternatives to enforcement, the officer should refer the citizen to a social services agency.

4. Use of warnings as an alternative to arrest:

- a. The use of warnings may sometimes provide a satisfactory solution to a problem and may enhance the public perception of the Police Department. Normally, the use of a warning occurs in traffic offenses, but occasionally may be applied to criminal offenses. In determining if a warning should be issued, the officer should consider:
  - i. The seriousness of the offense.
  - ii. The likelihood that the violator will heed the warning.
  - iii. The reputation of the violator, i.e. known repeat offender, has received previous warnings, etc.

5. Limitations on intelligence activity:

- a. Police Department intelligence gathering activities will be limited to information concerning criminal conduct that presents a threat to the community.
- b. Police Department personnel and equipment will only be used in conjunction with

intelligence gathering activities, as defined above, in full compliance with all law, and only with the advance approval of the Chief.

- c. Intelligence information will be collected, used and processed in full compliance with all laws.

<b>AQUIA HARBOUR POLICE DEPARTMENT</b>	
<b>POLICIES AND PROCEDURES</b>	
<b>Policy: 02-02 ORGANIZATION AND AUTHORITY</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  <i>Bryan Cameron</i> Chief of Police

**I. POLICY**

The department is established by state law (*Virginia Code* §§ 9.1-101) and consists of a Chief of Police and other full- and part-time officers and non-sworn employees as determined by the General Manger. The Police Department shall be under the general supervision of the General Manager of the Property Owners Association. The Chief reports directly to the General Manager. Police officers are charged with enforcing the laws of the Commonwealth of Virginia. Jurisdiction of the police department is limited to within the boundaries of, or property own by, boundaries. The organization of the police department will support the effective and efficient accomplishment of departmental responsibilities and functions according to community-orient- principles.

**II. PURPOSE**

The purpose of this order is to describe the organization of the police department, outline its rank structure, and assign responsibilities, functions, and duties.

**III. PROCEDURES**

A. Organizational structure

1. The chief of police is responsible for the direction of all activities of the department. This direction is accomplished through written and oral orders as well as by personal leadership. Written orders take the form of general orders, rules and regulations, and other directives as needed.
2. The department consists of a Police Chief, Deputy Chief, two Sergeants, and as many police officers and dispatchers, as the Chief of Police in conjunction with the General Manager determines, are required to protect and serve the community and otherwise support or carry out the department's objectives.

B. Chain of command

1. The police chief has full control over departmental activities. In the

absence of the police chief, the Deputy Chief shall take command and notify the chief of all major decisions that the Deputy Chief may make. If the chief and the Deputy Chief are not available, then a Sergeant or senior patrol officer shall take command until a ranking officer is available and shall make any necessary reports to the chief.

2. Supervisors shall, in normal day-to-day operations, undertake the required details and assignments necessary to carry out the business of the department. Supervisors shall be responsible for the proper deployment of personnel under their supervision available for duty in order to maximize departmental goals.

C. Span of control

1. For any major event or exceptional situation in which all or most of departmental personnel will be on duty, plans for the event or situation will clearly delineate the command structure and outline the span of control.
2. The principle of span-of-control, absent exigent circumstances, dictates that each supervisor **has direct control over his/her designated component**. However, all levels of supervision and management are responsible and will be held accountable for maintaining positive employee conduct and/or for promptly addressing inappropriate employee behavior.
3. When members of equal rank or authority are at the scene of any situation or activity, unless otherwise designated by higher authority, the member whose duty function most closely relates to the situation at hand will assume command until relieved by proper authority. In exceptional situations, where duty function is not a factor or uncertain, the ranking member present will assume command of the incident. In situations absent the presence of a supervisor the ranking member will assume command of the incident and will remain so until relieved by higher authority.

D. Authority and responsibility

1. At each rank within the department, personnel are given the authority to make necessary decisions for the effective performance of their responsibilities. Through community-oriented policing, the department is committed to fostering an organizational climate that rewards employees for initiative, innovation, citizen involvement, and problem solving.
2. Lines of authority will follow the Organizational Chart that is part of this policy. In keeping with the principle of unity of command, a member's immediate supervisor is **accountable for the work performance and evaluation of that employee, even though the supervisor may not work with the employee every day**. In the absence of that supervisor, a member's immediate supervisor will be

someone on duty who is the same rank and performing the same function as the member's absent supervisor, (e.g., a Sergeant supervising officers whom he/she does not directly evaluate). This fosters an environment where an employee is responsible to only one supervisor at any given time and each organizational component is under the direct command of only one supervisor.

3. Each employee shall be held accountable for the use of, or failure to use, delegated authority. Any employee with questions concerning his or her delegated authority shall refer the matter to the on-duty supervisor or the chief of police for prompt resolution. Legal questions may be referred to the commonwealth's attorney.
  - a. For purposes of this order, "employee" refers to both sworn and non-sworn members of the department.
4. All employees shall report any gross or improper use of authority or failure to accept authority through the chain of command immediately.
5. Supervisors are held strictly accountable for the appearance and preparedness of the personnel assigned to him or her.
6. Supervisors are responsible for and shall ensure the good order and sanitary condition of department offices, vehicles, and equipment.
7. Supervisors are responsible for the efficiency, discipline, and morale of employees under their charge. Supervisors shall investigate or cause to be investigated all complaints by citizens and allegations of employee misconduct.
8. Supervisors shall document that employees have been supplied with all appropriate written orders and shall instruct them thoroughly on all oral and written orders. Supervisors shall regularly review and instruct subordinates in pertinent laws, ordinances, and necessary skills.
9. Supervisors shall closely observe the performance and behavior of all probationary employees assigned to them. As appropriate, supervisors shall submit detailed, written reports which describe probationers' appearance, intelligence, discipline, efficiency, initiative, and general adaptability to police work, and shall submit a written recommendation about offering the employee permanent employment.
10. Each supervisor is empowered with the authority commensurate to the position's supervisory or command responsibilities. Each member is empowered with the authority commensurate to his or her responsibilities.
11. A supervisor may delegate authority to a subordinate, but the

responsibility will remain with the person who delegated the authority. When authority is delegated, members will assume the scope of command from which authority was delegated, just as if that person had the original authority and responsibility.

12. Every member will obey a lawful order of a superior, even if a member of equal or lesser rank relayed the order.
13. A member receiving a conflicting order will obey the last order given. The person issuing any order that conflicts with or countermands a previous order or standing directive will assume responsibility for his/her actions and the actions of subordinates obeying the issued order. A member is responsible to only one supervisor at any given time.
14. No member is required to obey an order that the member knows, or has reasonable cause to believe, is an unlawful order. A member who obeys an order he or she knows is unlawful or has reasonable cause to believe is unlawful, will be held fully accountable for the consequences of his/her actions. A member who disobeys a lawful order, believing such order to be unlawful, will be required to show that his/ her disobedience was in good faith with reasonable cause.

E. Direction, obedience to orders

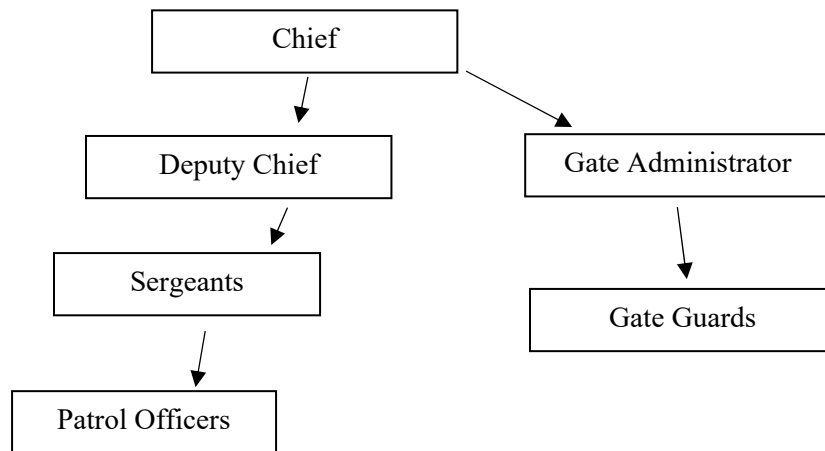
As the chief executive of the department, the chief of police has full authority and responsibility for the management, direction, and control of the operation and administration of the department. Both state law and department orders define certain responsibilities that the executive director or other officials share with the chief of police.

F. Grievances

1. Employees with complaints against other employees except the Chief of Police shall present them in accordance with the guidelines set forth in Policy 02-06. Employees shall not directly approach the General Manager on any official matter without permission of the Chief.

#### IV. ORGANIZATIONAL CHART

The attached chart denotes chain of command and intradepartmental relationships.



#### V. JOB DESCRIPTIONS - Chief of Police

##### A. General duties

1. The chief of police is the chief executive officer of the department and the final authority in all matters of policy, operations, and discipline. He or she exercises all lawful powers of his office and issues lawful orders as necessary for the effective performance of the department. The chief issues written policies. The chief is in general charge of the office and all property of the department.
2. Through the Chief of Police, the department is responsible for enforcing all laws within its legal jurisdiction. The Chief of Police is responsible for planning, directing, coordinating, controlling, and staffing all functions of the department. He or she is also responsible for its efficient operation and for the department's relations with local citizens, the local government, and other related agencies. The chief is responsible for the training of all members of the department.
3. The Chief and all supervisory personnel shall strive to achieve the following goals:
  - a. Develop partnerships with citizens, other governmental agencies, including law-enforcement agencies.
  - b. Enhance the quality of life in the community through the use of problem- solving approaches to reduce crime and the fear of crime.
  - c. Foster mutual accountability for police resources and strategies among citizens, members of the department, and the executive director.

B. Specific duties and responsibilities

1. Devises administrative guidance and promulgates it both orally and in writing. Creates and maintains a manual of orders including policies, rules and regulations, and general orders.
2. Supervises the maintenance and good order of vehicles and equipment.
3. Prepares periodic and special reports for administrative and operational purposes and ensures that adequate records are maintained of all department activities. In particular, ensures that reports are properly stored or archived consistently with state regulations.
4. Controls the expenditure of department appropriations and prepares an annual budget.
5. Plans, coordinates, or administers training of employees in policies, rules and regulations, and general orders, in the performance of their duties thereby, and in the proper use of equipment.
6. Cooperate with other law enforcement agencies in the apprehension and detention of wanted persons.
7. Accepts complaints or inquiries about police service and conducts internal investigations as appropriate. Investigate all cases of alleged or apparent misconduct by employees.
8. Attends civic meetings to explain the activities and functions of the police department, and to establish partnerships, and devise solutions for community problems.
9. Ensure compliance with all laws which the department has the authority to enforce.
10. Organizes, directs, and controls all resources of the department to preserve the peace, protect persons and property, and enforce the law.
11. Establishes a routine of shifts and daily duties to be performed by employees. Designates a chain of command.
12. Assigns, details, or transfers any member or employee of the department to or from any assignment whenever necessary for the efficiency, discipline, or morale of the department.
13. Supervises the safekeeping of all evidence and any property recovered, found, or confiscated.
14. Maintains personnel records to include performance evaluations, background investigation results, complaints, awards, and leave balances.

15. Actively promotes crime-prevention strategies and methods.  
Knowledgeably advises citizens and businesses on crime prevention.

C. Knowledge, skills, and abilities

Comprehensive knowledge of scientific methods of crime detection, criminal identification, and radio communication; comprehensive knowledge of controlling laws, court decisions, and ordinances; thorough knowledge of the geography of Aquia Harbour; demonstrated ability to lead and direct police officers; ability to maintain cooperative relationships with other association and resort officials and with the general public; ability to evaluate police effectiveness and to institute improvements to police business; ability to recruit, screen, and hire officers; physically fit; ability to prepare and review reports; resourcefulness and sound judgment; demonstrated integrity and good moral character; tact; ability to draft policies.

D. Education and experience

A high school diploma or equivalent is required, preferably an Associate Degree in criminal justice or extensive experience in a variety of law enforcement tasks and functions, coupled with Supervisory/Administrative experience, current certification as a law-enforcement officer. General knowledge of computer technologies. Valid Virginia Driver's License. No criminal record.

## **VI. JOB DESCRIPTION – Deputy Chief of Police**

A. General Duties

1. The Deputy Chief occupies the first level of supervision in the department and is primarily managerial.
2. The Deputy Chief is charged with ensuring compliance with the department's oral and written orders, including the responsibility of ensuring the proper performance of police duties from all personnel in accordance with state accreditation standards.
3. The Deputy Chief represents the first level of discipline regarding violations of department orders or complaints.
4. The Deputy Chief shall have a thorough understanding of the duties of all department personnel, both sworn and non-sworn and is directly responsible for assisting and instructing them in the proper performance of their duties in accordance with state accreditation standards.
5. The Deputy Chief shall supervise investigations. He shall review and assign cases as deemed appropriate and assist in investigations when requested by the Chief. He is responsible for maintaining a record of all open investigations and supplemental reports as required by

general order and closed investigations. He shall maintain a working knowledge of all video systems used by the department and shall supervise all vice, drug and organized crime investigations.

6. The Deputy Chief shall be responsible for job performance evaluations for all Department personnel, except the Chief of Police.
7. The Deputy Chief shall meet with the Chief and other supervisory staff to identify operational issues, needed changes in policies or procedures and to plan and develop new programs, etc.

B. Specific Duties and Responsibilities

1. Reports directly to the Chief of Police
2. Serves as acting head in the absence of the Chief.
3. Assist, support and advise the Chief in formulating written administrative guidelines which meet state accreditation standards.
4. Serves on an "on-call" basis 24 hours a day, and as necessary or assigned, will perform the functions and duties of any personnel of any shift as required, including investigations and evidence gathering.
5. Maintains an active working knowledge of departmental oral and written orders and administrative policy and provides guidance to all officers regarding relevant laws and local ordinances.
6. Directly responsible for auditing the performance of all personnel under his supervision to determine whether they are properly, effectively, and consistently carrying out their duties consistent with established written orders and policy.
7. Submits a written report to the Chief regarding any member of the department who commits a serious breach of departmental orders, or where informal corrective measures prove inadequate. Included in this report will be the complete details of the misconduct and the corrective measures previously attempted. Make a recommendation to the Chief of Police about future measures he deems most appropriate to achieve compliance regarding the member in question.
8. Accountable for implementing all orders and memos received from the Chief. Responsible for ensuring compliance from personnel through interpretation and training regarding the content and meaning of all orders and memos that affect their responsibilities.

9. Accountable for the actions or omissions of all personnel under his or her supervision which are contrary to departmental regulation or policy.
10. Responds to all emergencies or incidents as required. Takes command until relieved by the Chief of Police.
11. Required to keep, maintain and update all records of training and certifications of all personnel. Responsible for accreditation standards training of officers.
12. Responsible for enrolling all officers in academy basic schools, in-services, and specialized training as required or as directed by the Chief of Police. Ensure personnel have all necessary resources and support required for assigned training. Maintain a liaison with the academy staff.
13. Performs a monthly audit of the evidence/property room ensuring that proper securing and documentation of all evidence and property by all officers is in compliance with department policy and the standards of state accreditation. Reports any discrepancies to the Chief of Police.
14. Maintains a monthly statistical report of crimes reported in compliance with the requirements of state accreditation. Forward a monthly report of all crimes to the Stafford County Sheriff's Office. Responsible for obtaining all IBR case numbers from the Sheriff's Department for each report submitted and updating each record in the department files.
15. Submits to the Chief an annual statistical report of all crimes to include at a minimum the number of and type of crimes, location, and the status of the crime case and other related activities of the department as requested by the Chief for presentation at the Annual Meeting of the Aquia Harbour POA
16. Directly responsible for maintaining an inventory of all uniforms and related accessories, both issued and on-hand and to include the disposition of replaced items. Directly responsible for maintaining an inventory of all vehicles and assigned equipment. Directly responsible for monthly vehicle inspections and reporting to the Chief a discrepancy found and/or replacement needs. Conducts both scheduled and unscheduled inspections of personnel and assigned vehicles.
17. Responsible for the issuance of uniforms and equipment to all officers. Responsible for the return of all uniforms and equipment when personnel leave the employ of the department.

18. Responsible for purchasing all uniforms and equipment approved by the Chief, maintaining all associated records as required.
19. Supervise and administer the field training program for both patrol and communication officers. Reviews all weekly F.T.O. evaluation reports and maintains daily communication with Sergeants and field training officers for recruit assessment and observations. Submits required reports and recommendations to the Chief for review.
20. Investigates all citizen complaints directed at an officer or the department. Reporting to the Chief and includes a recommendation for corrective action to be taken. This will include internal affair investigations.
21. Responsible for the investigator conducting background investigations of all individuals being considered for employment with the department. Submit a report to the Chief of the findings and recommendations for employment.
22. Screens and approves all citizens' requests for the ride-along program after completion of a criminal history check. Responsible for completion of all forms and liability waivers before approval is given, to include family members of any officer.
23. Responsible for maintaining and updating all personnel record files of all employees.
24. Responsible for records and compliance of all Department of Criminal Justice Services State mandated forms to include initial appointment, employment update, field training for law enforcement and communication officers.
25. Responsible for reviewing daily all computerized report entries ensuring that all data fields have the proper entries, logical summaries and that the assigned CCR case numbers are correct and in proper sequence.
26. Responsible for disseminating vacation and sick leave used and earned for all department personnel on a quarterly basis.
27. Responsible for the scheduling of patrol and communications personnel, including assignments and shifts necessary to provide continual services to the community. He shall be the coordinator for VIP events.
28. Investigate sexual and other unlawful harassment and/or unlawful discrimination accusations filed by or against department personnel.

29. Responsible for performing all the duties of the sergeant whenever a vacancy exists in the position of sergeant. Responsible for training and coaching the sergeant to properly perform assigned duties.
30. Performs other duties as may be assigned by the Chief.

C. Knowledge, skill, and abilities

Comprehensive knowledge of scientific methods of crime detection, criminal identification, radio communication, comprehensive knowledge of laws, court decisions, and ordinances. Has demonstrated ability to lead and direct police officers; maintain cooperative relationships with other associations and resort officials and with the general public. The ability to evaluate police effectiveness and to institute improvements to police business. The ability to recruit screen, conduct background investigation for newly hired officers; be physically fit; have the ability to prepare and review reports; the ability to learn advanced computer skills to include database management, spreadsheets and digital photography. Must demonstrate sound judgment; integrity, tact and be of good moral character.

D. Education and Experience

A high school diploma or equivalent is required, preferably an Associate Degree or extensive experience in a variety of Law Enforcement tasks and functions, with Supervisory/Administrative abilities. Must have a Virginia certification as a Law Enforcement Officer.

## VII. **JOB DESCRIPTIONS – SERGEANT**

A. General Duties

1. The Sergeant occupies the second level of supervision in the department. His or her primary responsibility is assisting the Deputy Chief in exacting the proper performance from patrol and communications officers according to community- oriented policing goals. He reports directly to the Deputy Chief of Police.
2. The Sergeant is responsible for proficiency, discipline, conduct appearance and strict attention to duty of patrol officers.
3. The performance of security checks of houses, construction sites and commercial buildings, is appropriate.
4. Completion of detailed reports on Officer's daily activities, crimes, accidents, arrests, and other incidents requiring police attention.
5. Performs all work required of a Police Officer.

6. Assist patrol and communications officers with difficult problems and investigations.
7. Assist the Deputy Chief with the FTO training of newly hired Patrol and Communication Officers.
8. Assist the Deputy Chief to perform monthly vehicle inspections of all departmental vehicles and re-ordering of equipment for those vehicles.
9. Maintain submitted requests from personnel for Vacation and Sick leave. Approve unplanned vacation for immediate leave from personnel. Schedule personnel to accommodate unplanned vacation and medical leave.
10. Monitor Patrol Officers house checks on a daily basis and submits the monthly report to the Deputy Chief.
11. Assist with maintenance of Radar equipment assigned to the Aquia Harbour Police Department.
12. Provide avenue of cooperation with agencies in the Stafford County Sheriff's Office.
13. Maintains an active, working knowledge of departmental oral and written administrative policies, also, in relevant laws and local ordinances.
14. When appropriate, administers remedial training or counseling to officers to overcome deficiencies in the performance of subordinates. Sergeant shall rely on encouragement, explanation, or referral or other means consistent with departmental policy to improve performance.
15. Implements all orders received from the Chief. To this end, thoroughly explains to departmental personnel the content and meaning of new orders that affect their responsibilities.
16. Accountable for the actions or omissions of officers which are contrary to departmental regulations or policy.
17. Perform other duties as may be assigned by the Chief and/or Deputy Chief.

B. Knowledge, Skills and Abilities

Thorough knowledge of departmental orders; thorough knowledge of approved principals practices and procedures of police work; thorough knowledge of pertinent state laws, and court decisions; thorough knowledge of the geography of the community; commands respect of the officers and assigns, directs and supervises their work; treat citizens courteously and respectfully; actively enlists citizens and officers to develop partnerships through which strategies can be devised to

combat disorder, analyzes complex police problems and situations and adopts quick effective and reasonable courses of action; skill in the use of police equipment; of good moral character; physically fit.

C. Education and Experience

A high school diploma or equivalent with some college preferred; current Virginia driver's license; current academy certification; current First Aid certifications; a minimum of three years of police experience with a solid record of superior performance.

## VIII. JOB DESCRIPTIONS – POLICE OFFICER

A. General duties

1. A police officer is responsible for the efficient performance of required duties conforming to the oral and written administrative guidance as promulgated by the chief of police. Duties shall consist of, but are not limited to, general police responsibilities necessary to the safety and good order of the community. The police officer must apply community-oriented policing goals daily and shall thereby strive to identify problems and suggest strategies to combat problems, fully enlisting the support of citizens, other officers, and government agencies. The officer must exercise flexibility and adaptability.
2. A police officer shall perform the following activities.
  - a. Detect crime, identify and apprehend offenders, and participate in subsequent court proceedings.
  - b. Reduce the opportunities for the commission of crime through preventive patrol and other crime-prevention measures.
  - c. Aid people who are in danger of physical harm.
  - d. Facilitate the movement of vehicle and pedestrian traffic.
  - e. Identify potential law enforcement problems.
  - f. Promote and preserve peace.
  - g. Provide emergency services.
  - h. Actively promote and enlist citizen involvement in combating crime and eliminating disorder.
3. The police officer position is non-supervisory. Police officer duties are performed on an assigned shift under the general guidance of the assistant chief or sergeant.

B. Specific duties and responsibilities

1. Exercises authority consistent with the obligations imposed by the oath of office. Promptly obeys legitimate orders.
2. Coordinates efforts with those of other members of the department so that teamwork may ensure continuity of purpose and achievement of police objectives.
3. Communicates to superiors and to fellow officers all information obtained in the field, which is pertinent to the achievement of police objectives.
4. Responds punctually to all assignments.
5. Acquires and records information concerning events that have taken place since the last tour of duty.
6. Records activities during the tour of duty as required.
7. Maintains weapons and equipment in a functional, presentable condition.
8. Assist all citizens who request assistance or information.
9. Accountable for the securing, receipt, and proper transporting of all evidence and property coming into custody.
10. Strives to resolve noncriminal matters amicably and informally. Responds quickly and professionally to queries from the public, counsels' juveniles and adults when necessary and refers them to relevant social service agencies.
11. Preserves peace at public gatherings, neighborhood or family disputes, if possible.
12. Serves or delivers warrants, summonses, subpoenas, and other official papers promptly and accurately.
13. Confers with prosecutors and testifies in court on any manner arising from police business.
14. Accomplishes other general duties as they are assigned or become necessary.
15. Cooperates and coordinates with other law-enforcement agencies, correctional institutions, and the courts

C. Specific duties and responsibilities - preventive patrol

1. Patrols an assigned area for general purposes of crime prevention and law enforcement. Patrol includes:

- a. Being thoroughly familiar with the assigned route of patrol. This familiarity includes knowledge of residents, amenities, roads, paths, power stations, and geographical boundaries. Conditions that contribute to crime shall be reported. The location of fire boxes, telephones, and other emergency services shall be noted.
  - b. Apprehending offenders or wanted persons.
  - c. Completing detailed reports on all crimes, vehicle accidents, arrests, and other incidents requiring police attention.
  - d. Preserving any serious crime scene until the Sergeant or Stafford County Sheriff's Office resources arrive.
  - e. Performing security checks of buildings, as appropriate.
  - f. Observing and interrogating suspicious persons.
  - g. Issuing traffic citations or warnings (written or verbal).
  - h. Being alert for and reporting fires.
  - i. Reporting streetlight and traffic signals out-of-order, street hazards, and any conditions that endanger public safety.
  - j. Observing activities at schools, parks, and playgrounds that suggest criminality or victimization.
  - k. Responding to any public emergency.
2. Conducts a thorough investigation of all offenses and incidents within the area of assignment. Collects evidence and records information, which will aid in identification, apprehension, and prosecution of offenders, as well as the recovery of property.
  3. Remains alert to conditions that foster crime or indicate criminal activity. Takes preventive action to address such conditions and informs supervisors as soon as circumstances permit.
  3. Responds to situations brought to the officer's attention while in the course of patrol or when assigned by radio. Renders First Aid, when qualified, to persons who are seriously ill or injured. Assists persons needing emergency services.
  4. Remains in the assigned area throughout the tour of duty except when a police emergency necessitates a temporary absence, or when the sergeant or senior police officer on duty or the dispatcher has authorized a temporary absence.

5. Alert for all nuisances, impediments, obstructions, defects, or other conditions that might endanger or hinder the safety, health, or convenience of the public within the patrol area, or which contribute to disorder.
6. Takes proper care of an assigned patrol vehicle and attends its routine mechanical maintenance; drives it safely and responsibly and promptly reports and attends to defects or damage.
7. Keeps radio equipment in operation at all times and remains thoroughly familiar with departmental policy concerning its use.

D. Specific duties and responsibilities - traffic patrol

1. Directs and expedites the flow of traffic at assigned intersections, preventing accidents, protecting pedestrians, and ensuring the free flow of traffic.
2. Enforces the parking ordinances and motor vehicle laws in the patrol areas.
3. Alert to traffic safety conditions which may endanger or inconvenience the public and reports these conditions to the sergeant.
4. Responds immediately when called from a traffic post to render emergency police service. Notifies the sergeant at the earliest possible opportunity.
5. Wear the prescribed traffic safety clothing and equipment.

E. Knowledge, skills, and abilities

Some knowledge of the philosophy, objectives, and methods of counseling, mediation, and community organizing; some knowledge of the fundamental principles of adolescent psychology; knowledge of police investigative techniques; general knowledge of rules of evidence and laws of search and seizure and interrogation; ability to analyze evidence; ability to question and interview skillfully; ability to organize and prepare clear and concise oral and written reports; skill in the use of firearms and police equipment; possession of physical ability and endurance; ability to establish effective working relationships with juveniles, parents, school officials, fellow workers, and the public; of good moral character.

F. Education and experience

High school diploma or equivalent with some college preferred; valid Virginia driver's license; responsible work experience; First Aid or EMT certification; certification as a law-enforcement officer or successful completion of the Criminal Justice Academy within twelve months of hire. No criminal record.

<b>AQUIA HARBOUR POLICE DEPARTMENT POLICIES AND PROCEDURES</b>	
<b>Policy: 02-03 INSPECTIONS</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  <i>Bryan Cameron</i> Chief of Police
<b>VLEPSC STANDARDS: ADM.19.01, ADM.19.02, ADM.19.03</b>	

## I. POLICY

The Chief of Police is responsible for establishing and maintaining regular inspections to maintain high standards of performance. Although the ultimate responsibility of inspection and control rests with the Chief, inspections must be carried out continuously at all levels of command and supervision.

The goal of inspection is operational efficiency and effectiveness in achieving community-oriented policing goals. While an inspection may reveal infractions of departmental orders, inspection is not solely a disciplinary process: it is a fair, impartial, and honest appraisal of efforts. The inspector must have a positive, constructive attitude and make every effort to instill respect for, and understanding of, the inspection process.

It is the policy of the Aquia Harbour Police Department to conduct periodic inspections of employees, equipment, facilities, policies and functions within the agency in accordance with the procedures established herein.

- A. **Line inspections** are a primary responsibility of all supervisors at every level in the department. Line inspections are an on-going activity to ensure that employees are adhering to departmental requirements regarding appearance, use and maintenance of equipment and facilities, and adherence to agency policies and procedures.
- B. **Staff inspections** will be conducted at the direction of the Chief of Police, by supervisory personnel. Supervisors will be appointed by the Chief of Police to inspect and evaluate division components not normally under their command. These inspections will provide an objective and unbiased evaluation of all departmental procedures, facilities, equipment and personnel with the emphasis placed on the overall system rather than the individual.

## II. PURPOSE

The inspectional process compares the department's expectations, goals and objectives with actual performance. Inspections provide a means of regularly assessing the department's efficiency and effectiveness. They also identify and provide the

information necessary to implement changes or remain with the existing operational procedures. The department can be properly evaluated by comparing previously established goals, objectives, policies, procedures, rules and regulations with present performance and projected needs.

### **III. DEFINITIONS**

#### **A. Inspectional Process**

1. Mechanisms for evaluating the quality of the department's operations, ensuring that the department's goals are being pursued, and identifying and correcting problems. Inspection is the most common fact-finding tool of a supervisor.

#### **B. Line Inspection**

1. The checking or testing of persons, facilities, equipment, procedures, or other items by supervisors/officers who are in charge/control of the elements being inspected.

#### **C. Staff Inspection**

1. The checking or testing of facilities, equipment, procedures, or other items by senior staff officers who are not in charge/control of the elements being inspected.

### **IV. PROCEDURES**

#### **A. Inspection objectives**

The objectives of inspections include the following:

1. To learn whether a task is being performed as outlined in department orders.
2. To examine critical incidents to determine if the department's oral or written administrative guidance adequately guides officers in performing their duties safely, legally, and to a professional standard.
3. To learn whether departmental goals and objectives have been achieved.
4. To discover whether department resources are being used to the best advantage.
5. To identify and document needs, deficiencies, omissions, or problems.
6. To provide a means for recognizing, reporting, and rewarding exemplary performance and to institute established disciplinary procedures if found necessary for those who disobey or fail to comply with departmental orders.
7. To gauge the department's success in achieving community-oriented policing goals. These goals include the fostering of partnerships with

citizens, law-enforcement agencies, and governmental offices, enhancing community life through problem solving that reduces the incidence and fear of crime, and accountability for public- safety strategies.

B. Line Inspections

1. Each supervisor is responsible for the inspection of personnel, activities, and equipment under their supervision and the initiation of suitable action in the event of a failure, error, violation, misconduct, or neglect of duty by a subordinate. The frequency of an inspection depends on the purpose of the inspection. On a daily basis, an employee's appearance, demeanor and use and maintenance of equipment are subject to inspection, usually informally by way of observation by the supervisor.
2. Regular inspections will be conducted by supervisor/officer assigned responsibility on vehicles, equipment and weapons. Any corrective action, which must be taken, shall be noted for follow-up by the Chief or his assigned representative.
3. All supervisors are encouraged to conduct both announced and unannounced line inspections. Supervisors will be responsible for identifying areas, which need to be corrected, establishing a realistic time period for the correction, and ensuring that the correction is made.
4. All sworn and civilian personnel are expected to adhere to the chain of command and take corrective actions as suggested or ordered by any supervisor.

C. Staff Inspections:

1. Staff inspections will be conducted under the direction of the Chief of Police by appointed supervising officers. The Chief of Police will identify the purpose of the inspection, assign, and schedule officers to specific area/component inspections, and inform all personnel of the inspection. The inspecting officers may direct questions to any employee of the department and expect responses as if the questions were asked by the Chief. Complete access to the department's physical facilities and contents shall be granted to the inspectional officers.
2. A staff inspection will address a specific area/component, entity or action. Emphasis will be placed on the system rather than the individual. The inspecting supervisor may not apply disciplinary action against any member of this agency who, through the inspection process, has been found to violate a departmental rule, regulation or procedure. Specific violations by employees will be noted.
3. Upon completion of the staff inspection, a written report will be prepared by the staff officers and presented to the Chief of Police in a

specified staff meeting. The report will include:

- a. Areas, items and personnel inspected;
- b. Evaluation of the division/component inspected;
- c. Follow-up procedures to ensure noted deficiencies are corrected.
- d. Comments and recommendations.

Recommendations shall include a suggested plan for change and implementation. The Chief of Police shall designate follow-up on any or all recommendations with assigned responsibility to the proper supervisor.

D. Stored Agency Property

All stored and special use equipment shall be inspected at least every six months by the Supervisor/ Officer assigned the responsibility by the Chief of Police. The Supervisor/Officer assigned shall have the authority to maintain assigned equipment in a state of operational readiness. Records of such inspection and maintenance needs shall be kept on file.

**V. STORED AGENCY PROPERTY:**

1. Agency stored property will be kept in a state of operational readiness for immediate deployment. Agency stored property will be inspected at least twice per year by the officer or supervisor assigned the responsibility by the chief of police.
2. The officer or supervisor assigned shall have the authority to maintain assigned equipment in a state of operational readiness. Any monetary expenditure necessary must be approved by the chief of police.
3. Records of such inspection and maintenance needs shall be kept on file with the Deputy Chief.

**VI. RESPONSIBILITY:**

1. The Supervisor or designee is directly responsible for conducting staff inspections. The Supervisor or designee is directly responsible for quarterly vehicle and uniform line inspections. The Supervisor conducts both scheduled and unscheduled inspections of personnel and assigned vehicles. The Supervisor will report to the Chief any discrepancies found and/or replacement needs during either staff or line inspections.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICY AND PROCEDURES**

**POLICY: 02-04 BIAS BASED POLICING**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*

Chief of Police

**I. POLICY**

It is the policy of the Police Department that all law enforcement actions which include all traffic stops, investigative detentions, search and seizures of persons or property and arrests will be based on the standards of reasonable suspicion or probable cause as required by the Constitution of the United States and supporting statutory authority. Officers must be able to articulate specific facts, circumstances, and conclusions that support reasonable suspicion or probable cause that led to the law enforcement actions.

This law enforcement agency is charged with protecting these rights, for all, regardless of race, color, ethnicity, sex, sexual orientation, physical handicap, religion or other belief system.

Most importantly, actions guided by bias destroy the trust and respect essential for our mission to succeed. We live and work on communities very diverse in population: respect for diversity and equitable enforcement of the law are essential to our mission.

**II. PURPOSE**

The purpose of this policy is to unequivocally state that racial, ethnic and/or gender profiling in law enforcement is absolutely unacceptable, to provide guidelines for officers to prevent such occurrences and to protect our officers when they act within the dictates of the law and policy from unwarranted accusations.

**III. DEFINITION**

**Biased-Based Policing:** The detention, interdiction, searching or attempting to search, using force against a person or other disparate treatment of any person on the basis of race, color, ethnicity, sex, sexual orientation, physical handicap, religion, or other belief system in violation of constitutional safeguards.

**Probable Cause:** Facts or apparent facts and circumstances within an officer's knowledge and of which the officer had reasonable, trustworthy information to lead a reasonable person to believe that an offense has been or being committed, and that the suspect had committed it.

**Profile:** A legitimate profile, sanctioned by the department, is a very specific attribute, or cluster of attributes or characteristics that form the basis for reasonable suspicion of criminality. A profile is only valid for a limited time and under limited circumstances, most

often for drug trafficking. These attributes or characteristics are established in writing based on considerable training and experience. A legitimate profile will not be based solely on a person's race, sex, sexual orientation, gender, national origin, ethnicity, age or religion.

**Reasonable Suspicion:** Also known as articulable suspicion. Suspicion that is more than a mere hunch, but rather, is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that an infraction of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on the observations of a police officer combined with his or her training and experience, and/or reliable information received from credible outside sources.

#### **IV. DISCUSSION**

A fundamental right guaranteed by the Constitution of the United States to all who live in this nation is the right of equal protection under the law. Along with this right to equal protection is a fundamental right to be free from unreasonable searches and seizures by government agents. Citizens are entitled to be free from crime, from the depredations of criminals, and to either drive or walk the nation's public ways in safety protected from reckless or careless drivers.

This law enforcement agency is charged with protecting the rights for all citizens, regardless of race, national origin, ethnicity, gender, or sexual orientation.

Because of the nature of law enforcement, officers are required to be observant so they may identify unusual occurrences and violations of the law. It is the practice of this office to perform law enforcement duties in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce motor vehicle laws while at the same time insisting that citizens shall only be stopped or detained when reasonable suspicion exists to believe that an offense is about to be committed, has been committed, or is in the process of being committed. To avoid misunderstandings and any perception of unprofessional policing or biased policing, it is essential that the citizen be informed of the reason for the traffic stop or field interview at the earliest and safest opportunity.

This policy should not be construed as an effort to inhibit officers from using the skills gained through training and experience to detect evidence of criminal activity during a citizen contact. Officers routinely perform traffic enforcement and pedestrian contacts; however, this is not routine for the motorists or pedestrian who is stopped. These contacts are frequently an emotionally upsetting experience for the citizen. Officers must be aware of these conditions and shall strive to make each contact non-confrontational. Officers should attempt to leave the citizen with the understanding that the officer has performed a necessary duty in a fair, professional, and courteous manner.

#### **V. PROCEDURES:**

##### **A. Prevention of Profiling:**

1. Officers are prohibited from stopping, detaining, searching or arresting anyone solely because of the person's race, sex, sexual orientation, gender, national origin, ethnicity, age or religion. Those characteristics, however, may form part of reasonable suspicion or probable cause when officers are seeking a suspect

with one or more of these attributes.

2. Reasonable suspicion or probable cause shall form the basis for any enforcement actions or decisions. Citizens shall only be subjected to stops, seizures or detention upon reasonable suspicion that they have committed, are committing or are about to commit an offense. Officers shall document the elements of reasonable suspicion and probable cause in appropriate reports. i.e. Stop/Frisk.

B. Officer Behavior

1. When feasible, officers shall offer explanations to citizens of the reasons for enforcement actions and other decisions that bear on citizen's well-being, unless the explanation would undermine an investigation or jeopardize an officer's safety.
2. When feasible, officers shall identify themselves by name. When a citizen requests the information, officers shall give their badge number, name of immediate supervisor or any other reasonable information.
3. Explain to the citizen where no enforcement action was taken, the credible, reliable or locally relevant information that led to the stop.
4. All officers are accountable for their actions. Officers shall justify their actions when required.

Officers routinely perform traffic enforcement and pedestrian contacts, But for the motorist or pedestrian who is stopped it is frequently an emotionally upsetting experience. Officers should beware of these conditions and should strive to make each contact educational and leave the citizen with an understanding that the officer has performed a necessary duty in a fair, professional and friendly manner.

C. TRAINING:

Officers will receive initial and ongoing training in officer safety, courtesy, cultural diversity, the laws governing search and seizure and interpersonal communications skills.

D. VIOLATION:

Actions in violation of this policy are unconstitutional and inconsistent with the mission of the Police Department and will not be tolerated. alleged violations shall be forwarded directly to the Chief of Police for a thorough internal investigation. A report of the findings for this investigation will be made part of the officer's personnel file.

Officers found to be in violation of this order shall be subject to the full range of disciplinary actions.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 02-05 COMMUNITY RELATIONS**

**Effective Date: 09/03/2024**

**Review Date: 06/01/2026**

**Amends/Supersedes:**

**Approved:**

*Bryan Cameron*

Chief of Police

**I. POLICY**

Community relations are based on a principle that law enforcement officers are an integral element of the public they serve. Community relations are manifested by positive interaction between the community and the Aquia Harbour Police Department; and represent unity and common purpose. A system of law and its enforcement is not superimposed upon an unwilling public; the people themselves, to control the behavior of those who seek to interfere with the community welfare, create the law. While the primary responsibility for enforcement of the law lies with the people, the complexity of modern society and the inability of the people to cope with crime have required the creation of law enforcement services. The Aquia Harbour Police Department represents only a portion of the total resources committed to the public. A citizen's encounter with law enforcement can be a very emotional experience. Under these circumstances, the risk of misunderstanding is great. To minimize the risk, there is a challenge in each public contact. Accordingly, the Aquia Harbour Police Department is committed to establishing close ties and responsiveness to the residents of Aquia Harbour.

The Aquia Harbour Police Department must strive to establish a climate in which an officer may perform their duties with acceptance, understanding, and approval of the public. Additionally, the willing and practiced participation of the people in enforcing the law is essential for the preservation of freedom. Recognition of individual dignity is vital in our free system of law. Just as all are subject to the law, all persons have a right to dignified treatment under the law. The protection of this right is a duty, which is binding on the Aquia Harbour Police Department.

An officer must treat a person with respect and be constantly mindful that the people with whom they are dealing with are individuals with human emotions and needs. Such conduct is not a duty imposed in addition to an officer's primary responsibilities: it is inherent to them. The Aquia Harbour Police Department conducts public information and crime prevention programs to educate the residents. Our goal is to eliminate crime problems and foster positive community relations.

In addition, the Aquia Harbour Police Department cooperates in developing new programs in those areas where the relationship with any group, or public as a whole, may be improved. In dealing with people, each officer must attempt to make their contact one which inspires respect and generates cooperation and approval of the public. While entitled to personal beliefs, an officer shall not allow individual feelings or prejudices to enter into public contacts. Since an officer's prejudices may be manifested subconsciously, it is incumbent upon them to strive for the elimination of attitudes, which might impair and effectiveness.

## II. PURPOSE

The purpose of this regulation is to establish the community relations function of the Aquia Harbour Police Department and to provide for its maintenance.

## III. PROCEDURES

### A. General

While every Aquia Harbour Police Department employee has an individual responsibility for promoting community relations, this functional area is concerned with specifically identifying and addressing problems arising between the Aquia Harbour Police Department and all segments of the Aquia Harbour residents. Our daily goals are to establish formal relationships with our community groups, learn and become aware of issues and respond to them before they become problems, develop programs which increase community understanding, and continue to strive for citizen's confidence and trust in current and proposed Aquia Harbour Police Department activities and programs.

- B. The Community Engagement Officer is assigned the responsibility for the community affairs function and will function as the primary contact point for developing and coordinating the Aquia Harbour Police Department's community relations programs and events.

### C. Responsiveness to the Community

The Aquia Harbour Police Department is governed by law and policies, formulated to guide enforcement of the law, and must include consideration of the public will. Responsiveness must be embraced at all levels of the Aquia Harbour Police Department by a willingness to listen and genuine concern for the problems, or perceived problems being addressed. The total needs of the community must become an integral part of the programs designed to carry out the mission of the Aquia Harbour Police Department.

### D. Interpersonal Communication

Each officer must be aware of the law enforcement needs of the community and of their assigned area of responsibility. Guided by policy, an officer must tailor their performance to attainment of the objectives of the Aquia Harbour Police Department to the resolution of crime problems in the area they serve. The Department shall provide programs to encourage productive dialogue with the public and to ensure that the unity between the Police Department and the residents is preserved.

### E. Community Relations Activities

1. All contacts, official and unofficial, between an Aquia Harbour Police Department employees and citizens, in any grouping in our community, constitute a vital part of the Police Department's community relations program. Ideally, all such contacts would contribute to the development of positive images toward the Police Department's and its employees and activities.
2. A wide variety of planned community relations activities are undertaken by the Aquia Harbour Police Department as a means of increasing public support, dialogue, understanding, and the development of the Police Department overall community relations policies. Activities include, but are not limited to:

- a. Formal participation in and liaison with civic, social, business or other community groups.
- b. Crime prevention programs to community groups and residents.
- c. Media releases in support of Police Department's programs.
- d. Soliciting and gathering, at every opportunity, citizen community input reference Police Department policies, practices, and procedures.

#### F. Problems and Tension

1. The Aquia Harbour Police Department is committed to correcting actions, practices, and attitudes that may contribute to community problems, tensions, or grievances. By recognizing such problems at an early stage, preventive action can be taken by the Police Department that might well ward off greater problems in the future.
2. All employees who receive or hear concerns expressed regarding law enforcement activities, services, or individuals, are encouraged to pass this information to supervisors. Depending upon the urgency of the problem, supervisors should forward this information to the Deputy Chief, who will in turn, ensure that the Chief is informed.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 02-06 GRIEVANCES**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*

Chief of Police

**I. POLICY**

The department's goal is to provide fair, equitable, and clearly defined means for the resolution of grievances, to ensure employees and their supervisors are accorded reasonable opportunity to present the facts bearing on a grievance, and to guarantee the opportunity to exercise the rights set forth in this order. Every employee has the right to fair treatment in all matters arising from employment and to this end each employee has the right to be heard whenever he or she alleges mistreatment. A grievance process that affords employees the opportunity to air a complaint helps reduce dissatisfaction, identify organizational problems, and increase morale.

**II. PURPOSE**

The **grievance policy** is intended to provide a method of promptly resolving problems or disputes that may arise from time to time.

**III. APPLICABILITY**

A. Included

1. All permanent full-time or part-time employees.

B. Excluded

1. Probationary employees.
2. An employee who has voluntarily resigned may not have access to the grievance procedure after the effective date of the resignation. An employee who has been removed shall not have access to the grievance procedure, except to grieve a removal resulting from a formal discipline or unsatisfactory job performance or an involuntary separation. This grievance must be filed within 30 calendar days of the dismissal date. Any grievance initiated by a permanent employee before voluntary separation from the department may continue to be processed through the grievance procedure.

#### **IV. WHAT IS GRIEVABLE**

A grievance is a complaint or dispute of an employee relating to employment, including but not necessarily limited to:

- A. Disciplinary actions, including dismissals (whether resulting from formal discipline or unsatisfactory job performance or an involuntary separation), demotions, and suspensions.
- B. The improper application of personnel policies, procedures, rules and regulations, and ordinances and statutes.
- C. Acts of reprisal as a result of use of the grievance procedure or of participation in the grievance of another employee.
- D. Complaints of discrimination on the basis of race, color, creed, political affiliation, age, handicap, national origin, or sex.
- E. Intimidation because of participation or failure to participate in political activities.

#### **V. WHAT IS NOT A GRIEVANCE**

Management reserves the exclusive right to manage the affairs and operations of the department. Accordingly, the following complaints are not a grievance under this order:

- A. Establishment and revision of wages or salaries, position classifications, or general benefits.
- B. Work activity accepted by the employee as a condition of employment or work activity, which may reasonably be expected to be a part of the job content. (The measurement and assessment of work through a performance evaluation shall not be a grievance except where the employee can show that the evaluation was arbitrary or capricious).
- C. The contents of established personnel policies, orders, and statutes.
- D. Failure to be promoted (except where the employee can show that established promotional policies or procedures were not followed or applied fairly).
- E. The methods, means, and personnel by which work activities are to be accomplished.
- F. Dismissal, layoff, demotion, or suspension from duties because of lack of work, reduction in the work force, or job abolition.
- G. The non-disciplinary hiring, transfer, assignment, and retention of employees within the agency.
- H. The relief of employees from duties during emergencies.
- I. The Association's financial, budgetary, accounting, compensation, and organizational policies and procedures.

- J. Oral reprimands, warnings, or written reprimands.
- K. Management of association employees, including the right to determine the duties to be included in a job classification; to make personnel appointments in accordance with adopted selection policies and techniques; to determine the number of persons to be employed or retained as employees, including the right to lay off employees whenever it is deemed to be in the best interest of efficiency or productivity or whenever necessitated by lack of funds or reduced workload; to establish rules and regulations governing work performance and conduct of performance evaluations; to transfer and assign employees within the agency; to determine the need for shift operation and rotation of the work week; to assign overtime; to determine job training and career development; and to determine duties or actions in emergencies.

## VI. PROCEDURES

### A. Nature of grievance

An employee's grievance shall include the following:

1. Specifically, factually, and clearly detail the allegation and the harm done.
2. State that the harm arose from an act, commission, or omission that directly affects the employee's working conditions or employment relationship.
3. Define the grievance matter that is within departmental control.
4. State the relief sought that is within the department's power to grant.

### B. First management step

Employee complaints or problems should first be directed to the employee's immediate supervisor for resolution. The matter should be discussed with the supervisor as soon as possible, and the supervisor and the employee should seek to arrive at a reasonable solution.

### C. Second management step

If the complaint is not resolved, the employee should put the complaint in writing and deliver it to the immediate supervisor. The immediate supervisor and the next appropriate level of supervision will meet with the employee in a timely manner and will issue a reply to the complaint.

### D. Third management step

If the matter is still not resolved after Step Two, the employee may request a grievance panel to consider the problem. The panel will consist of three members including:

- (1) The General Manager,
- (2) A supervisor or manager of the employee's choice and

- (3) An employee who is chosen by the other two panel members.

The panel reserves the right to determine grievance items by a majority of the panel members. The panel will convene as soon as possible but not later than 10 working days following receipt of the complaint. The employee is entitled to appear before the panel and to present witnesses and other relevant information. After the hearing, the panel will issue a decision, which will be final. The finding of a grievance by an employee shall be treated confidentially by all parties, and the employee can expect freedom from reprisal. An employee who is not comfortable discussing a particular matter with his/her immediate supervisor should contact the General Manager.

#### E. General Guidelines

1. Complainants who are still employed by the association are compensated at their regular rate of pay for the time spent during normal working hours in the management step meetings, and other hearings provided in this procedure. This compensation is not charged against any leave, and these employees are also reimbursed for reasonable costs for transportation, meals, and lodging.
2. Employees who are grieving termination are not compensated except in cases where a decision results in reinstatement with back pay. Also, reimbursement for travel expenses for the grievant shall be limited to those incurred from the previous work location to the meeting locations.
3. The use of agency reporters, as well as mechanical records, shall not be permitted in the management steps. Hearing-disabled employees shall be allowed to have an interpreter during any and all procedural steps.
4. All records of grievances shall be kept separate from employee personnel files and secured in the Chief's office. The Chief of Police (or his designee) will maintain responsibility for coordinating all grievance procedures

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICES AND PROCEDURES**

**Policy: 02-07 MEDIA RELATIONS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

One of the first and most fundamental considerations of the nation's founders in drafting the Bill of Rights was to provide for a free press as an essential element of the First Amendment to the Constitution. They recognized that a well-informed citizenry is vital to the effective functioning of a democracy. Police operations profoundly affect the public and, therefore, arouse substantial public interest. The department shall make every reasonable effort to serve the needs of the media in informing the public about crime and other police matters. This shall be done with an attitude of openness and frankness whenever possible. The department's community-oriented policing principles include a commitment to providing equal access to public service, adherence to democratic principles, and accountability to the community. These goals are achieved through the broad dissemination of information in accordance with policy. The media shall have access to personnel who are best informed about the subject of a media inquiry. Further, media representatives shall be told facts or information that will not impinge on a person's right to a fair trial, impede a criminal investigation, imperil a human life, or seriously endanger the security of the people.

**II. PURPOSE**

The purpose of this order is to provide guidelines about information which may be released to media representatives, to specify some types of information which may not be released, to identify who may release information, and to establish procedures for media relationships with the department.

**III. PROCEDURES**

A. General

1. The department is committed to informing the community and the news media of events within the public domain that are handled by or involve the department in accordance with relevant laws.

2. The Chief of Police shall function as the primary contact for preparing and disseminating agency news releases to the community or the media through the AHPD Public Information Officer. At an incident scene when the Chief of Police is not available, the on-duty supervisor or senior officer present shall be the primary contact.
3. Inquiries concerning departmental policies, procedures, practices, or relationships with other criminal justice agencies shall be referred to the Chief of Police. Similarly, the Chief of Police shall coordinate all responses to inquiries or release of information pertaining to department involvement with other public service agencies (e.g., fire department, medical examiner, commonwealth's attorney, etc.).
4. The Chief of Police shall coordinate responses to inquiries and the release of information concerning confidential departmental investigations and operations.

B. Guidelines for the release of information

1. Consistent with A.2 above, the on-duty supervisor may direct another officer with the most relevant knowledge at the scene of an incident to respond to information requests.
2. In the case of follow-up investigations, the officer or investigator conducting the follow-up shall provide information in the absence of the Chief or on-duty supervisor.
3. Generally, the following information may be released:
  - a. The type or nature of an event or crime, to include a brief synopsis of known facts concerning the incident and the identity of the investigating officer(s).
  - b. The location, date, time, damages, and a general description of how the incident occurred.
  - c. The type and quantity of property taken, physical injuries, or death (after notification of next of kin).
  - d. General information about motor vehicle accidents such as the date, time, and location of the accident, the names and addresses of the drivers, the owners of the vehicles involved, the injured persons, witnesses, investigating officer but not the accident reports themselves.

C. Information not releasable

The following information shall not be released due to 6th Amendment, statutory, or other restrictions:

1. The identity of victims of sex-related crimes or information that might directly or indirectly identify them (see § 19.2-11.2).
2. The identity of any person for whom a warrant or summons has not yet been issued, or indictment returned.
3. The existence of any criminal record or any information concerning the character or reputation of the accused or remarks which tend to establish the defendant as a career criminal. (Consult §§ 19.2-389, -390 concerning the dissemination of criminal history information regarding legal guidelines).
4. The existence or contents of any confession, admission, or statement of the accused.
5. The performance of any examination or test by the accused or the refusal or failure to submit to an examination or test.
6. The identity of actual or prospective witnesses to crimes, other than the victim as mentioned above, or comments on the expected testimony or credibility of any witness.
7. Any opinions as to the innocence or guilt of the accused, the merits of the case, the possibility of any pleas or negotiations, or the utility or relevance of any evidence.
8. The identity of any juvenile arrested who has not been certified by the circuit court as an adult. **NOTE:** A judge may authorize release of juvenile identity information when the crime is a Class 3 felony or above or when the juvenile is sentenced as an adult.
  - a. Note that official requests from other law-enforcement agencies for current information may be released by a supervisor. This information is limited to name, address, physical description, date of arrest, and the arrest charge.
9. The names of deceased before the notification of next of kin. The specific cause of death shall not be given until pronounced by the medical examiner.
10. Certain information relating to motor vehicle accident reports per § 46.2-373. Note that § 46.2-208 states that driver information (any data concerning drivers' licenses, driver history, and descriptive vehicle

information) is considered non-releasable privileged records. This law does not apply to the release of a suspect's vehicle description.

11. Comments which suggest that a defendant has aided in the investigation.
12. Information concerning the planning of raids or other specialized enforcement efforts.
13. Any statements of personal opinion not grounded in fact, or any unofficial statements concerning internal affairs or other personnel matters.

D. Release of information pertaining to juveniles

1. Criminal offense: Normally, the name, address, or other distinctly unique information which would serve to identify a juvenile **shall not** be released. Age, sex, place of residence (town, city, or county, but ordinarily not street address), and details of the offense **may** be released. Under certain circumstances, a judge may authorize release of identity information.
  - a. § 16.1-305 addresses the confidentiality of court records. If the court adjudicates as delinquent a person older than 14 years for an offense that would be considered a felony if it were committed by an adult, then certain information (listed in the statute) may be made public unless the judge orders otherwise.
  - b. § 16.1-299 addresses the confidentiality of arrest data (fingerprints and photographs) of juveniles.
  - c. § 16.1-309.1 lists exceptions to confidentiality of records regarding juveniles.
2. Information on minor traffic infractions is releasable including the names and addresses of those involved.
3. Accidents: If traffic charges are pending as a result of an accident investigation, juvenile identity information shall be withheld. If a juvenile is involved in an accident, but is not charged with any violation, identity information is releasable.
4. Juvenile identity information **shall not** be released for the following serious violations:
  - a. Indictable offenses.
  - b. DUI or permitting another who is DUI to operate vehicle owned by accused.

- c. Exceeding speed limit by 20 or more miles per hour.
- d. Reckless driving.
- e. Driving under suspension or revocation of driver's license.
- f. Leaving the scene of an accident.
- g. Driving without being licensed.

E. Release of individual arrest information

After an arrest of a person other than a juvenile, the following may be released.

- 1. Arrestees name, age, residence, and other factual background information.
- 2. The nature of the charge upon which the arrest is made.
- 3. The identity of the investigative agency and any assisting agencies.
- 4. The circumstances surrounding the arrest (such as whether pursuit or resistance was encountered, whether weapons were used), including the time and place of arrest and the identity of the arresting officers.
- 5. Place and status of custody.
- 6. The dates of scheduled hearings and amount of bond.
- 7. Description of any contraband seized.
- 8. Photographs of the defendants without the police identification data may be furnished, if readily available in current files.

F. Special circumstances: Sex Offender and Crimes Against Minors Registry (9.1-900 – 9.1-922 Code of Virginia.)

G. Names of police officers

Names of officers providing information to the media may be given to the media and published, including the name of an investigating officer unless the officer involved is on an undercover assignment. Addresses and telephone numbers of agency personnel shall not be released.

H. Media contacts and procedures

1. Normally, media representatives either visit the department in person or call seeking information about newsworthy items. Routinely, they shall be referred to the Chief of Police.
2. Normally, media representatives will not read the offense reports since non-releasable information may be on the report (e.g., suspect or victim information, per § 19.2-11.2). Offense reports and accident reports shall be carefully checked concerning involvement of juveniles before releasing information.
3. At scenes of major fires, natural disasters, or other catastrophic events, or at crime scenes, officers may establish perimeters and control access. As soon as possible after evidence has been processed and removed, however, media representatives shall be assisted in gaining access to the scene when it will not interfere with the law-enforcement mission. Officers may deny access for legitimate investigative or safety reasons.
  - a. The preparation and distribution of agency or company news releases shall be in compliance with the media guidelines set forth in the AHPOA Emergency Operations plan.
  - b. The Chief of Police or assigned supervisor on duty shall be available for on-call responses to the news media through the AHPOA General Manager in an effort to coordinate and authorize the release of appropriate information concerning victims, suspects and witnesses to the community and news media.
4. Employees cannot authorize the press to trespass on private property. The media representative is responsible for obtaining any permission necessary once the legitimate law-enforcement mission allows access to the scene on private property. Photography, filming, or videotaping on private property requires the owner's permission.
5. Suspects or accused persons in custody shall not be posed or arrangements made for photographs, telecasts, or interviews, nor shall employees pose with suspects or accused persons in custody.

<b>AQUIA HARBOUR POLICE DEPARTMENT</b>	
<b>POLICIES AND PROCEDURES</b>	
<b>Policy: 02-08 RELATIONSHIPS WITH OTHER AGENCIS</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  <i>Bryan Cameron</i>  Chief of Police

**I. POLICY**

The department's community-oriented policing philosophy involves a range of practical methods to control crime while relying on community involvement and support. The department's promotion of democratic values, accountability, and integrity require communication with the community. Without this communication, the department cannot respond to the priorities of our citizens. Establishing and maintaining an effective liaison and open channels of communication between the department, neighboring law enforcement, criminal justice, and social services agencies are essential first steps to sustaining cooperation and good will. This liaison can break down barriers and results in savings and improved law-enforcement operations.

**II. PURPOSE**

To establish procedures and responsibilities for liaison and maintaining communication between the department, neighboring law enforcement, other criminal justice or social service agencies, both public and private.

**III. PROCEDURES**

A. Relationships with other criminal justice agencies

1. All department personnel shall maintain harmonious working relations and communication with the commonwealth's attorney, public defender, all courts, court clerks' officers, the local probation and parole officers, jail, juvenile detention homes, victim's advocacy shelters and organizations, and any other criminal justice agencies. The department shall provide all possible information, assistance, and support to these agencies allowed by law.
  - a. Any serious policy or procedural problems or differences with another agency or its personnel shall be brought to the attention of the Chief of Police who will meet with appropriate personnel of these agencies to resolve problems.
  - b. During any investigation, questions of law or criminal procedure shall be addressed to the commonwealth's attorney. Questions on law-enforcement procedure shall be addressed to the supervisor or Chief of Police.

- c. Any criminal cases referred to the commonwealth's attorney, which result in a decision not to prosecute or to dismiss due to department mishandling, shall be carefully reviewed and appropriate corrective action taken. The commonwealth's attorney has been asked to bring such cases to the attention of the Chief of Police.
2. All employees of the department shall assist and cooperate with all federal, state, and local law- enforcement agencies in every way possible allowed by law.
3. Additionally, all employees of the department shall provide any assistance required by local fire and rescue agencies maintaining an active liaison with those same agencies.
4. State and federal agencies that Police Department could come into contact are as follows;
  - a. Virginia State Police (both Uniform and Special Agents)
  - b. Drug Enforcement Agency
  - c. Department of Alcohol, Tobacco, and Firearms
  - d. Federal Bureau of Investigation

B. Referrals

1. Officers of the department often encounter adult or juvenile citizens who need specialized help that the department cannot give, e.g., marriage counseling, mental health counseling, welfare assistance, assistance in handling civil matters. When, in the best judgment of an officer, this situation arises, he or she shall refer the citizen to the most qualified agency to deal with the problem, or consult his supervisor.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 02-09 EMPLOYEE BENEFITS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*

Chief of Police

## **I. POLICY**

The standards by which the department operate can only be achieved if employees are perceived as competent professionals. Maintaining performance standards depends on a fair environment in which the conditions of employment are made clear. To this end, this order outlines the conditions of work, particularly the benefits afforded by the Police Department. Sick leave and illness or injuries require special comment in view of the costs for both the employee and the department. Whenever an employee becomes injured while on duty, the department shall make every effort to assist the employee in recovering and shall afford the employee an opportunity to continue working in a limited- duty status.

## **II. PURPOSE**

To acquaint employees with the benefits of AHPOA employment, specifically to describe insurance coverage for an injured employee, and to establish procedures for dealing with on-duty injuries.

## **III. PROCEDURES**

### **A. Vacation Time**

1. Paid vacation is available to regular full-time employees following completion of the introductory period with the Association.
2. Vacation time will be accrued by full-time employees only as follows:
  - a. Up to 1 year – 1.85 hours per pay period (6 days per year)
  - b. 1 year to 10 years – 3.69 hours per pay period (12 days per year)
  - c. 10 years to 15 years – 4.62 hours per pay period (15 days per year)

d. After 16 years – 6.15 hours per pay period (20 days per year)

3. To the extent permitted by state and local law, any unused accrued vacation time of more than 200 hours will be forfeited at the end of the fiscal year (March 31<sup>st</sup>), unless prior approval has been granted by the employee's direct supervisor and the General Manager. Furthermore, any accrued, unused vacation time, up to a maximum of 200 hours, will be paid upon separation of employment.
4. Please refer to the AHPOA Employee Handbook for further details.

B. Sick Leave

1. Full-time regular staff members shall receive twelve (12) sick leave days annually to be accrued at the rate of one (1) day per month. Sick leave shall be carried over year to year.
2. Use of sick leave may be used for the following purposes and must involve the approval/notification of the employee's direct supervisor.
  - a. For absence of the employee due to personal illness, injury, pregnancy, adoption or exposure to a communicable disease which could be communication to other employees.
  - b. Scheduled medical/dental appointments – for the duration of those appointments including travel time.
  - c. For absence of the employee due to illness or injury of someone in the employee's immediate family.
3. Use of sick leave more than three (3) consecutive days may require a written verification from a licensed physician regarding days missed and eligibility to return to full employment/duty.
4. Please refer to the AHPOA Employee Handbook for further details.

C. Bereavement Leave

1. Bereavement leave provides paid time off for eligible employees in the event of a death in their immediate family. Full-time employees are eligible for bereavement leave.
2. An immediate family member for the purpose of the AHPOA includes

the following:

- a. Spouse
  - b. Child (including foster children and stepchildren)
  - c. Parent (including legal guardian and stepparent)
  - d. In-laws (including mother and father-in-law and brother and sister-in-law)
  - e. Grandparent
  - f. Grandchild
  - g. Sibling
  - h. Sex-sex partner
3. Eligible employees are entitled up to 5 days paid time off for a death in the immediate family.
  4. Please refer to AHPOA Employee Handbook for further details.

D. Military Leave

1. The department proudly grants employees time off work for service in the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).
2. Please refer to AHPOA Employee Handbook for further details.

E. Family Medical Leave Act (FMLA)

1. The function of this policy is to provide employees with a general description of their FMLA rights. Under this policy, the AHPOA will grant up to 12 weeks of job-protected leave during a 12-month period to eligible employees. The leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances.

2. FMLA eligibility requires the following:
  - a. The employee must have worked for the company for 12 months or 52 weeks.
  - b. The employee must have worked at least 1250 hours during the 12-month period immediately preceding the commencement of the leave. The 1250 hours do not include time spent on paid or unpaid leave.
  - c. The employee works at a location where the company employs 50 or more employees within 75 miles of the employee's worksite.
3. Type of leave Covered:
  - a. Birth and care of a newborn child of an employee
  - b. Placement with the employee of a child for adoption or foster care.
  - c. Care for a spouse, child or parent with a serious health condition.
  - d. Take medical leave when the employee is unable to work because of serious health condition.
  - e. Qualifying exigencies leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces.
  - f. Military caregivers leave; to care for an injured or ill service member or veteran.
4. For further details on FMLA, please refer to the AHPOA Employee Handbook.

F. Administrative Leave

1. When an employee is involved in a critical incident, serious complaint, or duty related injury; they may be placed on temporary administrative leave with pay. The duration of this leave will be established by the General Manager and not to exceed 10 days without board approval.

## G. Holidays

1. The AHPOA observes the following paid holidays to include all Federal holidays.
  - a. New Years Day, Martin Luther King Day, President's Day, Good Friday, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Day after Thanksgiving Day, Christmas Eve, and Christmas Day.
2. Full-time employees mandated to work on a holiday shall be compensated at time and a half for hours worked on the holiday.
3. For further details, please refer to the AHPOA Employee Handbook.

## H. Health Insurance

1. Health insurance benefits are intended to protect you and your family from financial loss resulting from hospital, surgical, or other health-related expenses.
2. All full-time employees are eligible to elect to begin health insurance benefits on the first day of the month following their date of hire.
3. For further details, please refer to the AHPOA Employee Handbook.

## I. Worker's Compensation

1. Employees who are injured on the job are eligible for Worker's Compensation benefits. Such benefits are provided at no cost to the employee and cover any injury or illness sustained in the course of employment that requires medical treatment.
2. Employees who sustain work-related injuries or illnesses must immediately notify their supervisor who will then immediately contact the Office/Finance Manager to obtain the required claim forms and instructions so the AHPOA can notify Worker's Compensation insurance carrier as soon as possible.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 02-10 TERMINATION OF EMPLOYMENT**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*

Chief of Police

**I. POLICY**

Employees may resign voluntarily or perhaps their employment may be terminated with cause. In either case, for the protection of the employee as well as the department, a formal process is herein set forth that outlines the different ways in which employment terminates, highlighting the rights and obligations of the employee and the department. The chief executive is not bound or required to accept an employee's voluntary notice of resignation. The manner in which the employee resigns or otherwise terminates employment is a department prerogative. Note that this order applies to **all** sworn (full-, part-time) and non-sworn positions within the department.

**II. PURPOSE**

The purpose of this order is to outline and establish procedures concerning different methods of resignation or termination of employment.

**III. DEFINITIONS**

A. Advance notice

Two weeks' written notice to the department of an employee's voluntary resignation from employment.

B. Disability retirement

A form of separation resulting from a permanent, disabling condition which prevents the employee from performing his or her duties.

C. Discharge

An employee's involuntary termination of employment **excluding** termination as a result of a reduction in force or layoff.

D. Discipline

**Training** or developing an employee by proper **supervision** and instruction. Discipline may be positive (awards) or negative (punishment).

E. Good standing

A description of employee behavior, recognized by the department as acceptable to the job position and not subject to discipline for poor behavior or performance.

F. Relief from duty

An administrative action by a superior whereby a subordinate officer is temporarily relieved from performing his or her duties.

G. Resignation pending discipline

A separation from employment based on documented evidence of the employee's poor performance, misconduct, or uncharged criminal conduct, concluded by a signed, written agreement between the employee and the department.

H. Retirement

Voluntary separation from employment after age 62.

I. Termination for cause

An involuntary separation from employment based on documented evidence of an employee's poor performance, misconduct, charged or uncharged criminal conduct, or a job-related felony conviction where a formal administrative complaint has been brought against the employee, concluded by a formal or informal departmental administrative hearing where cause has been established. "Cause" refers to a violation of a departmental administrative order, or state or federal law.

J. Voluntary resignation

A separation from employment where the department acknowledges the employee to be in good standing and not subject to pending discipline. Resignation is a formal process by which an employee submits written notice (preferably at least two weeks) of an intention to terminate a position with the department.

#### **IV. PROCEDURES**

A. Voluntary resignation

1. Employees shall provide to the Chief of Police at least two weeks' written notice of their intention to resign. If the employee is in good standing, the department shall recognize his or her request.
2. An employee in good standing may request that the period of notice be waived.
3. If an employee fails to provide advance notice of resignation, the termination memorandum shall be amended to read, "Separation from employment without notice," and placed in the personnel file.

4. An employee who wishes to withdraw or rescind a letter of resignation may do so through a request within 30 days following the effective date of the resignation. If the position remains vacant, the Chief of Police, at his or her discretion, may reinstate the employee as if the resignation had never been requested.

B. Termination

1. Involuntary termination initiated by the Department and Association. In most cases, progressive disciplinary actions may be utilized before dismissing an employee. However, certain actions may warrant immediate termination.
2. Since employment with the AHPOA is based on mutual consent, both the employee and the Association have the right to terminate employment at-will, with or without cause, at any time. The Chief of Police retains the discretion to decide whether advance notice will or will not be given to the employee to be separated.
3. When terminated for cause, the Department shall prepare a written memorandum of termination to be signed by the employee and the Chief of Police. The memorandum of termination shall cite a reason for termination as well as an effective termination date.
4. Employees who have been terminated for cause have a right to appeal that decision to the AHPOA General Manager within 10 days.
5. Persons whose employment has been terminated for cause are precluded from future employment with the department unless the department later finds that the evidence, which sustained the termination for cause, was incompetent or unreliable.
6. When responding to requests from future employers conducting background investigations, the department shall only acknowledge the conclusion of the employment relationship as a "resignation under conditions where the employee's performance did not meet the needs or expectations of the department."

C. Termination of probation

1. The department may terminate the employment of a probationary employee without a right of appeal or grievance. Sworn officers serve a probationary period defined as one year following hiring. For non-sworn personnel, the probationary period is one year following hiring.
2. The employee termination memorandum shall state either "unsatisfactory performance during the probationary period" or "resignation."

D. Resignation pending discipline

1. The employee or his or her legal counsel must request a resignation pending discipline.
2. The resignation pending discipline requires a written agreement, co-signed by the employee and the chief of police, acknowledging that

- a. The employee has volunteered to resign based on poor performance, misconduct, or uncharged criminal conduct while employed by the department, whichever is applicable; and
  - b. The employee understands that he or she has no rehire rights and shall not be considered for future employment with the department; and
  - c. The employee understands that should the department receive a written request for employment background information, with an authorization to release the information signed by the employee, the department shall acknowledge the fact of the employment by responding in writing with the words, "resignation pending discipline" (If requested, the department may produce the evidence that led to the resignation); and
  - d. The employee understands that if the department is served with a subpoena requesting information concerning the resignation, the department shall disclose the terms of the "resignation pending discipline" and the relevant evidence.
3. When responding to telephonic requests from future employers or those conducting background investigations, the department shall acknowledge the termination of employment as "resignation pending discipline; the ex-employee has no rehire rights with the department and shall not be considered for future employment."
  4. No advance notice is required for an employee to resign pending discipline.
  5. In cases where a formal administrative hearing or an appellate proceeding has finally adjudicated an issue concerning evidence of an employee's poor performance, misconduct, or uncharged criminal conduct, a resignation pending discipline shall not be allowed.

E. Retirement

1. Retirement may provide an alternate form of resignation if the employee becomes unable to perform the job.
2. If an employee becomes mentally or physically incapable of performing the job and no reasonable accommodation can be found, including placement in another job through demotion or transfer, the department may require the employee to apply for disability or early retirement.

**V. MANDATORY REPORTING OF RESIGNATIONS OR TERMINATION**

A. Compliance with state employment reporting procedures

1. To comply with the regulations established by the Criminal Justice Services Board (CJSB) and the Department of Criminal Justice Services (DCJS) and as otherwise specified by law, agencies shall submit notice of resignations or the termination status of all sworn officers.

2. If the sworn officer resigns or has his or her employment terminated for reasons that may subject the officer to decertification, the department concerned shall notify DCJS as required by law.

B. Decertification

1. By law, officers may only be decertified under the following conditions:
  - a. The officer has been convicted of or has pled no contest to a felony or any offense that would be a felony if committed in Virginia; or
  - b. Has been convicted of or has plead guilty or contest to a Class 1 misdemeanor involving moral turpitude, including but not limited to petit larceny, or any offense involving moral turpitude that would be a misdemeanor if committed in Virginia; or
  - c. Has been convicted of or plead guilty or no contest to any misdemeanor sex offense in the Commonwealth, another state, or the United States, including but not limited to sexual battery or consensual sexual intercourse with a minor 15 or older; or
  - d. Has been convicted of or plead guilty or no contest to domestic assault or any offense that would be domestic assault under the laws of another state or the United States; or
  - e. The officer has failed to comply with or maintain compliance with mandated training requirements; or
  - f. The officer has refused to submit to a drug screening or produce a positive result on a drug screening reported to the employer, where the positive result cannot be explained to the agency's satisfaction; or
  - g. In advance of being convicted or found guilty of an offense set forth above; or
  - h. For an act committed while in the performance of the officer's duties that compromises an officer's credibility, integrity, honesty or other characteristics that constitute exculpatory or impeachment evident in a criminal case.
2. Per *Virginia Code* the following procedures shall be observed in decertifying a sworn officer:
  - a. The agency must submit a written request to DCJS, signed by the agency's chief executive, specifying that a reason for decertification exists. The letter must include sufficient documentation for the request and the results of any due processing hearings.
  - b. Within ten days of receipt of the letter, DCJS, on behalf of the CJSB, shall send a letter to the affected officer and the employing agency, which acknowledges the request for decertification. The letter shall also advise all parties of the available legal remedies.

- c. If the affected officer does not request a hearing within 30 days of receipt of the DCJS letter, DCJS, on behalf of the CJSB, shall prepare a notice of decertification which shall be mailed to the affected officer and the employing agency.
- d. If the affected officer requests a hearing, the CJSB shall set a date, time, and location for the hearing and shall notify the affected officer and the employer. The hearing shall be conducted within 60 days of receipt of the hearing request.
- e. Upon completion of the hearing, the chairman, CJSB executive committee, shall report to the CJSB which shall then make a final determination concerning decertification within 30 days after the hearing.
- f. The DCJS shall send to the affected officer and employing agency the written notification of the final decision of the CJSB by certified mail.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 02-11 EMPLOYEE DISCIPLINE**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

It is the department's policy to impose disciplinary action fairly and impartially and to offer adequate appeal procedures to ensure that the rights of employees are protected.

Discipline is a process of imposing formal sanctions, which will help train or develop an employee, preferably through constructive rather than punitive measures. Discipline in the department involves reward of employees, training, counseling, and as a last resort, punishment.

**II. PURPOSE**

The purpose of this order is to establish procedures concerning informal and formal disciplinary practices within the department.

**III. DEFINITIONS**

A. Days

The term "days," as used herein, means the employees regularly scheduled workdays.

B. Relief from duty

An administrative action by a superior whereby a subordinate officer is temporarily relieved from performing his or her duties.

C. Discipline

Training or developing an employee by proper supervision and instruction. Discipline may be positive (awards) or negative (punishment).

**IV. PROCEDURES**

A. Positive discipline

Positive discipline seeks voluntary compliance with established policies, procedures, and orders. Methods of positive discipline include:

1. Recognition of excellent job performance through rewards or awards.
  - a. When people outside the department compliment an employee's performance, the person who receives the information shall make a record of the comments and pass it to the employee's supervisor. When the Chief receives compliments about an employee, he or she will write a thank-you to the citizen. Copies of the citizens' statement and the Chief's response shall be sent to the officer involved, the supervisor and, if the subject is deemed significant, a copy of all correspondence shall be placed in the employee's personnel file.
  - b. Truly exceptional acts shall be clearly and promptly identified to the Chief of Police. These acts may be the basis for special awards or for special recognition by citizen-community groups or media coverage.
2. Discussion and counseling.
3. Training.

B. Consistency in discipline

The department abides by the philosophy that discipline must be applied consistently and uniformly. The grievance policy outlines complaint procedures against department employees whereas this order discusses employee recognition and penalties for various infractions.

1. The department does not provide employees with lists of specifically prohibited behavior. Employees are expected to have a reasonable perception of what constitutes proper behavior, based on academy training and the observance of the behavior of officers generally.

C. Relief from duty:

An employee may be relieved from duty whenever a supervisor, whether the Chief of Police, Deputy Chief or Sergeant, questions an employee's physical or psychological fitness for duty. An internal affairs investigation may follow.

1. The Sergeant has authority to relieve an employee from duty but must promptly report this action to the Chief of Police, accompanied by a written report setting forth details and circumstances. This report will become part of the employee's permanent record at the discretion of the Chief of Police.
2. If the necessity to relieve from duty is not immediate, the behavior or actions of the employee shall be deemed a matter of internal affairs. In an internal affairs

investigation, only the Chief of Police may relieve an employee from duty. Only the Chief of Police, under consultation with the General Manager, may suspend without pay an officer whose continued presence on the job constitutes a substantial and immediate threat to the welfare of the department, the public, or to himself.

3. An officer who refuses to obey a direct order in conformance with the department's orders may be relieved from duty by the Sergeant, who may recommend suspension to the Chief of Police. The Chief, in consultation with the General Manager, may then suspend without pay.

D. Penalties

The following penalties are available and the specific responsibility of each level of supervision relative to those disciplinary actions are delineated.

1. Oral reprimand; counseling. Chief of Police, Deputy Chief and Sergeant.
2. Written reprimand. Deputy Chief and Chief of Police.
3. Demotion or suspension without pay. Chief of Police.
4. Dismissal from department. Chief of Police.

E. Oral reprimand; counseling and training

Oral reprimands, while informal, require documentation with an employee's acknowledgment of such a record. The following steps shall be observed:

1. At the time of an oral reprimand, the employee receiving it shall be counseled as to correct behavior and further advised that a written record shall be maintained concerning the reprimand/counseling, and that the employee may read the record.
2. The employee shall be further advised that they have the right to file a statement in his or her personnel file setting forth his or her position, in case of disagreement.
3. The reprimanding supervisor shall record the reprimand/counseling in a memorandum to the personnel record containing the following information:
  - a. Employee's name;
  - b. Date of reprimand/counseling;
  - c. Summary of reasons for reprimand/counseling;
  - d. Summary of employee's response;
  - e. Suggestions for improvement or specific actions suggested;

- f. Name of counselor and signature.
  - g. The following statement must appear:

"I acknowledge that I have today received counseling and I have been advised of the following rights: (1) that a written record of reprimand/counseling shall be maintained; (2) that the employee has a right to review the record and respond in writing; (3) that the form shall become part of the personnel file; and (4) that the employee is required to acknowledge the reprimand/counseling by signing the record."
  - h. The employee shall sign and date the form following the statement. At the direction of the Chief of Police, this document will become part of the employee's permanent record.
- 4. Oral reprimand/counseling may involve remedial training. This training may be deemed necessary to rectify improper behavior. Remedial training may include attendance at academy classes, in-service, or other training specially created to help the employee correct or modify his or her behavior. Remedial training is reasonably offered until the employee can demonstrate proficiency in the corrected behavior. All training shall be documented.
  - 5. If the employee has not behaved improperly following counseling for one year, the record of counseling shall be expunged from the employee's personnel file. Accumulation of three oral reprimands in one year shall result in suspension, depending on circumstances.
  - 6. Supervisors are expected to counsel employees regularly without oral reprimands. Most counseling is informal, positive, supportive, and perhaps undocumented.
    - a. Supervisors are responsible for counseling employees concerning job-related matters, within their capabilities. Many things can affect the job and an employee's performance, so job-related counseling may involve family and other individual, personal subjects. Counseling may include identification of unacceptable behaviors or actions, specifically what was done wrong and the desired or acceptable performance. Counseling can attempt to determine the reason for the particular behavior, determine and recommend how to correct or improve performance or to solve the problem.
    - b. A variety of counseling resources are available within the surrounding jurisdictions including psychological, family, marital, and financial counseling. Employees in need of counseling, or desiring information about available resources, are encouraged to talk with the Chief of Police. The department recognizes that no stigma is attached to voluntarily seeking professional counseling to solve problems.

F. Written reprimand

A written reprimand, issued by the Chief of Police, cautions an employee about poor behavior, sets forth the corrected or modified behavior mandated by the department, and specifies the penalty in case of recurrent poor behavior. A written reprimand becomes a permanent part of the employee's personnel record.

1. An employee may appeal a written reprimand in writing within five days of its receipt.  
If the Chief of Police sustains the reprimand, the employee may appeal the reprimand to the AHPOA General Manager within five days, who shall be the final arbitrator.

G. Demotion or suspension without pay

If the situation warrants, the Chief of Police, in consultation with the General Manager, may demote an employee or suspend without pay, measures normally considered equivalent.

1. Suspensions without pay will normally apply to a period of up to 15 days, as determined by the Chief of Police and General Manager.
2. If an employee becomes a candidate for suspension a second time within one year after the first suspension, the employee may be dismissed.
3. Suspensions resulting from criminal investigations may be prolonged beyond 15 days pending court action.
  - a. In no case shall an employee convicted of a felony continue to work for the department.
  - b. If an employee is acquitted of criminal charges, the employee may yet be disciplined at the discretion of the Chief of Police or reinstated with full or partial back pay.
4. Any member suspended for a period of five days or longer shall return all department-owned property. On any suspension, the officer must return to department custody his or her badge, identification card, and issued firearm.
5. During suspension, the employee shall not undertake any official duties.
6. Demotion shall be to the next lowest rank. Demotion shall only apply to the position of Sergeant or Deputy Chief.
7. An employee may protest a suspension within five days of notice. An employee may appeal a suspension through the Chief of Police to the General Manager.
8. The General Manager may reinstate a suspended employee at any time with backpay, benefits, and original rank or position.

H. Dismissal

Dismissals are made in cases of extreme misfeasance, malfeasance, or nonfeasance of duty. All persons having knowledge of misbehavior shall make a complete record of the circumstances of the misbehavior.

1. Employees may protest or appeal dismissal within fifteen days of the dismissal/termination and may appeal through the Chief of Police to the General Manager.

I. Reporting arrests

Any employee arrested for, charged with, or convicted of **any** crime, or required to appear as a defendant in any criminal or civil proceedings, must inform the Chief of Police in writing as soon as possible. Employees do not have to report parking tickets or minor traffic offenses. Employees must report summonses or arrests for reckless driving, DUI, second or more violations for speeding, or any other serious traffic offenses. Failure to notify the department of the foregoing shall be cause for disciplinary action.

**V. INFRACTIONS AND PUNISHMENTS**

- A. Except for gross breaches of discipline or moral turpitude (see 1-2), supervisors shall begin employee discipline with the least punitive measures. If these do not work, then increasingly more severe measures may be required. While this process may take some time, it is important that each employee be dealt with justly and in a manner, which clearly indicates that positive, constructive measures to change behavior or performance preceded the imposition of more negative sanctions.
- B. Unacceptable conduct is divided into three categories according to severity of misbehavior.

1. Category I.

Examples:

- a. Excessive absences, tardiness.
- b. Abuse of duty time (too much time away from established duties; too much time for personal business).
- c. Abusive or obscene language.
- d. Inadequate or unsatisfactory job performance.
- e. Disruptive behavior.

Category I offenses are of minor severity yet require correction in the interest of maintaining a productive and well-managed department.

Category I offenses normally result, in the first offense, in informal measures such as counseling, or perhaps oral reprimand/formal counseling. Two Category I offenses in one-year results in a written reprimand or suspension of up to five days. A third instance in one year shall provide grounds for dismissal.

2. Category II.

Examples:

- a. Failures to follow supervisor's instructions, perform assigned work, or otherwise comply with policy.
- b. Violating safety rules without a threat to life.
- c. Unauthorized time away from work assignments without permission during duty hours.
- d. Failure to report to work without proper notice to a supervisor.
- e. Unauthorized use or misuse of department property.
- f. Refusal to work overtime based on a reasonable request, or repeated refusals to work overtime.

Category II offenses include more severe acts and misbehavior. Category II offenses normally result, in the first instance, in issuance of a written reprimand. A subsequent infraction within one year shall result in suspension of up to ten days, demotion or dismissal.

3. Category III.

Examples:

- a. Absence in excess of three days without notice to a superior.
- b. Use of alcohol or unlawful possession or use of a controlled substance while on duty.
- c. Reporting to work under the influence of alcohol or the unlawful use of controlled substances impairs ability.
- d. Insubordination or serious breach of discipline.
- e. Falsification of any reports such as, but not limited to, vouchers, official reports, time records, leave records, or knowingly making any false official statement.
- f. Willfully or negligently damage or destroy community property.

- g. Theft or unauthorized removal of departmental records or community or employee property.
- h. Gambling on property.
- i. Acts of physical violence or fighting (except official police actions).
- j. Violating safety rules where there is a threat to life.
- k. Sleeping on duty.
- l. Participating in any kind of work slowdown or sit-down or any other concerted interference with town/county operations.
- m. Unauthorized possession or use of firearms, dangerous weapons, or explosives.
- n. Threatening or coercing employees or supervisors.
- o. Criminal convictions for acts of conduct occurring on or off the job which are plainly related to job performance and consequently to continue the employee.
- p. Failure to take physical or mental examinations as required. The chief of police may require mental or physical examinations of a member or employee by a designated psychiatrist, psychologist, or physician when, in the chief's estimation, it is in the best interest of the member, employee, or the department. The fees encountered must be provided at no cost to the employee.
- q. Using police positions for private gain.
- r. Engaging in criminal conduct on or off the job.
- s. Engaging in dishonest or immoral conduct that undermines the effectiveness of the agency's activities or employee performance, whether on or off the job.
- t. Willful disobedience of a lawful command of a supervisor.
- u. Disclosure of confidential information to any person except those who may be entitled to such information.
- v. Taking any action which will impair the efficiency or reputation of the department, its members, or employees.
- w. Acceptance of any bribe, gift, token, money, or other things of value intended as an inducement to perform or refrain from performing any official act, or any action of extortion or other means of obtaining money or anything of value through his position.

- x. Manifesting cowardice, feigning illness, or otherwise attempting to shirk official duty.
- y. Involvement in any compromise between persons accused of crime and the person or persons who may have suffered from criminal acts with the purpose of allowing the accused to escape punishment.
- z. Failure to answer questions specifically directed and related to official duties or job fitness.
- aa. The use of unnecessary force during an arrest/custody procedure.
- bb. Deviation from established procedures in the disposition of summons or arrest cases.

Category III offenses include acts of such severity as to merit dismissal at a single occurrence. Category III offenses may be punished by suspension for 15 days in lieu of termination (or longer, with approval of General Manager) or dismissal.

C. Probationary employees

Probationary employees shall be dismissed, suspended, or otherwise disciplined according to the foregoing. The only difference is that a probationary employee has no right of appeal.

- 1. In the case of a dismissed probationary employee, the official record shall merely indicate that the person was dismissed during probationary employment.

D. Sexual harassment and other discrimination

Employees found to have engaged in discrimination on the basis of race, color, religion, national origin, political affiliation, handicap, age, or sex (including sexual harassment) may be counseled or disciplined with either a Category I, II, or III Offense, depending upon the specific facts and circumstances surrounding the incident.

E. Discipline checklist

Supervisors to help analyze the employee misbehavior and offer correction should use the following checklist from the *Management Kit of the American Management Association*.

- 1. Have I secured the necessary facts?
  - a. Did the employee have an opportunity to tell fully his or her side of the story?
  - b. Did I check with the employee's immediate supervisor?
  - c. Did I investigate all other sources of information?

- d. Did I hold my interview privately in order to avoid embarrassing the interested employee or employees?
  - e. Did I exert every possible effort to verify the information?
  - f. Did I check the employee's personnel folder to look at his or her past record?
2. Have I considered all the facts in deciding upon the disciplinary measure?
- a. Have I found out what has been done in similar cases in my department?
  - b. Have I found out what has been done in similar cases in other departments?
  - c. Have I shown any discrimination toward an individual or group?
  - d. Have I let personalities affect my decision?
  - e. Does the measure fit the violation?
  - f. Will the measure prevent a recurrence?
  - g. Will the measure maintain morale?
  - h. Will the measure encourage the employees' initiative?
  - i. Will the measure create a desire on the part of the employee to do what is right?
  - j. Have I checked this decision with my immediate supervisor?
3. Have I administered the corrective measure in the proper manner?
- a. Did I consider whether it should be done individually or collectively?
  - b. Am I prepared to explain to the employee why the action is necessary?
    - (1) The effect of the violation on the department, fellow employees, and him- or herself.
    - (2) To help the employee improve efficiency and also that of the department.
  - c. Am I prepared to tell the employee how to prevent a similar offense in the future?
  - d. Am I prepared to deal with any resentment?

- e. Have I filled out a personnel folder memo to be signed by the employee?
4. Have I made the necessary follow-up?
- a. Has the measure had the desired effect on the employee?
  - b. Have I done everything possible to overcome any resentment?
  - c. Is the employee convinced that the action was for his or her best interest?
  - d. Have I endeavored to compliment the employee on good work?
  - e. Has the action had the desired effects on other employees in the department?



<b>AQUIA HARBOUR POLICE DEPARTMENT POLICIES AND PROCEDURES</b>	
<b>Policy: 02-12 LIABILITY PROTECTION</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  <i>Bryan Cameron</i> Chief of Police

## I. POLICY

The department has a **liability protection program**, which protects employees for actions, or omissions directly related to their law-enforcement function. Within stated policy limits, this program protects employees from acts or omissions leading to personal injury or death or property destruction which, in turn, could lead to civil action against the employee. Civil litigation can be trying for all employees and the result can be damaging, but litigation may also serve to clarify our roles and responsibilities and aid the department in improving service to the community.

Each employee has an affirmative duty to uphold the law and preserve constitutional guarantees. An employee who witnesses other employees violate a citizen's constitutional rights shall intervene to stop the violation and report it to a supervisor.

## II. PURPOSE

To set forth procedures relating to the police liability protection program. This order is intended to help employees respond to high-risk activities that pose a civil liability risk and to outline responsibilities in the event of a lawsuit.

## III. PROCEDURES - General

### A. General

The AHPOA maintains a liability program to protect department employees for acts or omissions directly related to their law-enforcement function. Liability protection is provided in a variety of ways, typically including officers' liability coverage, vehicle liability coverage, and self-insurance. Since the exact components of the liability protection program are subject to periodic changes through contract expiration and re-negotiation, any employee desiring to know the specific components then in effect may contact the Chief of Police or the HR Director of AHPOA.

### B. Employees covered

1. The liability protection program covers all officers and full-and part-time civilian employees of the department.

2. For purposes of this order, "employees" refers both to sworn and non-sworn personnel. Actions of either one can lead to liability. In some portions of this order, "officer" is used instead of "employee" where the issue under discussion pertains most directly to enforcement duties.

C. Notification of suit or claims

Any employee who receives notice in any form of actual or impending legal suit or claim, shall, as rapidly as possible, explain the circumstances through command channels to the Chief. The Chief shall, in turn, provide appropriate notification to the Association Director.

D. Financial liability

No employee shall imply or accept financial liability for loss or damage on behalf of the department or association. Any inquiries concerning financial liability will be referred to the association attorney.

E. Acts not covered

1. An act committed by an employee or an omission of duty, which constitutes gross and willful negligence, **may not** be covered by the department.
2. Employees are expected to show discretion and good judgment in their work. Law mandates some duties, others by custom or tradition. Liability may arise in either case. The department cannot avoid lawsuits; the department can control its liability by demanding strict adherence to the provisions of this manual.
3. Employees are reminded that litigation against them or the department may focus on the degree to which officers followed a policy or custom (the latter defined as "a persistent, widespread practice") which, in itself, was either unconstitutional, illegal, or the cause of an unjustifiable injury. If such a custom or policy is found by the court, the department may be held liable.

#### IV. PROCEDURES - Liability principles

A. Types of liability

Officers may be held liable for misconduct in any of five ways:

1. Violation of Virginia criminal law;
2. Violation of departmental orders;
3. Tort against a citizen;
4. Violation of federal criminal civil rights statutes, 18 *United States Code* §§ 241 and 242.

5. Violation of federal civil rights law, 42 *United States Code* § 1983.

B. Federal civil rights liability

1. § 1983 is the most important statute governing federal civil rights liability. For purposes of federal civil liability per § 1983, an officer is a person acting under color of law. An officer may be held personally liable for violating citizens' constitutional rights under some conditions.

2. 42 *United States Code* § 1983 reads:

"Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other persons within the jurisdiction thereof to the deprivation of any rights, privileges or immunities secured by the Constitution and laws, shall be liable to the party injured on an action at law, suit in equity, or other proper proceeding for redress."

C. State liability generally

Claims of negligence in the state courts pose liability in a different way than § 1983 above. While federal claims usually allege a constitutional rights violation, in state courts it must be shown that the law-enforcement agency owed a duty to the plaintiff and that a breach of the duty caused an injury. Liability is sometimes found against the law-enforcement agency as "negligent failure to protect" when the agency created a special relationship with the plaintiff by promising to act, and then failing to protect the victim.

D. Supervisory liability

Generally, officers and not their supervisors are liable for their own misconduct. Supervisors are civilly or criminally liable under the following circumstances:

1. When supervisors directly authorize or participate in acts that cause harm.
2. When supervisors know that their subordinates are violating citizens' constitutional rights and condone or approve it, or do not stop it.
3. Failure to discipline subordinates, correct misbehavior or poor performance, or to conduct internal investigations when necessary.

E. Immunity

In court, officers do not automatically receive immunity from lawsuits simply because they acted in good faith. Officers may claim qualified immunity when their actions do not violate clearly established statutory or constitutional rights of which a reasonable officer would have known. In short, officers *must* have an objectively reasonable belief in the constitutionality of their actions. Immunity is

not a quality that officers can claim during an investigation. Rather, it is a defense to an accused officer that must be raised in court and considered by a judge.

## **V. PROCEDURES - High-risk incidents**

### **A. High-risk incidents defined**

High-risk incidents pose the greatest possibility of generating the most litigation and include use of force, vehicular pursuit and emergency driving, searches and seizures, arrests, failure to render (or improperly rendering) medical assistance, and failure to enforce the law.

### **B. Response to high-risk incidents**

Supervisors and officers shall observe the following procedures at all high-risk incidents:

1. Secure the scene and all evidence.
2. Supervisors shall ensure that timely medical attention is provided to any injured persons at the scene, and shall document the condition of the suspect, what kind of medical help was required, and the apparent health of the suspect before the incident. Similarly, supervisors shall assess the suspect's apparent mental health, document it as well as any signs of overt, aggressive, or even suicidal behavior.
3. Obtain names, addresses of all witnesses at the scene, and obtain statements, if possible.
4. A supervisor shall respond to the scene and direct actions as necessary.
5. If a pursuit has occurred, the supervisor shall document the weather conditions, lighting and visibility, route of the chase, duration of the chase, number of participating vehicles and the names of the officers, and any other relevant information.
6. If an arrest is made, the supervisor may, before booking, independently evaluate the arrest and document its probable cause.
7. Supervisors shall ensure that adequate photographs or videotape shall be taken of the scene, including of witnesses. The suspect shall be photographed at booking.
8. Supervisors shall coordinate and collect reports from all participating officers to a high-risk incident, including reports from personnel of other participating agencies.

## **VI. PROCEDURES - Responsibilities of employees**

- A. Any employee in receipt of a subpoena to testify concerning official business shall immediately notify the Chief through the chain of command.

B. Any employee named as a party in a civil action for acts or omissions of duty shall immediately notify the Chief through the chain of command.

C. Information subject to release

Information that *may* be releasable to a judge in a lawsuit includes personnel records, citizens' complaints, internal investigative files related to the incident under litigation; past misconduct or internal investigative files on officers who are being litigated against, departmental orders, and training records.

D. Information not releasable

Information that *may not* be fully releasable includes records of official review boards, internal memos, names of confidential informants, citizens who wish to remain anonymous, and investigative files and records of on-going criminal investigations.

## **VII. LIABILITY INSURANCE**

A. AHPOA Maintains a police professional liability for all officers employed at the Aquia Harbour Police Department.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 03-01 AWARDS AND COMMENDATIONS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

On a daily basis, officers put their lives on the line in order to serve and protect the citizens of Aquia Harbour. Formal acknowledgement of exemplary service within the Aquia Harbour Police Department is recognized as an important component of law enforcement. It provides positive reinforcement and creates a forum where members can be recognized for extraordinary efforts. Therefore, it is the policy of the Aquia Harbour Police Department to formally acknowledge those who provide exemplary service to the community.

**II. PURPOSE**

The purpose of this policy is to establish a formal recognition system by defining levels of exemplary service and to set forth criteria and categories whereby members are awarded for their acts.

**III. AWARDS/COMMENDATIONS**

The following categories have been established to distinguish levels of exemplary service:

- A. *Medal of Valor* – The Medal of Valor is the highest award presented for Bravery and Heroism. It will be awarded in situations in which a Police Department member knowingly places their life in peril of death or extreme serious bodily injury while saving or attempting to save the lives of others who are clearly at risk.
- B. *Silver Star* – The Silver Star will be the second highest award for Bravery and Heroism. It will be awarded in instances where a Police Department member knowingly exposes himself or herself to great personal risk during the performance of an official act.
- C. *Life Saving Award* – The Life Saving Award is presented to a police officer for going above and beyond what is expected to save a human life. The victim's life is saved, and exceptional degree of lifesaving effort was demonstrated.
- D. *Meritorious Leadership Award* – The Meritorious Leadership Award will be awarded to one Police Department employee annually. Nominations for this award will be accepted from all employees of the Police Department. This award will be awarded to the individual that best exemplifies leadership by demonstrating exceptional and courageous command during critical times; or exceptional leadership for an extremely difficult or hazardous project or task which was highly successful or brought great recognition to law enforcement; or exceptional leadership, which has been clearly demonstrated over an extended period of time.
- E. *Meritorious Service Award* – The Meritorious Service Award will be awarded to one Police Department employee annually. Nominations for this award will be accepted from all employees of the Police Department. This award will be awarded to the officer that demonstrates judgement, ingenuity, or by their performance of duty at a level that best contributes to the overall mission and success of the agency.

- F. *Letter of Commendation* – The Letter of Commendation will be awarded in instances where a Police Department member demonstrates exemplary performance or provides exemplary service to the community of Aquia Harbour.
- G. *Citizens Letters of Commendation* – The Citizen’s Letters of Commendations are received from member(s) of the community recognizing exceptional performance on the part of a member(s).
- H. *Traffic Safety Award* – The Traffic Safety Award is awarded for traffic safety prevention efforts as well as enforcement of traffic laws. One officer is presented this award annually.

#### **IV. ADMINISTRATION OF THE PROGRAM**

- A. In order to promote an efficient administration of this policy, an awards committee shall be comprised of the Chief of Police, General Manager, and Deputy Chief shall be established.
- B. With the exception of Chief’s/Citizen’s Letters of Commendation, this committee shall receive all award nominations and evaluate them against the established criteria to determine whether the acts fall into any one of the award categories. Members of this committee may investigate further the background of the instances in order to make a knowledgeable decision as to the merits of the award nomination.
- C. Any member receiving an award will have the circumstances and facts of the award made a part of their personnel file.

#### **V. LETTERS OF COMMENDATIONS/APPRECIATION**

##### **A. Chief’s Letters of Commendation**

- 1. From time to time, members and employees may observe, or learn of, acts of duty that are commendable and are performed at a level generally superior to what is commonly expected. As a result, that member of employee is encouraged to document in writing, and address to the Chief, the circumstances surrounding the noted actions.
- 2. As this letter makes it way through the Chain of Command, supervisors are encouraged to comment by way of the endorsement process.
- 3. Upon review by the Chief, a copy of the letter and all endorsements shall be given to the affected member or employee, as well as the immediate supervisor. A copy shall also be placed in the member or employee’s personnel file.

##### **B. Citizen’s Letters of Commendation/Appreciation**

- 1. Letters of Commendation from citizens may come in at a number of levels. Whoever, receives a letter of this type shall immediately forward the same to the Deputy Chief, who shall review it and forward to the Chief.
- 2. Upon review by the Chief, a copy of the letter and endorsements shall be given to the affected member or employee. A copy shall also be placed in the affected member or employee’s personnel file.

<b>AQUIA HARBOUR POLICE DEPARTMENT POLICIES AND PROCEDURES</b>	
<b>Policy: 03-02 COMPLAINTS AGAINST POLICE PERSONNEL</b>	
<b>EFFECTIVE DATE: 09/03/2025</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  Chief of Police

## I. POLICY

All members shall recognize their position and/or the badge of authority as a symbol of public faith, and shall accept it as a public trust, a trust voluntarily accepted. The objective of this policy is to provide citizens with a fair and effective avenue for redress of their legitimate grievances against the actions or conduct of Department members, and, by the same token, to protect members from false charges of misconduct or wrongdoing and provide accused members with due process safeguards.

It is the policy of this Department to record and **confidentially** investigate all complaints of alleged employee misconduct from any citizen or Department employee. Following a thorough and impartial examination of the available factual information, the complaint shall be equitably brought to resolution.

The Department seeks to maintain its integrity and that of its employees. In doing so, the Department shall not hesitate to impose disciplinary actions on guilty members, to terminate employment of those members who prove to be unfit for law enforcement, and to dismiss unjustified allegations against innocent members. This directive shall be disseminated to all department personnel on a biennial basis in order for all members of the department to understand and be guided by the standards mentioned in this directive.

## II. PURPOSE

The purpose of this policy is to inform all members of departmental procedures for timely investigation and resolution of citizen or Department employee complaints, incidents of minor infractions, and charges of policy violations.

## III. PROCEDURES - GENERAL

A. Types of Violations/Complaints:

1. Minor Infractions: Violations of departmental rules and regulations involving transgressions that are not serious violations.

2. Major violations: A violation of law defining criminal offenses, the use of unnecessary force, abuse of authority, lying during an official police investigation or report, willful disregard of policy or procedure, a cumulative record of infractions, and/or language or conduct derogatory to a person's race, sex, religion, national origin, lifestyle or sexual preference.

## B. Definitions

1. Discourtesy - Professional attitude: Discourtesy may involve any improper remark or demeanor by a member that constitutes a rude act or when the remark or demeanor is offensive in manner or action.
2. Discrimination: Complaints are classified as discrimination when they involve an act that demonstrates prejudice against any person or group on the basis of race, religion, color, creed, age, marital status, national origin, ancestry, sex, sexual preference, medical condition or handicap.
3. Dishonesty: Lying or making selective omissions of information, facts, and/or actions during an official administrative investigation or in making a police department report, or intentional misappropriation of property, or false recording of on-duty work time. For example, the use of department/county property for unauthorized personal use, false accounting of working hours, annual leave and/or sick hours, perjury, making false statements, the theft of property from an individual detained for investigative or custody purposes, or converting found or seized property to personal use.
4. Improper Tactics: Complaints are classified as improper tactics when the use of physical effort on an officer's part is inconsistent with approved policy and/or training, not amounting to unnecessary force.
5. Neglect of Duty: This classification is generally used to include conduct not normally covered by other classifications. It covers failures to perform or to give proper attention to the duties and obligations of the position held. It includes not reporting for duty assignments as scheduled.
6. General Conduct - Conduct Unbecoming an Officer: The classification General Conduct may be used to cover most improper conduct. Any breach of the peace, violation of law, traffic infraction, or ordinance, or conduct which tends to undermine the good order, efficiency, discipline, or reputation of the department. For example, unnecessary involvement in neighbor, family, landlord/tenant disputes, verbal or physical altercations resulting in the involvement of another law enforcement agency; or any off-duty conduct where the employee's employment is revealed and therefore could subject the department to embarrassment.
7. Unnecessary Force: Complaints are classified as unnecessary force when physical abuse is alleged and the type or degree of force employed was neither necessary

nor appropriate, or when it appears that force of any degree was used as punishment.

8. Misconduct: Intentional wrongdoing or deliberate violation of a law, department policy, procedure, or training standard by an officer.
9. Complaint: An allegation against the Department or a member expressing any of the above classifications or dissatisfaction with police service.
10. Inquiry: A preliminary examination generated from outside of or from within the Department that is based on the need for information. An inquiry may be initiated as the result of an arrest incident, a suspect injury, or of information received from any known or unknown sources. An inquiry may also be at the request of the County Attorney's Office in preparation for civil court proceedings.

C. Receipt of complaints

The department encourages citizens to bring forward legitimate grievances regarding misconduct by employees. Department members shall receive all complaints courteously and shall handle them efficiently. All officers are obligated to explain complaint procedures to inquiring citizens.

D. Responsibilities of supervisors

1. First-line supervisors are primarily responsible for enforcing conformance with departmental standards and orders.
2. First-line supervisors shall know the officers in their charge by closely observing their conduct and appearance.
3. First-line supervisors shall be alert to behavioral changes or problems in their subordinates and, if necessary, document these changes and confer with higher authorities. The first-line supervisor shall assess the behavior, take or recommend appropriate action.
4. The supervisor shall recommend and, if appropriate, help conduct extra training for officers not performing according to established standards
5. The first-line supervisor shall employ counseling techniques sanctioned by the department. Counseling is used to adjust and correct minor, infrequent errors or instances of poor performance and to ascertain the nature of any professional or personal problems that bear on performance
  - a. The supervisor shall document all instances of counseling.

E. How to make a complaint:

A copy of "How to Make a Complaint" will be posted in the public area of the department, may be given to any citizen requesting information on how to make a complaint.

F. Responsibility for handling complaints

1. As a rule, complaints regarding law-enforcement operations will be handled through the chain of command, beginning with the first-line supervisor. Complaints involving how law-enforcement service is provided or a failure to provide service or improper attitudes or behavior may be investigated and handled by the Deputy Chief of Police. The Chief of Police may ask an investigator from another agency or the State Police to undertake the investigation.
2. Complaints alleging improper conduct, brutality, criminal behavior or misconduct involving several personnel or supervisory personnel may be investigated by an outside agency upon request of the Chief of Police.

G. Complaint-handling procedures

1. All complaints, regardless of nature, can be logged in person, by mail, or by phone at any time. As part of the follow-up investigation, persons making complaints by mail or phone normally shall be interviewed and a written signed complaint prepared.
  - a. In case of an anonymous complaint, the officer or other person who receives the anonymous complaint shall complete notify the Deputy Chief with as much information as possible.
2. Every effort shall be made to facilitate the convenient, courteous, and prompt receipt and processing of citizen complaints. An employee of the department, who interferes with, discourages, or delays the making of complaints shall be subject to disciplinary action.
3. Normally, a citizen with a complaint shall be referred to the Chief of Police who shall assist the citizen in recording pertinent information. The first-line supervisor shall at least conduct a preliminary investigation. The Chief of Police may, if appropriate, conduct a preliminary investigation. The preliminary investigation consists of questioning the officer, complainants, or witnesses, and securing evidence.
  - a. Upon completion of the preliminary investigation by a supervisor the following documents shall be prepared and forwarded through the chain of command: a report of the alleged violation; any documents and evidence pertinent to the investigation; recommendations for further investigation or other disposition.

4. If the first-line supervisor or other investigator determine that the complainant is apparently under the influence of an intoxicant or drug, or apparently suffers from a mental disorder, or displays any other trait or condition bearing on his or her credibility, the supervisor or investigator shall note these conditions on the reverse side of the complaint form. Any visible marks or injuries relative to the allegation shall be noted and photographed.
  - a. Prisoners or arrestees also may make complaints, although circumstances may require a department representative to meet the complainant at a jail or prison for an interview. If appropriate, the representative will have photographs taken of prisoners' injuries.
5. An employee who receives a citizen's complaint through U.S. mail shall place the correspondence and envelop in a sealed envelope and forward it to the Chief of Police, who shall determine investigative responsibility.
6. Complaints received by telephone by dispatchers or other employees shall be courteously and promptly referred to the Chief of Police. The dispatcher or employee shall record the name and telephone number of the complainant and state that the Chief of Police or, if unavailable, the Deputy Chief shall call back as soon as practical.
7. The above procedure may also be used when department employees desire to enter a complaint against any other employee governed by this order.

H. Disposition of complaints generally The Chief of Police shall:

1. Notify the complainant, in writing, as soon as practical, that the department acknowledges receipt of the complaint, that it is under investigation, that the investigation will be completed within thirty days. If the investigation exceeds thirty days, the Chief of Police shall write the complainant a letter explaining the circumstances of the delay.
2. Maintain complaint files separate from personnel files.
3. Take appropriate disciplinary action following the investigation.

I. Disposition of serious complaint

1. Allegations of misconduct that might result in discharge, suspension, or demotion, or criminal charges being sought are serious complaints. The term "serious complaint," in this manual, is synonymous with "**internal investigation.**" Internal investigations examine alleged brutality, gross excesses of legal authority, or allegations involving supervisory or multiple personnel. The Deputy Chief of Police is responsible for investigating offenses of this magnitude.

2. In these cases, the Chief of Police shall:
  - a. Record, register, control or cause to be recorded, registered, or controlled the investigations of employees by the Deputy Chief.
  - b. Supervise the activities under "a."
  - c. Maintain confidential records of same. These records shall be maintained in a separate locked file in the Chief's office.
  - d. Ensure that the investigation is conducted according to department policy, a copy of which the Chief shall provide to each officer under investigation.
  - e. Maintain close liaison with the commonwealth's attorney in investigating alleged criminal conduct. Where liability is at issue, the Chief shall similarly maintain contact with the association attorney.

#### **IV. PROCEDURES: Investigative**

Two types of investigations may take place: administrative or criminal. Different rules govern interviews of employees in each case. Before any interview, the employee under investigation shall receive a confidential written statement of the complaint and the officer's rights and responsibilities.

- A. Assistance of legal counsel
  1. Employees are permitted to have an attorney, supervisor, or other representative with them in the room during any interview regarding allegations of misconduct.
  2. The employee's representative is limited to acting as an observer at the interview, except that where the interview focuses on, or leads to, evidence of criminality, the legal representative may advise and confer with the employee during the interview.
- B. Interview for administrative purposes

If the Chief of Police wishes to compel an employee to answer questions directly related to his or her official duties and the Chief is willing to forego the use of any answers in a criminal prosecution, the Chief of Police or another interviewer shall advise the employee that:

1. The purpose of the interview is to obtain information to determine whether disciplinary action is warranted. The answers obtained may be used in disciplinary proceedings resulting in reprimand, demotion, suspension, or dismissal.

2. All questions specifically related to employment must be fully and truthfully answered. Refusal to answer may result in disciplinary action.

3. No answers given or any information obtained by reason of such statements are admissible against the employee in any criminal proceeding.

a. Read the employee the following:

"I advise you that you are being questioned as part of an official investigation of the department. You will be asked questions specifically directed and narrowly related to the performance of your official duties or fitness for office. You are entitled to all the rights and privileges guaranteed by the laws and the constitution of this state and the Constitution of the United States, including the right not to be compelled to incriminate yourself. I further wish to advise you that if you refuse to testify or to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to departmental charges, which could result in your dismissal from the department. If you do answer neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you in relation to subsequent departmental charges."

4. In an interview for administrative purposes, no *Miranda* rights are required. Further, the foregoing rules are inconsistent with *Miranda* in that employees' statements cannot be used as evidence.

a. The interviewing officers shall use the "administrative proceedings rights" form found in the appendix to this instruction.

C. Interviews for criminal investigative purposes

If the Chief of Police believes that criminal prosecutions are possible and wishes to use statements against the employee in a criminal proceeding, or at least wishes to maintain the option of their use, he or another interviewer shall:

1. Give the employee *Miranda* rights.

2. Advise the employee that if he asserts his right not to answer questions, no adverse administrative action will be taken based upon the refusal.

a. If the employee decides to answer questions at this point, the responses may be used in *both* criminal and disciplinary proceedings.

b. Note that the *Miranda* admonition includes the provision that a lawyer

may be present at an interview. Although technically the employee has no right to counsel until the employee has been criminally charged or his or her freedom of action has been deprived, the department wishes the employee to have the option. The department wishes no possibility to arise in which its actions might be construed as coercive.

## V. INVESTIGATIVE TOOLS AND RESOURCES

In addition to interviews with the employee and witnesses, the Chief of Police may require other activities in support of a complaint investigation or internal investigation, including:

### A. Medical and laboratory examination

The Chief of Police or supervisor may, based on his observation, require a department employee to submit to a test for alcohol or drug use while on duty. The results may be used in a disciplinary hearing. Refusal to submit to the examination will be grounds for disciplinary action and may result in the employee's dismissal.

1. If the employee is believed to be under the influence of alcohol, a licensed Breathalyzer operator shall administer the test. The Chief of Police or supervisor shall witness the test and sign the report.
2. If the employee has a reading of .05 or higher or there is other competent evidence of impaired abilities to perform duties, the officer shall be relieved of duty by the Chief of Police or supervisor.
3. If the employee is believed to be under the influence of self-administered drugs, he may be compelled to submit to a blood or urine test. The test shall be administered under medical supervision where hygienic safeguards are met. The sample shall be handled using the same safeguards as evidence in a criminal process.
4. If the test shows positive results, or there is other competent evidence of impaired abilities to perform duties, the employee shall be relieved of duty as soon as possible by the Chief of Police or supervisor.
5. If an employee refuses to submit to a test, (alcohol or drugs) then the Chief of Police or supervisor shall immediately relieve the employee from duty for failure to cooperate in an administrative investigation.
6. An on-duty supervisor may direct an employee to submit to a breath, blood, or urine test when a level of inebriation or drug usage is suspected as interfering with the performance of duty.
  - a. Property assigned to the employee but belonging to the department is subject to inspection where the department has a reasonable

suspicion that evidence of work-related misconduct may be found therein. Department property includes files, storage lockers, desks, and vehicles.

B. Photograph and lineup identification procedures

Officers may be required to stand in a lineup for viewing by citizens for the purpose of identifying an employee accused of misconduct. Refusal to stand in a properly conducted lineup is grounds for disciplinary action and may result in dismissal **if** criminal prosecution is not anticipated.

1. A book of photos of department employees may be maintained for the purpose of identification by citizens of an employee accused of misconduct. Photographs of employees for the identification book are required by the department and shall be used when narrowly related to the employee's job.
2. Photographs or videotape pictures of employees, with or without their consent, may be taken for the purpose of internal investigations as related to the employee's job when the employee is suspected of misconduct.

C. Financial disclosure statements

An employee may be compelled to make financial disclosure statements when directly and narrowly related to allegations of misconduct involving any unlawful financial gain. Any evidence gained during the investigation of an administrative matter cannot be used in any criminal proceeding.

D. Polygraph

1. Policy: All personnel shall be required to submit to a polygraph when ordered to do so by the Chief of Police.
2. The Chief of Police or his designee may order employees to take a polygraph when charged with a Category III offense
3. The results of the polygraph examination shall not be used as the sole basis for disciplinary action against any employee.
4. Any polygraph examination given under the provisions of this order shall be administered by a private contractor licensed to administer polygraph examinations in the Commonwealth of Virginia or must be a licensed examiner from another law- enforcement agency. No employee shall administer an examination to another employee.
5. Refusal to submit to a polygraph examination or to answer all questions

pertaining to the charges in the polygraph examination shall be grounds for disciplinary action and may result in dismissal from the department.

6. In order to comply with federal (privilege against self-incrimination) law, the following information must be provided to the employee asked to submit to examination:
  - a. The nature of the inquiry, the name and rank of the investigating officer, and the name and rank of any person present during the examination.
  - b. That his or her answers will not be used to prosecute him or her.
  - c. That he or she may refuse to take the polygraph or answer any questions, however, this refusal shall be grounds for disciplinary action, which may include dismissal.
  - d. That answers given during the polygraph examination do not constitute a waiver of the privilege against self-incrimination as it relates to criminal matters.
  - e. A "Polygraph Examination Acknowledgement of Rights" form must be initialed and signed in the spaces indicated. Refusal to do so shall be grounds for disciplinary action, which may result in dismissal.
7. Any person who refuses to submit to a polygraph examination or refuses to answer any questions pertaining to the charges in such an examination as outlined above may be terminated from employment.

## **VI. ADJUDICATION OF COMPLAINTS**

- A. The Chief of Police will classify completed internal affairs investigations as:
  1. Unfounded - no truth to allegations.
  2. Exonerated - allegations true but result of adherence to proper and appropriate procedures and techniques.
  3. Not sustained - unable to verify the truth of the matters under investigation.
  4. Sustained - allegations true.
- B. Completed investigations classified as unfounded, exonerated or not sustained will be maintained in internal affairs files in the chief's office. Sustained complaints shall be filed in the individual employee's department personnel file with a copy in the internal affairs

files.

- C. Disciplinary action taken shall be determined by the seriousness of the violation or the extent of injury to the victim. It shall be commensurate with the circumstances surrounding the incident and in consideration of the employee's service record and prior sustained complaints.
- D. Disciplinary records
  - 1. The department shall maintain a log of all complaints.
  - 2. The complaints and internal investigative files shall be kept in a secure area and shall be maintained as long as state archival policy dictates.
    - a. Category I offenses shall be purged two years after adjudication, if no further offenses in any category have occurred. Category II offense records similarly shall be purged after three years. Category III records are permanently retained.
  - 3. The Chief shall direct a periodic audit of complaints to ascertain a need for training or a revision of policy.

## **VII. DUE PROCESS**

- A. The Fourteenth Amendment to the Constitution provides that a citizen may not be deprived of "life, liberty, or property, without due process of law." Public employees have a limited property interest in continued employment sufficient to require due process in any administrative proceedings that might result in suspension or dismissal.
- B. The department seeks to observe due process of law in any disciplinary proceeding. Nevertheless, the foregoing rules circumscribe when legal counsel may or may not be used during interviews of employees suspected of misconduct.
- C. Despite an employee's limited property interest in his job, as described in paragraph VII.A, the simple fact that an employee has held a job for years does not entitle him or her to keep it.
- D. The department recognizes that an employee, though dismissed or suspended, may have a liberty interest to enjoy future employment elsewhere and, if suspended or dismissed, should have an opportunity to set forth his or her point of view for name-clearing purposes. In view of this interest, the department affords an employee a hearing.

## **VIII. BOARD OF INQUIRY**

- A. The Chief of Police may invoke a board of inquiry at any time for any disciplinary purpose. The board will serve to review facts or information to resolve an allegation of misconduct. A board will always be convened in the event of a police shooting, death, or serious injury of

an officer or citizen killed or injured incidental to law-enforcement action, or accident involving a department vehicle.

1. A board of inquiry shall consist of at least three people, including the General Manager, Chief of Police (unless involved in the incident under scrutiny), plus a law-enforcement officer of the rank of Sergeant or above from a nearby agency or the Department of State Police.
2. The board shall recommend a decision to the Chief of Police, or if the Chief is involved in the incident, to the General Manager.
3. The board's proceedings will not be recorded and transcribed; however, a board chairman shall be selected from among the board members who shall write, in a memorandum to file, a summary of the proceedings, names of board members, and the board's recommendations.

## **IX. INTERNAL AFFAIRS**

1. Internal Affairs administration and investigations shall be handled by the chief of police or other officer assigned.
2. Primary responsibility of the Internal affairs function shall be to investigate complaints made by citizens or fellow officers of capricious acts, misconduct, abuse of authority, brutality or other complaints deemed a "serious complaint" by the chief or executive director committed by a member of the department, sworn or civilian. Advisement and coordination of the employees' rights and the grievance procedures shall be a part of this process.

The Deputy Chief will investigate all citizen complaints directed at an officer or the department. Reporting to the Chief to include a recommendation of corrective action to be taken. This will include internal affair investigations. Whenever the Deputy Chief is unavailable a citizen's complaint may be investigated by another supervisor at the direction of the Chief.

<b>AQUIA HARBOUR POLICE DEPARTMENT POLICIES AND PROCEDURES</b>	
<b>Policy: 03-03 RULES OF CONDUCT</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  <i>Bryan Cameron</i> Chief of Police

**I. POLICY**

The policy of the Aquia Harbour Police Department is to ensure that all members maintain an exemplary standard of personal integrity and ethical conduct in their relationship with other members and the community. The recognition that our primary responsibility is to the community requires the understanding that police powers are limited and police action, in whatever form, must be accountable to the community.

**II. PURPOSE**

The rules and regulations contained herein are designed to serve as a professional standard governing conduct.

**III. DEFINITIONS**

A. Moral turpitude

An intentional act or behavior displayed in words or actions which violates public morals or the common sense of the community involving but not limited to intent to defraud, intentional dishonesty for personal gain, lying, perjury, subornation of perjury, cheating, bribery, unlawful possession of controlled substances, sexual harassment, unlawful sexual conduct, or excessive use of force.

B. Good moral character

The attributes of a prospective employee that enhance his or her value to the department and to public service which include honesty, integrity, truthfulness, obedience to the oath of office and the code of ethics, respect for authority, and respect for the rights of others.

**IV. CODE OF ETHICS**

All officers shall display the integrity required by the Law Enforcement Code of Ethics:

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the

peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.

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

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

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

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

I will constantly strive to achieve these objectives and ideals, dedicating myself to my sacred honor . . . law enforcement.

## **V. GENERAL DUTIES**

- A. All officers shall, within jurisdictional limits, prevent crime, preserve the peace, protect life and property, detect and arrest violators of the law, and enforce the laws of the United States, Commonwealth of Virginia, according to the rules, regulations, and general orders of the department. Officers must know that when they act under color of law, they are enforcing the law according to statutes, written administrative guidance in the department, common usage, and custom. Further, officers shall exhibit good moral character in the administration of their duties according to departmental orders.
  1. The department maintains the right to establish oral and written orders to govern and control the efficiency, effectiveness, and safe operation of law enforcement.
  2. Management reserves the prerogative to discipline personnel for violations of the rules listed in this order. The decision to discipline and

the measure of discipline employed depend on the consequences of the employee's actions, the employee's current and past performance, and the employee's length of service.

3. All written or oral orders given by the department are performance measures, which address three components of employee performance, that is, conduct, behavior, and work proficiency.

B. Obedience to laws and orders

1. Authority: Employees shall obey all federal and state laws, and ordinances of Stafford County or any other municipality in which the employees may be present. Employees shall obey all lawful orders, written or oral, issued to them by competent authority. The term "employees" includes sworn, non-sworn and civilian personnel.
2. Oath of Office: Prior to assuming sworn status all patrol officers shall take an oath of office swearing to enforce the law and uphold the Constitution of the United States and the Commonwealth of Virginia.
3. Violation of law: Supervisors shall not knowingly or willfully issue any order in violation of any law or order of the department.
4. Conflict of orders: Employees shall promptly obey any lawful order of a supervisor, including any order relayed on behalf of a supervisor by an employee of the same or lesser rank. If an employee receives two apparently lawful but different orders that may conflict, the last order given shall be followed unless the order is retracted or modified. If an employee receives conflicting orders, the employee shall inform the person giving the last order of the conflict. The person giving the conflicting order shall then resolve the conflict by retracting, modifying, or requesting the employee to comply with the latest order. If the conflicting order is not altered or retracted, the employee may be held responsible for disobedience of the order or directive previously issued.
5. Obedience to orders: No employee of the department is required to obey any order which is contrary to the laws of the United States, Commonwealth of Virginia, however, a refusal to obey is the responsibility of the employee and he or she shall be required to justify the action.

C. Chain of Command

1. Members shall be mindful of the chain of command in all formal communication regarding Department matters. All communications need not necessarily follow formally defined lines of responsibility and authority. They should be based on common sense and should be such as to strengthen the working relationship between individuals and groups. In making contacts that bypass a superior, each member shall keep the superior informed of:

- a. Any matter for which the superior may be held accountable,
  - b. Any matter in disagreement or likely to cause controversy between organizational units,
    - (1) Any matter that requires advice from the superior or their coordination with other organizational units,
    - (2) Any matter that involves recommendations for changes in established Standard Operating Procedure.
  - b. The chain of command will be used in determining lines of responsibility and delegation of authority, absent written orders to the contrary.
  - c. The officer responsible for preparing a report of an incident shall be in command of that incident until the reporting officer is directed to relinquish command by a superior.
  - d. Members shall attempt to resolve personnel or interpretive issues with their immediate supervisor before bringing the issue to the immediate attention of a higher level.
  - e. The concept of chain of command will not prevent a member from communicating to the Chief of Police their individual perceptions of corruption, neglect of duty, misconduct, and/or any inappropriate behavior on the part of any member or members of the department.
2. Civil rights: All members shall observe and respect the civil rights of citizens as the term "civil rights" is commonly understood. Respect for constitutionally protected rights is paramount.
  3. False statements: On any official matter whatsoever, members shall not knowingly lie, give misleading information, or falsify oral or written communications in any official report or in their actions when it is reasonable to expect that the information may be relied upon because of the employee's affiliation with the department.
  4. Enforcement while off duty: If an officer, while off duty, witnesses a violation of the law committed in his or her presence which, in the officer's professional judgment, demands immediate attention, the officer may make an arrest, providing that
    - a. The law violation was committed within the confines of Aquia Harbour and
    - b. The officer does not use his or her own personal vehicle to chase or pursue the violator but observes all traffic laws applicable to citizens, *and*

- c. He or she displays police identification to the violator and announces his or her purpose, *and*
- d. The officer can make the arrest without jeopardizing his or her own safety, the safety of the violator, or the public.

5. Knowledge of Laws and Regulations

Members of Law Enforcement are considered by the general public to be sources of information; therefore, members of this Department shall be familiar with appropriate Federal, State, and County laws and ordinances, and with the Rules, Regulations and Procedures of the Department.

D. Disciplinary/personnel actions

- 1. Disciplinary actions may include a warning, an oral or written reprimand, and suspension with or without pay, reduction in pay, demotion, or termination. Personnel actions may include probation, counseling, training, close supervision, performance evaluation, transfer, and termination.
- 2. As appropriate, disciplinary action may be taken for any of the following reasons:
  - a. Incompetent or inefficient performance or dereliction of duty;
  - b. Insubordination, discourteous treatment of the public or a fellow employee, or any act of omission or commission of similar nature which discredits or injures the public. (Insubordination consists of direct, tacit, or constructive refusal to do assigned work.)
  - c. Mental or physical unfitness for the position which the employee holds.
  - d. Conviction of a felony or misdemeanor involving conduct amounting to moral turpitude or which shocks the conscience of a reasonable person, or a pattern of misconduct as displayed by series of misdemeanor convictions.
  - e. Failure to report to an appropriate superior authority incompetence, misconduct, inefficiency, neglect of duty, moral turpitude, or any other form of misconduct or negligence of which the employee has knowledge.
  - f. Failure of a supervisory employee to take corrective action regarding employees under his or her supervision who may be guilty of any form of neglect of duty or misconduct where the supervisor knows or should have known of the dereliction.

3. Examples of behavior specifically prohibited include:
- a. Use of alcoholic beverages on duty, or drunkenness on duty.
  - b. Use of illegal drugs or narcotics.
  - c. Buying alcoholic beverages while on-duty.
  - d. Posting bail for anyone other than a family member.
  - e. Releasing any information to a suspect or convicted person that would enable an escape from custody or hamper an investigation.
  - f. Selling, trading, or buying chances or bets, or any other gambling while on duty.
  - g. Recommending specific legal counsel or bondsmen to any person.
  - h. Publicly criticizing supervisors, the General Manager or any AHPOA official or board member.
  - i. Use of harsh, profane, or obscene language to any member of the department or to the public.
  - j. Sleeping on duty, unless required or authorized by special assignment, or Supervisor approval.
  - k. Sexual conduct on duty.
4. Nothing in these rules and regulations limits the charges against employees because the alleged act or omission does not specifically appear in this manual, other orders of the department, or in the laws or ordinances of which the department is responsible to enforce.

E. General conduct:

1. Employees shall display respect for their supervisors, subordinates, and associates. The department expects all employees to display good moral character in on - and off - duty contexts and to apply their judgment accordingly. When on duty and in the presence of the public, supervisors shall be addressed or referred to by rank.
2. Employees shall address their subordinates, associates, supervisors, or members of the general public courteously and shall not use abusive, violent, insulting, or provoking language.
3. Employees shall at all times be civil and courteous. They shall maintain an even disposition and remain calm, regardless of provocation, in

executing their duties.

4. Employees shall not slander or speak detrimentally about the department or another employee. See section J below.
5. Employees shall always display absolute honesty.
6. Employees shall cooperate and coordinate their efforts with other employees and law-enforcement agencies to ensure maximum effectiveness.
7. Employees shall restrict personal conversations or personal associations to an appropriate minimum while on duty.
8. An officer shall not display cowardice in the line of duty or in any situation where the public or another officer might be subjected to physical danger. Unless actually incapacitated themselves, officers shall aid, assist, and protect fellow officers in time of danger or under conditions where danger might be impending.
9. Employees shall not at any time use or attempt to use their official position, badge, or credentials for personal or financial gain or any advantage.
10. Employees shall adhere to the personnel policies set forth in the AHPOA Employee's Handbook.

F. Influence

No member will bring or attempt to bring influence to bear upon any member of the Department for the purpose of securing or obtaining promotion, transfer or change in duty assignment or to avoid or reduce the penalties for reprehensible action or conduct; nor shall any member knowingly permit any petition to be formulated or presented by citizens in their behalf, requesting or suggesting such.

G. Gifts, bribes, gratuities, rewards

1. Employees shall not solicit any gifts, gratuities, loans, or fees where there is any direct or indirect connection between the solicitation and their departmental employment.
2. Employees shall not accept either directly or indirectly any gifts, gratuity, loan, fee, or any other thing of value arising from or offered because of, or in connection with any law-enforcement activity.
3. Employees shall not accept any gift, gratuity, or other thing of value, the acceptance of which might directly or indirectly influence any manner of official business, or which might adversely reflect on the department, any employee, or a supervisor-employee employment relationship.

4. Employees shall not accept any gift, gratuity, reward in money, or other considerations for services in the line of duty to the community, or to any person, business, or agency except lawful salary and that authorized by *Virginia Code*.
5. Employees found to have accepted bribes shall be dismissed with prejudice.

H. Professional Attitude - Discourtesy

- a. Members shall attempt to maintain a positive attitude and strive for objectivity toward all persons and situations encountered during the performance of their duties.
- b. Members have been trained to understand the impulses in both themselves and the people with whom they deal. This understanding also attempts to eliminate their own expressions of prejudice and any unjustifiable action, thereby inspiring a greater degree of respect and cooperation in the citizens.

I. Loyalty

- a. Loyalty is a two-way process. Management must have a concern for the welfare of their subordinates and recognize their responsibility to support them in their proper actions. This does not include protecting them from the consequences of their misdeeds.
- b. Members of the Aquia Harbour Police Department have an obligation to be loyal to their peers, to their supervisors, to the administration of the Department, and to the Association, which employs them as long as those to whom they are responsible are acting lawfully and in accordance with Department policy. Proposed charges or grievances against the Department should be handled within the Department and not taken to the public.

J. Suggestions or grievances

1. Employees wishing to make suggestions for the improvement of the department, or who feel injured or offended by the treatment, orders, or neglect of duty of a supervisor may communicate the suggestion either orally or in writing through the chain of command to the chief of police; however, certain matters such as those of a personal or confidential nature may be brought directly to the chief of police.
2. All police department employees will use the grievance procedure set forth in the AHPOA Employee's Handbook.

K. Duty

1. Employees shall report for duty at the time and place specified by their

assignment or orders and complete the number of hours on duty required by their assignment.

2. While on duty, employees shall remain alert and awake, unencumbered by alcoholic beverages, prescription drugs, illegal narcotics, or conflicts arising from off-duty employment.
3. While on duty, officers shall not engage in any activity or personal business, which would cause them to neglect their duty.
4. Officers serve in order to protect lives, preserve the peace, enforce the laws of the state, and assist the public in any reasonable request.
5. Officers shall identify themselves to any person requesting an officer's name, rank, and badge number.
6. All officers are encouraged to maintain a telephone at their home. Officers shall notify the Chain of Command of their telephone number, address, and any changes thereto.
7. All officers shall carry their work issued cell phone at all times. Should they receive a message/notification/call from a supervisor, they should return that phone call within a reasonable amount of time.
8. All officers shall, as required by department policy, complete and submit all forms and reports required by the department and the laws of the commonwealth.
9. Officers shall not provide information from computer-based vehicle license checks to citizens.
10. If injured, officers shall promptly notify their supervisor of the injury and its circumstances.
11. While on duty, officers shall keep the dispatcher informed of their location.
12. Officers shall maintain a professional attitude and manner when communicating by radio, telephone and pager. Officers shall communicate generally in (plain language), abiding by FCC requirements and the requirements of the department.
13. Members of the Department will not exhibit the appearance of loitering or remaining in public establishments for extended periods, nor by such actions, which may give the appearance of a lack of police coverage.
14. Officers shall not use police vehicles for personal business or transportation of unauthorized persons, except in emergencies. Requests to use police vehicles for personal business shall be made to the Chief of Police. Authorized persons include arrestees, detained juveniles, victims, witnesses, and citizens, property owners and guests

ride-along.

15. Officers shall clean the interiors of their police vehicles daily. Officers shall have their police vehicles washed as needed to maintain a professional appearance.
16. Officers shall keep their financial affairs in good order and under control. Failure to pay debts in a timely manner may be a cause for disciplinary action.
17. No employee shall use his or her position with the department for personal or monetary gain.
18. On Duty Officers must carry police identification with them at all times. In addition, while on duty, officers shall carry a valid driver's license.

L. Leave:

1. Employees shall not be absent from duty without first obtaining permission from their supervisors.
2. Employees shall, in situations requiring emergency leave or sick leave, notify their supervisors of the circumstances as soon as possible.
3. Employees must request vacations as soon as possible. Exceptions will be handled on an individual basis by their supervisor for minimal notification.
  - a. Employees shall submit vacation/leave requests at a minimum of 30 days in advance for dates that do not affect court. For leave requests affecting court dates; employees must submit their request at minimum 90 days in advance.
4. Employees should refer to the AHPOA Employee Handbook for specific questions relating to Leave and Sick Leave etc.
5. A leave of absence/administrative leave without pay may be granted at the discretion of management to *annual full-time* employees for good cause. See AHPOA Employee Handbook for more details.

M. Sick Leave Allowance/Abuse of Sick Leave:

1. The Police Department recognizes that illness, necessitating the absence of a member from duty, is a fact of life and in most cases cannot be predicted. Sick leave allowance is a privilege, and any abuse of this privilege will result in disciplinary action.
2. Sick leave allowances may be used only if the member is unable to work due to (1) an illness or injury incapacitating the member; (2) exposure to a contagious disease such that presence on duty would

jeopardize the health of fellow workers or the public; (3) a medical or dental appointment for examination or treatment but only if such appointment cannot reasonably be scheduled during non-working hours.

3. Members who are unable to work due to illness are responsible for contacting their supervisor at least 8 hours prior to the scheduled tour of duty, assignment, or work start time on the day of absence.
4. Supervisor should call the member back regarding their request if the officer could not contact the supervisor. This will be done in order to obtain the reason for the absence, possible length of time the employee expects to be away from work, not to exceed 3 consecutive days without prior approval, and to determine if the department can assist the employee with any particular needs.
5. Sick leave in excess of five consecutive workdays shall be granted only after presentation of a written statement by a licensed health care provider certifying that the employee has been unable to work. A member may, at any time, be required by management to furnish such a written statement, regardless of the length of illness.
6. Employees should refer to the AHPOA Employee Handbook for specific questions relating to Leave and Sick Leave etc.

N. Information

1. Employees shall not communicate to any person who is not an employee of this department any information concerning operations, activities, or matters of law-enforcement business, the release of which is prohibited by law, or which may have an adverse impact on the department image, operations, or administration.
2. Employees shall communicate promptly to a supervisor information regarding tips on crimes or criminal activity or other relevant law-enforcement information, which may come into their possession. After conferring with a supervisor, employee and supervisor shall notify the Chief of Police, if appropriate.

O. Public appearances and exercise of freedom of speech

1. If an employee receives a request to make a public presentation or appearance on the department's behalf or publish an article concerning his or her duties, the employee shall apply for permission to the Chief of Police. The department wishes no interference with the First Amendment rights of officers. The department can and shall, however, authorize appearances or writings that represent the agency and may therefore restrict activities **only** where the employee may represent an agency view.

2. Employees shall not unjustly criticize, ridicule, express hatred or contempt toward or otherwise defame the department, its policies, or other employees when to do so might disrupt operations or adversely affect morale or create disharmony in the workplace. The measure of disharmony is the inability of supervisors to maintain discipline.

P. Use of alcohol

1. Employees shall not drink any alcoholic beverage while on duty. Officers in plainclothes, with the consent of their supervisor, may drink limited quantities while on duty when necessary to accomplish the law-enforcement mission.
2. Employees shall not appear for regular duty, or be on regular duty, while under the influence of intoxicants to any degree whatsoever or with an odor of intoxicants on their breath.
3. In the event of an emergency recall, each officer must determine fitness for duty if alcohol has been consumed. A supervisor shall be consulted and asked to confirm or deny, as appropriate, the officer's judgment in the matter. No adverse actions will be taken if, in an emergency recall, the officer believes him- or herself to be incapacitated for duty, says so, or is told so by a supervisor before actually going on duty.
4. Officers shall not carry weapons when off duty in a situation that is inappropriate, particularly where the officer consumes alcoholic beverages.

Q. Use of drugs

Employees shall not use any narcotic, stimulating, or dangerous drug while on or off duty unless prescribed by a physician. Employees using any prescribed drug or narcotic or any patent medicines that could possibly induce impairment of their performance shall notify their supervisor.

R. Use of tobacco

1. Officers shall not smoke or otherwise use tobacco products while engaged in traffic control, on an investigation, or while otherwise in contact with the public.

S. Property, equipment, and uniforms

1. Employees shall be responsible for the proper care and use of department property and equipment assigned to or used by them and shall promptly report to their supervisors any loss, damage, destruction, or defect therein. Neglected or abused property will be replaced at the employees' expense as determined by the Chief of Police.

2. Employees shall operate department vehicles and other equipment in such a manner as to avoid injury to persons or damage to property. Whenever a police vehicle is involved in an accident, the operator shall notify a supervisor immediately. Under no circumstances shall an officer investigate his or her own accident. Preferably, a senior officer, Supervisor, or outside agency Supervisor shall conduct the investigation. If necessary, an off-duty officer will be called out.
3. At the beginning of a tour of duty, employees shall examine any vehicle assigned to them and report any operational deficiencies, damage, or defects to their supervisors. Failure to report damage or defects creates the presumption that the employee inspected the vehicle and found no damage or defects. The employee, in this case, shall be held responsible for the damage.
4. Officers shall keep their uniforms clean and pressed, their shoes and other leather equipment polished and shined, and badges and name plates clean and bright.
5. Employees wearing civilian clothing on duty shall present a neat and clean appearance. Employees shall wear clothing, which is appropriate to the type of duties and citizen contact expected. Informal sports clothing might be appropriate for late hours of work. Civilian dress should not be a source of negative comments from the community.
6. Employees shall not temporarily or permanently convert any department property to their own personal use or the use of any other person without the Chiefs permission.
7. When an employee terminates employment, all issued equipment shall be returned on the day the termination is effective. Failure to return all items of police department property will result in withholding final pay or taking legal action.
8. Employees shall have as a part of their issued equipment a copy of the rules and regulations and general orders manual and shall maintain and make appropriate changes or inserts as directed.
9. The Aquia Harbour Police Department furnishes the following uniform items to sworn personnel:
  - summer shirts
  - winter shirts
  - pants, year-round material
  - belt
  - winter hat and coat
  - ball cap with patch
  - gun belt
  - gun holster
  - expandable baton and holder
  - handcuffs and case

- magazine pouch
  - can of chemical spray and pouch
  - badges
  - name plates
  - ties
  - traffic-control vest and whistle
  - body armor
  - wind breaker and rain gear
  - Glock 45 9mm with magazines
10. All uniforms shall be black with black leather or nylon gear. Uniform shirts and coats shall display the department patch on both shoulders.
  11. Uniforms shall be worn for all court appearances. With supervisor's approval civilian business attire (coat and tie for men or equivalent for women) may be worn instead when on light or special duty.
  12. When uniform items are damaged or worn out and needing replacement, officers shall request replacement or repair in writing to the Deputy Chief, giving reasons why items were damaged.

T. Part-time or off-duty employment

1. Before engaging in any outside employment or business activity, an employee shall request and obtain written approval of the Chief of Police.
2. The employment shall not render the officer unavailable during an emergency, or physically or mentally exhaust the officer to the point that his performance on duty will be affected.
3. Employment shall not in any way conflict with the objectives of the department, impair its reputation, or compromise law enforcement.
4. Each full-time employee, while engaged in off-duty employment, shall conduct himself in accordance with department standards. It should be understood that Aquia Harbour Police Department stands as primary employment and each employee is subject to be called into work at any given time (i.e. call backs, sickness, etc.). Failure to report for duty under these circumstances may be grounds for termination or other disciplinary action
5. The police uniform shall not be worn, nor police equipment used unless so authorized by the Chief of Police.

U. Reporting arrests, court action, civil cases

1. Employees shall immediately notify their supervisor if they have been arrested, subpoenaed to court, or have otherwise been involved in any legal proceedings except divorce.

2. Any employee of the department who becomes involved in any accident, incident, or altercation, or any problem which may come to the public attention, shall give oral notification as soon as possible, and within 24 hours in writing to his supervisor. Supervisors shall forward relevant information through the chain of command as rapidly as possible.
3. Employees shall keep all complaints, arrest information, or other official business information confidential. Employees shall not indulge in gossip about departmental business.
4. Employees shall avoid involvement in any civil disputes involving neighbors or acquaintances. Further, officers shall not remove children from parental custody or property from citizens without court order.

V. Memberships

No member of the department shall be a member of any organization which advocates the violent overthrow of the government of the United States, the Commonwealth of Virginia, or any unit of local government, or participate in any organization which has a purpose, aim, objective, or any practices which are contrary to the obligations of a law enforcement officer under these rules and regulations.

W. Money expenditures

1. No employee shall incur any financial obligation above fifty dollars (\$50.00) on behalf of the department without permission from the Chief of Police.
2. No employee shall imply or accept financial liability for loss or damage on behalf of AHPOA. Any inquiries concerning financial liability will be referred to the Chief of Police or General Manager of AHPOA.

X. Resignations

An employee in good standing shall provide at least two weeks' written notice of his or her intent to resign.

Y. Grooming

1. Employees shall maintain a smart, conservative, well-groomed appearance. Men's hair must be neatly styled. Sideburns may extend to the base of the ear, and hair in the back of the head must not extend below the base of the collar. Neatly trimmed mustaches without a beard are permitted provided they do not obscure the upper lip nor extend more than one-half inch beyond the corner of the mouth. Beards are permitted provided they are neatly trimmed and above the neckline. The length cannot exceed ¼ inch and must contour to the face. Beads or others decorative items shall not be braided into the hair.

2. Women must arrange their hair in such a way that hats can be worn easily. This regulation pertains to sworn female officers.

Z. Courtroom appearances

1. Arrive at the court early enough to check the docket, if necessary, and confer with the Commonwealth's Attorney.
2. If an employee receives subpoenas requiring appearance in different courts at the same time, he or she should honor the first subpoena received. If, however, a circuit or higher court issued one of the subpoenas, it shall receive precedence over one issued by a district court. In any event, the employee shall notify the court and/or courtroom attorney they will not be attending because of the conflict.
3. A subpoena receives precedence over an order issued by a supervisor. In any event, the employee must notify his or her supervisor of the court appearance.
4. If on duty, sworn employees will appear in court in uniform. If on light duty or special assignment, employees shall wear either the uniform or appear suitably attired in civilian business attire with Supervisor's approval. Civilian attire means a tie for men, with a sport jacket or suit, and equivalent clothing for women.
5. When testifying, employees shall remain attentive, face the jury and/or Judge when giving testimony, and speak in a clear, audible tone. Employees shall respond to questions asked by the judge or attorneys and will not argue, interject, or offer an emotionally charged response to any remark or question.
6. Each member shall be familiar with the laws of evidence and shall testify truthfully on any matter.

AA. Evidence

1. Contraband evidence shall be stored in the SCSO evidence storage locker before and during trial, as the court requires.
2. Following trial or other legal proceedings, the officer whose case involves contraband shall apply to the court for a destruction order. Upon receiving the order, the officer shall conduct, or cause to be conducted the destruction, taking care to obtain a witness and document the destruction on the department's property destruction form. The officer conducting or supervising the destruction shall notify the court and provide appropriate documentation.
3. Officers shall report evidence that is **not** contraband to the General District Court and dispose of it according to the court's recommendation.

4. Officers shall not give away evidence to anyone. Further, officers shall not appropriate any evidence or other property to their own use under any circumstances.
5. If any citizen refuses to accept returned property that was used as evidence or otherwise acquired by the department, the property shall be destroyed appropriately.

AA. Found property

1. Officers who encounter found property shall store it in the department property room per established procedures.
2. Officers shall document the circumstances and describe the property in the appropriate report. Officers shall make a reasonable effort to ascertain the owner of the property and return it.
3. Property not claimed by the owner(s) within 60 days is considered abandoned and shall be disposed in accordance with department policy.

BB. Use of force - general

1. The department expects officers to observe the following guidelines in all applications of force:
  - a. Employ the minimum force reasonably necessary to accomplish a legal purpose or to overcome either increasing resistance or an increasingly dangerous threat to public safety.
2. Further guidelines concerning the use of force are outlined in the use of force policy. Violation of the use of force and deadly force orders herein may subject the officer to administrative discipline, suits for damages, and criminal prosecution.

CC. Medical assistance

Officers shall render, or cause to be rendered, medical assistance to *any* injured person after requesting the rescue squad.

DD. Arrests of law-enforcement officers

1. An officer who arrests a sworn officer of another law enforcement agency shall immediately notify his or her own supervisor of the fact. Officers shall take whatever action is appropriate to the circumstances including issuance of summonses or making a physical arrest. The fact that the person cited or arrested is a law-enforcement officer shall make no difference.
2. If an officer has probable cause to arrest a sworn officer of our department, the officer shall first contact his or her immediate supervisor to review and confirm probable cause. In most cases, the

officer may obtain a warrant against the suspect officer. Some occasions may demand an immediate custodial arrest.

EE. Recommendation of Attorneys

Members of this Department shall not recommend attorneys and/or bondsmen since this type of action presents a conflict of interest.

FF. Confidentiality

Employees shall keep all complaints, arrest information, or other official business information confidential. Employees shall not indulge in gossip about departmental business .

GG. Solicitation

- a. The ideals of our department's mission dictate that we maintain our integrity and objectivity. We must avoid any appearance of influence or compromise to objective law enforcement. Therefore, members are prohibited from soliciting for any publication, raffle, event or sponsorship, etcetera, or soliciting money for any purpose without the written consent of the Chief of Police. Written requests shall be forwarded to the Chief of Police describing the organization, its mission and the purpose of the solicitation.
- b. Consideration for approval will be based on civic purpose. Solicitation for events, clubs, organizations or teams in which a department member or their immediate family is the direct beneficiary of such funds, will not be approved.

HH. Sexual Harassment

Sexual Harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct as further defined in the Sexual Harassment policy of the Police Department General Order Manual and the AHPOA Employee Handbook sexual harassment will not be tolerated within the Police Department. Disciplinary action will be initiated against members engaging in such activities. Supervisors who are aware of such incidents and take no action will be considered negligent in their duties and are subject to disciplinary action.

II. Improper Association

- a. Members shall avoid unofficial association or fraternization with persons they know
  - 1) To be under criminal investigation or indictment;
  - 2) Who are known to have a reputation for criminal behavior or bad character. Specific situations made unavoidable because family relationships of the member will be individually

assessed.

- b. Members shall not knowingly visit, enter, or frequent a house of prostitution or an establishment wherein laws are openly violated except in performance of duty and while acting under proper and specific operation plans.

<b>AQUIA HARBOUR POLICE DEPARTMENT</b>	
<b>POLICY AND PROCEDURES</b>	
<b>POLICY: 03-04 RECORDING POLICE ACTIVITY</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  <i>Bryan Cameron</i> Chief of Police

**I. POLICY**

Recording Police Department Activity is protected under the First Amendment. Recording Police Department activity is a form of speech through which individuals may gather and disseminate information of public concern, including the conduct of law enforcement in the public discharge of their duties. Individuals recording Police Department activity are protected under the Fourth Amendment against illegal search and seizure of their recording device. In addition, individuals have a right to due process under the Fourteenth Amendment in advance of any deprivation of property, including recording devices, except under very limited circumstances.

It is the policy of the Department to respect and protect all activities protected under the First, Fourth, and Fourteenth Amendments. Therefore, while recognizing and preserving these protected activities, officers shall not prevent, prohibit, or interfere with any individual’s ability to observe or record Police Department activity from the public domain, except as provided in this policy.

**II. PURPOSE**

With the development of new technologies, instances of individuals recording Police Office activities have become more prevalent. As such, the Aquia Harbour Police Department has developed a specific policy to ensure the rights of individuals recording Police Department activities are protected and not infringed upon. Officers should assume they are being recorded at all times.

**III. DEFINITIONS**

- A. Probable Cause: Exists where the known facts and circumstances are such that a reasonable person in the same situation would believe evidence of a crime would be found.
- B. Public Domain: Places where an individual has a legal right to be present. This includes streets, sidewalks, public parks, homes, or businesses in which the

individual is lawfully present and common areas of public and private facilities and buildings

- C. Recording: The actual images, audio, and/or video of events that have been captured on a recording device.
- D. Recording Device: A device that captures images, audio, and/or video of events in real time. This includes smart phones, tablets, computers, video cameras, digital cameras, tape recorders, and other similar items.
- E. Recording Medium: A data storage device where the images, audio, and/or video of events that have been captured by a recording device are stored. The most common form of data storage is a memory chip but may include any storage device where the recordings have been stored or downloaded to, including but not limited to, a computer, a smart phone, cloud services, and a tablet.

#### **IV. INDIVIDUALS RECORDING POLICE OFFICE ACTIVITY**

- A. Except otherwise prohibited in this General Order, officers shall not prevent, prohibit, and/or interfere with any individual's ability to observe or record Police Department activities from the public domain.
  - 1. Individuals have a First Amendment right to record Police Officers in the public discharge of their duties. The right to record is not limited to streets/sidewalks, but includes areas, such as any public or private facility, where individuals have a legal right to be.
  - 2. Members of the press and members of the general public have the same rights in any area in the public domain. No individual is required to have or to display "press credentials" in order to exercise their right to observe, photograph, or record Police Department activity in an area accessible to, or within view of, the general public.
  - 3. Officers shall not, under any circumstances, delete any recordings from any individual's recording device or recording medium, or damage the recording device.
- B. As long as the recording of Police Department Officers engaged in the public discharge of their duties takes place from a location where the individual has a legal right to be, and does not interfere with Police Department activity, jeopardize safety, violate the law, or incite others to violate the law, Officers shall not inform or instruct individuals that the recording of Police Officers or Police Department activities are not allowed, or otherwise obstruct the recording of such activity.
  - 1. Officers shall not threaten, intimidate, or otherwise discourage any

individual from recording Police Department activity.

2. Officers shall not detain an individual solely because the individual is recording Police Department activity.
3. Officers shall not intentionally block or obstruct any recording device being used to record Police Department activity. For example, Officers shall not place their hand over the recording device to block an individual from recording. This does not preclude Officers from protecting a crime scene. For example, Officers using partitions to protect a crime scene is not a violation.

C. Although the mere fact that an individual is recording Police Department activity does not constitute a crime, individuals do not have a right to interfere, jeopardize safety, violate the law, or incite others to violate the law. Interference consists of actions that obstruct officers from the performance of their duties or pose a safety hazard which the officer must account for. Examples of such actions include, but are not limited to, the following:

1. Intentionally distracting or attempting to distract an officer engaged in the public discharge of their duties, resulting in an officer's concern for their safety, or the safety of others.
2. Intentionally placing themselves between an officer and a subject that is being questioned and/or arrested, for the purpose of hindering the officer in public discharge or their duties.
3. Inciting bystanders, involved parties, or witnesses to hinder or obstruct an officer in the public discharge of their duties.
4. Persistently engaging the officer in the midst of their duties in a way that hinders or obstructs the officer in the public discharge of their duties.
5. Crossing crime scene tape or jeopardizing the integrity of a crime scene.

D. If an individual recording Police Department activity is interfering with an officer's public discharge of his duties or jeopardizing the safety of officers, suspects, other individuals, or the integrity of a crime scene, officers should direct the individual to a location where the individual is no longer interfering or is no longer a safety hazard. For example, if the individual is in a street and recording Police Department activity, the individual should be directed to a sidewalk or other safe location. Officers shall not, order the individual to stop recording the activity.

E. An individual's expression of criticism of the Police Department (or the Police Department's activity being observed), including the use of foul language,

without any other action intended to interfere with officers performing their duties, shall not constitute obstruction of justice.

- F. When an officer makes an arrest of an individual who is recording Police Department activity, the officer may, at their discretion, turn off the recording device and secure it incident to arrest. Officers should be mindful that they cannot search a cell phone incident to arrest without a search warrant, consent, or exigent circumstances.
  - 1. Officers shall document in an incident report the facts surrounding the arrest of an individual recording Police Department activity.

**V. CIRCUMSTANCES WHEN RECORDING POLICE DEPARTMENT ACTIVITY ALSO CAPTURES EVIDENCE OF A CRIME**

- A. The recording of Police Officers engaged in the public discharge of their duties does not necessarily mean the recording is or should be considered evidence of a criminal act or considered criminal case information. However, there are instances when an individual who is recording Police Department activity also captures a recording that may document the commission of a crime.
- B. If an officer has probable cause to believe that a recording device or recording medium involving the recording of Police Department activity contains recordings that are evidence of a crime, the following steps shall be taken:
  - 1. An Officer shall request the individual to voluntarily provide the original recording device or original recording medium. If an individual agrees to voluntarily surrender the recording device or recording medium, the officer should take custody of the recording device or recording medium.
  - 2. An Officer can request to have the individual voluntarily provide a copy of the recording. Officers should be mindful of possible computer viruses.
  - 3. Officers shall not, by threat or intimidation, coerce an individual to provide consent to take possession of or provide any recording device, recording medium or recordings. Voluntary consent must be voluntary, taking into consideration all of the facts and circumstances surrounding the encounter.
  - 4. If an individual voluntarily provides the recording device, recording medium, and/or recordings stored within the recording device, then the recording device, recording medium, and/or recordings shall be handled in accordance with evidence procedures.

5. Officers shall document on an incident report all the facts surrounding an individual's voluntary release of their recording devices and/or recordings. Supervisors shall ensure the recording device, recording medium, and/or recording was voluntarily released.

C. The following are the procedures for seizing a recording device without consent.

1. A recording device or recording medium may be seized and a search warrant obtained if a officer believes by articulable facts that:
  - a. Probable cause exists that a recording device or recording medium directly involved in recording Police Department activity also contains evidence (recording) of a crime; and
  - b. There is probable cause to believe that the evidence (recording) is in immediate jeopardy of being tampered with, altered, deleted, or destroyed; and
  - c. The individual refuses to grant consent for the officer to obtain the evidence (recording).
2. The officer should consult with a supervisor, if feasible, prior to seizing the recording device and/or recording medium that contains the evidence (recording).
3. Prior to seizing the recording device and/or recording medium without consent, officers should consider the totality of the circumstances, including the severity of the crime captured, and whether seizing the recording device or recording medium is the most prudent way of obtaining the evidence (recording). In any case, only the least amount of force necessary shall be used in seizing the recording device or recording medium. A supervisor shall, without delay, respond and review the circumstances surrounding the seizure.
4. The seizure of a recording device or recording medium is a temporary restraint intended only to preserve evidence (recording) until a search warrant can be obtained.
5. Procedures after seizure of a recording device without consent:
  - a. Officers shall immediately contact a supervisor for further guidance on securing the recording device to prevent the potential of remote access. Absent any exigent circumstances, officers shall not view, examine, or in any way manipulate the recording device or recording medium without first contacting a supervisor.

- b. Absent exigent circumstances, officers must first obtain a search warrant before viewing any recording on a recording device or recording medium that has been seized as evidence.
- c. Even if exigent circumstances exist or if a search warrant was issued, officers shall undertake reasonable efforts to ensure only the recording(s) that constitute potential evidence are accessed. Officers will refrain from examining any materials not relevant to their investigation.
- d. Officers shall not deprive the owner of their recording device or recording medium for longer than reasonably necessary for the officer, acting with diligence, to obtain a search warrant and seize the evidence contained therein.
- e. Officers shall maintain an individual's recording device or recording medium while in the Police Department custody in the same condition as when it was seized, with all recordings intact.
- f. Officers shall document in an incident report the facts surrounding the seizure of a recording device or recording medium.

## **VI. GENERAL ORDER APPLICABILITY**

The Policy only applies to circumstances in which an individual is recording Police Department activity. This Policy does not apply when the recording device or recording medium has been used only as a means of committing or recording a criminal offense.

<b>AQUIA HARBOUR POLICE DEPARTMENT POLICIES AND PROCEDURES</b>	
<b>Policy: 03-05 HIRING DEPARTMENT PERSONNEL</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  <i>Bryan Cameron</i> Chief of Police

## I. POLICY

Aquia Harbour Police Department strives to obtain the best law-enforcement officers and civilian personnel possible to help achieve the department's community-oriented policing goals. To that end, the department shall practice a regimented, rigorous selection procedure while simultaneously affording equal opportunity to everyone regardless of race, creed, color, sex, national origin, sexual orientation, or age. The department does not discriminate against people with disabilities and affords them the same access to employment provided to all citizens. Where possible, the department provides reasonable accommodation to the known disabilities of qualified people. All personnel who participate in screening and hiring applicants shall be guided by fairness, equal opportunity, and consistency in applying the procedures set forth in this order.

## II. PURPOSE

The purpose of this order is to outline minimum hiring requirements for police officers and civilian personnel.

## III. DEFINITIONS

### A. Disability

A physical or mental impairment that substantially limits one or more of the major life activities.

### B. Good moral character

The attributes of a prospective employee that enhance his or her value to the department and the goals of community-oriented policing which include honesty, integrity, truthfulness, obedience to the oath of office and the code of ethics, respect for authority, and respect for the rights of others.

### C. Reasonable accommodation

The modification of existing facilities to render them more accessible to and usable by people with disabilities. Also refers to restructuring the job or modifying work schedules to assist in the assignment of a disabled employee.

#### IV. PROCEDURES

- A. The minimum qualifications that all applicants for the position of police officer must meet include the following:
1. Age of 21.
  2. High school graduate or equivalent.
  3. Passing a background investigation which includes the following:
    - a. Education, including all schools attended and degrees or certificates obtained;
    - b. Comprehensive employment history and shall include a criminal history search, including all arrests, locations, dates, and dispositions; traffic summonses and accidents.
  4. Pass a physical examination to include drug screening without cost to the applicant, being paid for by the department.
  5. Be of good moral character.
    - a. Good moral character is determined by a favorable report following the comprehensive background investigation. The interview shall be employed to help evaluate good moral character. Good moral character ensures compatibility with the department's community-oriented policing goals.
  6. Valid driver license.
  7. Any other standards set by law (§ Virginia Code 15.2-1705) or by policy of the Criminal Justice Services Board.
  8. Commit to signing a three (3) year contract for reimbursement of all training expenses associated with field and basic academy training as required by DCJS.
- B. Police Officer and Civilian applicants must perform the following:
1. Complete a written application and submit it to the Chief of Police.
- C. The Department Investigator, specially trained in this function, assigned to investigate the applicant shall perform the following:
1. Ask the applicant whether he or she needs reasonable accommodation in order to participate in the application process
  2. Obtain the applicant's driving record from DMV. Obtain an NCIC/VCIN criminal history check

3. Have the applicant sign appropriate release forms.
4. If the applicant has recently lived outside Stafford County, request records check through agencies in the applicant's previous communities.
5. Obtain references from the applicant's current and past employers.
6. Perform an inquiry of friends and associates, if possible, as to character and reputation.
7. Provide a complete background investigation file to the Chief of Police.
  - a. The investigator conducting the background investigation shall present information on the applicant to the Chief with the objective of allowing the committee to form a view of the applicant's morality, integrity, reputation, honesty, dependability, qualifications, experience, associations, emotional stability, prejudice, and loyalty.

D. The Chief of Police shall perform the following:

1. Conduct an informal interview with all applicants and make the final selection. Recommendations of the hiring committee and investigator should be considered.
2. During the interview, the Chief of Police shall consider the applicant's appearance (for neatness and cleanliness), mannerisms, judgment, maturity, resourcefulness, and compatibility with community-oriented policing goals. Ensure that the applicant fully understands the selection process and the conditions and procedures for re-application.
3. After an applicant has been selected, make a conditional offer of employment. The Police Officer candidate must then undergo a physical examination (mandated by § 15.2-1705) and a related inquiry, required by all entering employees in sworn positions. The inquiry may consist of questions about the ability of the applicant to perform job-related functions.
  - a. Further, no conditional offer will be considered final until after a satisfactory medical evaluation and completion of the background investigation. After the conditional offer has been made, the applicant may be asked about previous injuries and workers' compensation claims.
4. Ensure that the police/civilian appointee understands job benefits, health plans, administrative matters concerning overtime and off-duty employment, plus conditions of employment, pension, and disability.
5. Ensure that the **police officer appointee** understands the conditions of the three (3) year contract to be signed by the appointee prior to attending

the basic police academy regarding reimbursement of funds expended by the department.

- E. Re-application: Unsuccessful applicants may re-apply after 6 months from the date of last application. Applications will be kept on file for a minimum of 60 days.
- F. Lateral entry for Sworn Personnel.
  - 1. An already-certified officer in another Virginia agency must meet the criteria set forth above. If accepted for employment, the officer will not be assigned to attend a basic academy, subject to the status of the officer's certification and training.
  - 2. The employee assigned to investigate the applicant shall ensure that an applicant with prior law-enforcement experience has not been decertified per § 15.2-1707 and -1708.
- G. Disqualification
  - 1. In disqualifying a selected police/civilian applicant, the chief must show that
    - a. the applicant cannot perform the essential requirements of the job; **and**
    - b. that no reasonable accommodation would enable the applicant to perform the essential requirements of the job.
  - 2. Following a medical examination, an offer of employment may be withdrawn if the applicant poses a "direct threat" in the workplace (per EEOC guidelines, "a significant risk of substantial harm to the individual or others that cannot be eliminated or reduced through reasonable accommodation"). The chief must base the threat on medical knowledge, not just speculation.
- H. All applicants will be notified in writing as to status of their application if they are responding to a current vacancy or advertisement. If no vacancy exists, they will be notified of receipt and informed of how long the application will be kept on file.

## **V. INTRODUCTORY PERIOD**


- A. All newly hired personnel shall be considered in an introductory/probationary period for 12 months from the date of employment. The same introductory/probationary period applies to officers hired through lateral entry.
- B. During the introductory/probationary period of 12 months, and after the completion of field training, for sworn members/communication officers, the supervisor shall write a performance evaluation in which he or she must rate the appointee at least a "3" (minimum acceptable performance) in each category of behavior. Required Field Training and its evaluations are considered independent of the annual evaluations. The chief reserves the right to extend the introductory

period an extra 90 days because of an unsatisfactory rating. A second unsatisfactory rating, at the end of 90 days, in any category shall provide cause for dismissal.

- C. The work performance of each introductory/probationary period employee shall be evaluated using valid, non-discriminatory procedures.
- D. Introductory/probationary period employees who wish to protest their ratings have no grievance rights except to request an interview with the Chief of Police.

## **VI. RECORDS**

- A. For each employee, the department maintains a personnel record, which includes all forms, completed during the hiring process, initial interview which consists of twelve identical questions for sworn/civilian applicants, police/communications officer written tests (on a selected basis), all evaluations, complaints, commendations, leave/attendance record, and assignments.
  - 1. The Department will maintain records on any testing results of each applicant for a minimum period of three (3) years.
- B. The Chief of Police maintains and controls all personnel records.
- C. Employees may review their records at any reasonable time upon request. The Chief may release a record from file upon obtaining a signed receipt from the authorized person with a need to review it.
- D. All personnel records are considered confidential, sensitive information available for review to supervisory or investigative personnel who have a need, as determined by the Chief of Police. If the Chief deems it necessary to include derogatory information in a personnel file, he/she shall notify the employee of the fact in writing. The employee may protest the inclusion of such information in writing to the Chief. Introductory period employees have no right of protest in such matters.
- E. Personnel records are permanent property of the department.
- F. Requests for employment information on former officers shall be referred to the Chief. The Chief shall disclose the employee's performance record consistent with § 15.2-1709.
  - 1. Any request for information on a present or past employee shall be limited to information contained only in the official personnel file.

<b>AQUIA HARBOUR POLICE DEPARTMENT</b>	
<b>POLICIES AND PROCEDURES</b>	
<b>Policy: 03-06 PERFORMANCE EVALUATIONS</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED</b>   Chief of Police

**I. POLICY**

The department bears an obligation to the public and its own personnel to hire and maintain the best-qualified officers. Further, the department's community-oriented policing philosophy demands that officers exhibit not only competent investigative skills but also succeed in communicating with many citizens in a variety of contexts. To that end, the department regularly and formally evaluates the performance of officers and other employees. The **evaluation system** discussed herein serves both the interests of management and employees. The objectives of the evaluation system are to (1) allow fair and impartial personnel decisions; (2) maintain and improve performance; (3) provide a basis and a medium for personnel counseling; (4) assist decisions about the tenure of probationary employees; and (5) identify training needs.

**II. PURPOSE**

The purpose of this order is to outline and describe the departmental evaluation process.

**III. PROCEDURES**

A. General

1. Evaluations reflect observations and perceptions by rating personnel and are, therefore, inherently subjective. Nevertheless, personnel shall be rated as having demonstrated unacceptable, acceptable, or superior behavior according to the criteria set forth in the appendix to this order.
2. Each employee shall be evaluated annually. To constitute a satisfactory score, an officer must receive an **overall** 3.0 (or satisfactory). Officers who fail to receive an overall 3.0 shall be placed on probation for a period determined by the Chief of Police. Within the probation period, an officer shall receive remedial training in deficient areas, demonstrate proficiency (or satisfactory improvement) in deficient areas, the training and improved behavior documented on the evaluation form. During a probationary period for remedial training, an officer shall receive evaluations weekly or bi-weekly, at the Chief's discretion.
3. All evaluations shall be placed in employees' personnel files.
4. All newly hired employee during their probationary year shall be evaluated at least twice. The first at the completion of their field training program and the

second being an annual evaluation if no significant deficiencies are observed.

5. Officers shall be evaluated formally by the Deputy Chief of Police. The Deputy Chief shall be evaluated by the Chief of Police.
6. An employee who receives an unsatisfactory mark he or she perceives to be unjust may appeal it to the Chief of Police. The officer concerned must rebut the comments or marks in writing and submit them through the chain of command to the Chief of Police. In any case, final appeal extends to the executive director, in writing, through the chief of police.
7. At the beginning of each evaluation period, the officer shall list at least three objectives to be achieved during the next evaluation period. The objectives shall be included in the performance evaluation following consultation with the supervisor.
8. The Deputy Chief at the conclusion of each rating period will review and discuss with each employee but not be limited to the following:
  - a. Results of the performance evaluation.
  - b. Level of performance expected, rating criteria or goals for the new reporting.
  - c. Training relative to such topics as advancement, specialization, or training appropriate to the employee's position.

B. Scale value application

1. The most difficult task facing the rater is applying the numerical scale, which accompanies categories of behavior. Two raters might not apply the same numerical values to the person under evaluation. To reduce differences between rating supervisors, the appendix to this instruction defines what constitutes unacceptable, acceptable, and superior behavior.
2. The philosophy of the evaluation form focuses on observations of demonstrated proficiency in behavior relevant to the job. Proficiency may be demonstrated in a variety of ways:
  - a. Performing the behavior in the field.
  - b. Performing the behavior in a practical exercise or simulation accompanied by written or oral testing.
  - c. Written or oral testing (for subjects not suitable for field demonstration).
3. Any numerical rating below "3" shall be documented. Deficiencies in behavior shall be precisely documented. For example, an officer might receive a "1" (unacceptable) under category six, officer safety. In the comments section, the rater would write, "Officer consistently exposes his gun to traffic violators and approaches stopped vehicles with objects in both hands."

4. The categories of behavior represent key law-enforcement tasks. The categories are aligned in four subjects: critical performance tasks, knowledge, attitude/relations, and appearance.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 03-07 PROMOTIONAL PROCESS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The Police Department encourages employees to seek opportunities to develop their knowledge, skills and abilities. Promotions are based on performance, longevity, and the growth of skills through training and experience. Although in small department promotion opportunities are limited, the department promotion process is fair and equitable.

**II. PURPOSE**

To establish a criterion for selection or promotion to the ranks of Sergeant and Deputy Chief of Police.

**III. PROCEDURES**

1. The Chief shall be responsible for administering the promotional process. When a vacancy exists for promotion; the Chief shall post an advertisement of the position for two weeks. During that time, employees may request, in writing, consideration for the advertised position.
2. Applicants will then compete for the position before a review board which may consist of the Chief, AHPOA General Manager, Assistant General Manager, Deputy Chief of Police and Sergeants depending on the existing vacancy. The review board shall recommend the best qualified applicants for the vacant position.
3. The Chief shall review and consider the recommendation from the board. The Chief shall make the final selection for the vacant position. The Police Department does not use eligibility lists in its promotional process.

**IV. REQUIREMENTS**

A. Time in Service:

1. Sergeant;

The minimum required time in law enforcement to be eligible to apply for a position with the rank of sergeant is three years in law enforcement to include one

year with the Police Department.

2. Deputy Chief;

The minimum requirement time in law enforcement to be eligible to apply for the position of Deputy Chief of Police is five years in law enforcement.

B. Education:

1. Sergeant;

Any combination of education and experience equivalent to graduation from high school. Completion of appropriate training prescribed by the Commonwealth of Virginia for this level of position. Completion of first-line supervisory school within one year after advancement.

2. Deputy Chief

Any combination of education and experience equivalent to graduation from high school. Preferably an associate degree or extensive experience in a variety of Law Enforcement tasks and functions, with Supervisory/Administrative abilities. Completion of appropriate training prescribed by the Commonwealth of Virginia for this level of position. Completion of mid-level supervisory school within one year after advancement. Must possess a Virginia certification as a Law Enforcement Officer.

C. Supervisory Experience:

1. Sergeant

No previous supervisory experience required but must possess a desire to learn leadership and management skills.

2. Deputy Chief

Must have three years of Supervisory experience

D. Specialized Training:

Specialized training required at a minimum to be considered for promotion or appointment to an administrative position.

1. Sergeant;

Must be DCJS certified Field Training Officer or instructor. Must possess proficiency utilizing the Police Department computer programs.

2. Deputy Chief;

Must be a DCJS certified Field Training Officer or Instructor; leadership and/or crime prevention or possess experience equivalent to these courses of instruction.

E. Performance Evaluation Reports:

Applicants for promotion must have continuously met expectation in all fields of the Police Department's "Performance Evaluations Reports".

F. Disciplinary Actions:

An applicant to be considered for promotion to the aforementioned positions must have not received disciplinary punishment within the last two evaluation periods. Applicants on any type of probation will not be considered for promotion. Disciplinary action cannot be waived.

G. Application:

To be considered as a candidate for promotion applicants must submit their desire to advance in writing to their immediate supervisor by the deadline established by the Chief of Police.

H. Waiver:

The following elements are to be weighed for consideration to be qualified for promotion. An applicant must submit a request, in written form, for a waiver of the following requirements to the Chief of Police.

1. Time in service
2. Education
3. Supervisory experience, and
4. Training

Supervisory experience in prior occupation/agency may be considered. No more than two waivers will be permitted.

I. Probation after Promotion:

Employees receiving a promotion will be on performance probation for a period of time to be determined by the Chief.

J. Results of each element of the promotional process shall be reviewed by the assessment board that will make recommendations to the Chief of Police.

K. The Chief of Police has at his discretion the authority to promote personnel with specialized and technical skills to a rank of supervisor within the agency.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 03-08 TOBACCO USE**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The Police Department is committed to providing a safe and healthy workplace and to promote the well-being of all employees. All employees of the Police Department will be guided by this policy.

**II. PURPOSE**

The Police Department recognizes the hazards caused by exposure to environmental tobacco smoke. This policy will outline the guidelines for the proper use of all tobacco related products and/or substitutes.

**III. GUIDELINES**

A. Use of Cigarettes, to include Vapor Cigarettes (aka E-cigarettes), pipes, cigars, etc.

1. Smoking will only be permitted in designated smoking areas.
2. Smoking inside any vehicle owned, leased, or in control of the Police Department is prohibited.
3. Smoking at any crime scene is prohibited.
4. Tobacco waste shall be placed in the appropriate container. Extinguishing waste on the ground is unacceptable.
5. Smoking while on duty is not permitted in public view.

B. Use of smokeless tobacco, to include chew, chaw, dip, etc.

1. The use of smokeless tobacco on duty is not permitted in public view.
2. The use of smokeless tobacco in Police Department vehicle's is permitted. Officers shall clean the vehicle of any smokeless tobacco waste products at the end of each shift.

C. Carrying of Tobacco products

1. All tobacco products shall be completely concealed and unable to be seen in any way.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 03-09 SOCIAL MEDIA**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The Aquia Harbour Police Department expects its personnel to conduct themselves in a professional manner when utilizing electronic messaging and social media. This policy establishes the Police Department's position on the utility and management of social media and provides guidance on its management, administration and oversight. An employee's actions must never bring the Police Department into disrepute, nor should conduct be detrimental to its efficient operation. This policy is not meant to address one particular form of social media; rather social media in general, as advances in technology will occur and new tools will emerge.

**II. PURPOSE**

This policy defines the Police Department expectations for the use of electronic messaging and social media on duty and to a degree, off duty. The Police Department endorses the use of social media to enhance communication, collaboration and information exchange; streamline processes and foster productivity. Social media provides a new and potentially valuable means of assisting the Police Department and its personnel in meeting community outreach, problem-solving, investigations, crime prevention, recruitment and related objectives. The Police Department recognizes the role that these tools play in the personal lives of some Police Department personnel. The personal use of social media can have bearing on employees in their official capacity. As such, this general order provides information of a precautionary nature as well as prohibitions on the use of social media by Police Department personnel.

**III. PROFESSIONAL USE**

**A. General Provisions**

1. With the exception of covert sites established for investigative purposes, all social media sites or pages shall be approved by the Chief or their designee.
2. Personnel representing the Police Department via social media outlets shall:
  - a. Conduct themselves at all times as representatives of the Police Department and shall adhere to all Police Department standards of conduct.
  - b. Identify themselves as a member of the Police Department.
  - c. Not make any statements about the guilt or innocence of any suspect or arrestee or comment concerning pending prosecutions. Not post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to Police Department training, activities or work-related assignments without express written permission by the Chief.

3. All official releases from the Police Department's will be approved by the Chief or their designee.

#### **IV. POTENTIAL USES**

- A. Social media is a valuable investigative tool when seeking evidence or information about crimes and missing or wanted persons.
- B. Social media can be used for community outreach and engagement. It can be used for crime prevention tips, offering online reporting and soliciting tips about unsolved crimes.
- C. Social media can be used to make time sensitive notifications, for example, road closures, special events and missing or endangered persons.

#### **V. PERSONAL USE**

- A. Personnel are free to express themselves as a private citizen on social media sites to the degree that their speech does not impair working relationships of the Police Department, impede the performance of their duties, impair discipline and harmony among coworkers or negatively affect the public perception of the agency.
- B. When using social media, personnel should be mindful that their posts (messages, photo, and/or video) become part of the worldwide electronic domain. Therefore, personnel are cautioned on:
  1. Any posts containing obscene or sexually explicit language, images or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, religion, or class of individuals.
  2. Any post involving themselves or other Police Department personnel reflection behavior that would be reasonably considered reckless or irresponsible.
  3. Shall not post any photographs that are taken on department property and/or while in uniform, including official department training, activities, or work assignments without the authorization of the Chief.
  4. Engaging in prohibited posts noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Personnel thus sanctioned are subject to discipline up to and including termination.
  5. Personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances and/or endorsements; or publish materials that could reasonably be considered to represent views or positions of the Police Department without the express authorization of the Chief.
  6. Shall not utilize social networking websites, blogs, Twitter, or other medium during official duty time, and any proof that this has occurred on duty and/or on departmental computers will result in discipline.
- C. Police Department personnel should be aware that privacy settings and social media sites are constantly in flux and they should never assume that personal information posted online is protected.
- D. Personnel should expect that any information created, transmitted, downloaded, exchanged or discussed in a public forum may be accessed by the Police Department at any time without prior notice.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICY AND PROCEDURES**

**POLICY: 03-10 REPORTING INJURIES**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*

**I. PURPOSE**

To ensure prompt and accurate reporting of any injury that may interfere with the officer's performance of duty.

**II. ON-DUTY INJURIES**

A. Initial Reporting

1. Police Department employees who sustain a personal injury during their normal tour of duty shall report the circumstances orally to their immediate supervisor. If the immediate supervisor is not available, the next level supervisor in the employee's chain of command shall be notified.
2. In instances where the nature of injury requires medical treatment, the supervisor shall ensure that the Deputy Chief is immediately notified of the incident. In the event the Deputy Chief is not available, the Chief will be notified directly by the Supervisor.
3. Prior to the end of shift that the employee is injured, the following tasks are to be completed:
  - a. The supervisor will provide the injured employee with a Workman's Compensation Packet. The packet will include the following
    - 1) First Report of Injury (Employee Accident Report) plus instructions;
    - 2) Workman's Compensation Verification Information Sheet;

### 3) Physicians Panel Acknowledgement Form;

Item number one and three are to be completed by the injured employee and turned in before the end of the shift. The supervisor will complete the forms if the employee is unable to.

4. The supervisor shall do an investigation concerning how the injury occurred. The investigation shall consist of such things as witness statements, photographs of the injury and any other relevant information that can be obtained. The results of the investigation will be documented on a memorandum to the Chief and submitted to the Deputy Chief by the end of the shift.
5. The injured employee shall write a memorandum to the Chief describing how the injury occurred and any other relevant information. This shall be submitted to the Deputy Chief by the end of the shift.
6. Any medical progress updates, medical status updates, doctor's notes or any medical bills received by the injured employee are to be forwarded to the Finance Manager within 48 hours of receipt.

## III. OFF-DUTY INJURIES

### A. Initial Reporting

1. Police Department employees who sustain a personal injury during off duty which could potentially affect their performance of law enforcement duties; shall notify their supervisor.
2. In the event, individuals find it necessary to request modified duty; they shall submit a memorandum to the Chief through the Deputy Chief. The memorandum will contain the nature of the injury or illness and the expected length of time modified duty will be requested. The employee will acknowledge their responsibilities and understanding of this policy. A physician's statement will be attached to the memorandum indicating the nature of the illness or injury, dates of follow-up medical appointments and the medical restrictions placed upon the employee.
3. The Chief or his designee, will review the request and approve or deny based upon the facts of the case, the length of time required, and the availability of modified duty assignments. The employee will be notified of the decision. If there are no modified duty assignments available the employee will be advised.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICY AND PROCEDURES**

**POLICY: 03-11 LINE OF DUTY DEATHS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY:**

It is the policy of the Police Department to provide liaison assistance to the immediate survivors of an officer who is seriously injured or is killed in the line of duty and to provide tangible and intangible emotional support during this traumatic period of readjustment for the surviving family.

**II. PURPOSE:**

This policy is designed to prepare the department for the event of an officer's death in the line of duty and to direct the department in providing proper support for the deceased officer's family.

**III. DEFINITIONS:**

- A. Line-of-Duty Death: The death of an active-duty officer by felonious or accidental means during the course of performing police functions while on- or off-duty.
- B. Survivors: Immediate family members of the deceased officer to include spouse, children, parents, siblings, fiancée, and/or significant others.

**IV. PROCEDURES**

A. Notification:

The following procedures should be adhered to in cases of line-of-duty deaths and in cases of critically injured officers with poor prognosis of survival. These procedures should be followed whenever possible with the understanding that the wishes of the family take precedence over the desires of the department. Officers providing services and assistance to family members and survivors shall take all possible measures to accommodate their needs, wishes, and desires, but should not make promises that they are not sure can be met.

1. The name of the deceased officer shall not be released to the media or other parties before immediate survivors living in the area are notified.
2. The Chief of Police or his designee shall inform the immediate family of the officer's condition or death. If not immediately available, the senior ranking

officer will make the contact or notification.

3. Notification of the immediate family should be made as soon as possible and, if possible, coincidental with command notifications.
4. Notification of survivors in the immediate area shall be made in person and, whenever appropriate, with another person such as the family's clergy, rabbi, or other religious representative. Whenever the health of immediate survivors is a concern, emergency medical services personnel shall be requested to stand by.
5. If the opportunity to get the family to the hospital exists prior to the officer's death, notification officers shall inform the hospital liaison officer that the family is on its way. In such cases, immediate transportation should be provided for survivors rather than waiting for any other members of the departmental delegation to arrive. If the officer has died, notification should be made to the survivors in as forthright and empathetic manner as possible.
6. Communication of information concerning the officer and the incident shall, whenever possible, be restricted to avoid interception by the media or others. Should the media obtain the officer's name prematurely, the ranking officer should request that the information be withheld until proper notification of survivors can be made.
7. The notification officer shall be responsible for identification of additional survivors outside the area and shall make any notifications as desired by the immediate family. Such notifications shall be made by contacting the law enforcement agency in that jurisdiction and requesting that a personal notification be made.
8. The notification officer shall submit a written report to the chief of police specifying the identity, time, and place of survivors notified.
9. Transportation of family members shall be provided by the Police Department after initial notification should the survivor allow it.

B. Notification at place of employment

If the notification is to be made at the spouse/survivor's place of employment, the notification officer will perform the following:

1. Ask to speak to the manager/supervisor, and ask if the survivor is available.  

**NOTE:** It is not required to divulge any details regarding the purpose of the visit. However, the officer making the notification has the discretion to inform the manager/supervisor of the nature of the visit, if it will assist in the notification process.
2. Ask the manager to arrange for a private room in which to make the notification.

3. Permit the survivor to determine what they wish to tell the management about the death. The officer shall offer to notify the management, if that is what the survivor prefers.
4. If the survivor leaves their vehicle at the workplace, arrangements should be made to ensure that the vehicle is returned to the family's home.
5. If there are young children at school or day care/other, the notification officer will discuss notification arrangements with the survivor and the officer will ensure that the survivor's wishes are quickly acted upon.

C. Assisting survivors at the hospital:

Whenever possible, the Chief of Police shall join the family at the hospital in order to emphasize the department's support. The next highest-ranking officer to arrive at the hospital shall serve as or designate a hospital liaison officer who shall be responsible for coordinating the arrival of immediate survivors, departmental personnel, the media, and others and assume the following responsibilities:

1. Arrange for waiting facilities for immediate survivors and a separate press staging area. The desires of the surviving family members should be followed with regard to their accessibility to other officers and friends.
2. Ensure that medical personnel provide pertinent medical information on the officer's condition to the family before other parties.
3. Assist family members, in accordance with their desire, in gaining access to the injured or deceased officer.
4. Provide hospital personnel with all necessary information on billing for medical services. The liaison officer should ensure that all medical bills are directed to the appropriate departmental authority, and that they are not forwarded to the officer's family or other survivors.
5. Arrange transportation for the family and other survivors upon their departure from the hospital when necessary.
6. Ensure that immediate family members are provided with appropriate assistance at the hospital.

D. Appointment of department coordination personnel:

Designated department personnel will serve in the following capacities: department liaison, funeral liaison, benefits coordinator, and family support advocate. These assignments will be made in writing to departmental personnel, and the surviving family members will be informed of those designated.

E. Department liaison:

The Chief or Deputy Chief will serve as a facilitator between the family and the law

enforcement agency. This individual will normally be a ranking officer in order to expedite the tasks of employing department resources and the delegation of assignments. This officer will work closely to ensure that the needs and requests of the family are fulfilled. This includes, but is not necessarily limited to, the following:

1. Assisting with travel and lodging arrangements for out-of-town family members.
2. Identifying alternative churches and reception halls that will accommodate the law enforcement funeral. These alternatives will be presented to the family, who will make the final determination.
3. Coordinating all official law enforcement notifications and arrangements to include the honor guard, pallbearers, traffic control, and liaison with visiting law enforcement agencies.
4. Assisting family members in dealing with general media inquiries and informing them of limitations on what they can say to the media specifically.
5. Providing liaison with the media to include coordination of any statements and press conferences. The departmental liaison shall also ensure that members of the agency are aware of restrictions regarding release of any information that might undermine future legal proceedings.

F. Funeral:

The Chief or Deputy Chief acts as facilitator between the decedent officer's family and the department during the wake and funeral. The Funeral liaison is responsible for the following:

1. The Funeral liaison will meet with family members and explain his/her responsibilities to them.
2. The liaison will be available to the family prior to and throughout the wake and funeral.
3. The liaison will ensure that the needs and wishes of the family come before those of the department.
4. Make contact with Stafford County Sheriff's Office to request assistance with issuing a statewide broadcast of the funeral notice to request the attendance from other law enforcement agencies.
5. Make contact with Stafford County Sheriff's Office Honor Guard to request any or all of the following services:
  - a. Casket guard at the funeral home;
  - b. Presenting colors at the funeral service;

c. Memorial rifle salute at the funeral service.

6. Officers killed in the line of duty may be buried in “Class A” uniform; at family discretion.
7. Uniformed officers shall wear a “black mourning shroud” across the badge for a period to be determined by the Chief after a line of duty death.
8. All officers wishing to attend the funeral shall be dressed in “Class A” uniform and shall wear a “black mourning shroud” across their badges.
9. Advise the family in working with the funeral director regarding funeral arrangements and briefing on the procedures in a law enforcement funeral. (Taps, bagpipes, 21-gun salute etc., if desired.)
10. Determining the need for travel arrangements for out-of-town family members and any other special needs of the family during the funeral.

G. Benefits coordinator:

The Finance Manager for AHPOA is responsible for the following:

1. Filing workers’ compensation claims and related paperwork.
2. Presenting information on all benefits available to the family.
3. Documenting inquiries and interest in public donations to the family and establishing a mechanism for receipt of such contributions, as appropriate.
4. Preparing all documentation of benefits and payment due survivors to include the nature and number of benefits to be received by each beneficiary, the schedule of payments and the name of a contact person or facilitator at each benefit or payment office.
5. Filing all benefits paperwork and maintaining contact with the family in order to ensure benefits are being received. A copy of benefits documentation should be provided to all survivors affected and explained to each of them.

H. Family support advocate:

The Deputy Chief will act as the family support advocate. The Deputy Chief will serve as a long-term liaison and support for the surviving family. The duties of this individual include the following:

1. Providing contact with immediate family members in order to keep them abreast of criminal proceedings relating to the death of their family member.
2. Accompanying immediate family members to criminal proceedings, explaining the nature of the proceedings, and introducing them to prosecutors and other persons as required.

3. Identifying all support services available, through the County Victim's Rights Program, to family members and working on their behalf to secure any services necessary.
4. Maintaining routine contact with family members to provide companionship and emotional support and maintain an ongoing relationship between the department and the immediate family.
5. Relaying the concerns and needs of the family to those individuals or organizations that may provide assistance, and encouraging others to visit and help as necessary.

**V. TRAINING:**

On a bi-annual basis sworn officers will be required to read and acknowledge this policy in order to understand the benefits afforded to their family members in the event of death.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 03-12 FIELD TRAINING PROGRAM**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY:**

Probationary officers require personal guidance, instruction, direct supervision, and experience in job functions in order to develop sound working habits, judgement, appearance, and efficiency in their duty performance. Field Training Officers (FTO's) are entrusted with this unique and critical task.

**II. PURPOSE:**

To establish guidelines for initial training of probationary officers and the utilization of Field Training Officers (FTO's) in this process.

**III. PROCEDURES:**

No recruit officer shall carry any department issued weapon prior to receiving training and qualifying on that weapon. No recruit officer shall make an arrest prior to being released from the field training program unless directly supervised by a Field Training Officer or other approved Aquia Harbour Police Department member.

**A. Objectives of the Aquia Harbour Police Department Field Training and Evaluation Program.**

1. To produce a motivated officer capable of meeting or exceeding standards of performance required by Aquia Harbour Police Department.
2. To provide equal and standardized training to all newly hired officers and, as needed, to provide remedial training in those area where deficiencies are identified.
3. To build on a foundation of knowledge given at the training academy, thereby creating an environment in which the trainee may develop new skills as well as increase proficiency.

4. To establish an appraisal system, which is valid and job related, using a standardized and systematic approach to the documented measurement of probationary officers.
5. To ultimately increase the overall efficiency and effectiveness of the Aquia Harbour Police Department.

B. Qualifications for Field Training Officers:

1. Possess the technical knowledge necessary for the successful performance of the patrol officer's duties.
  - i. Officers will be particularly proficient with preliminary investigations, report writing, conversant with the law and aware of their law enforcement duties.
  - ii. Officers must have two (2) consecutive years of service post academy, be a DCJS certified law enforcement officer and independently perform the duties of a Police Officer with the Aquia Harbour Police Department.
2. Be skilled in interpersonal relations, able to work with people under a wide variety of circumstances, and able to recognize and successfully manage potentially violent situations.
3. Possess the verbal and teaching skills required of an FTO. They must be able to perform in a coach-pupil relationship and evaluate others objectively.
4. All newly assigned FTO's will attend a formal Field Training Course. Upon completion of a formal school, the FTO will perform training functions under the direction of the Field Training Coordinator.
5. FTO's will receive in-service training as required. This training may be in-house or academy sponsored. Additionally, FTO's will maintain DCJS requirements for their certifications.

C. Nominations of Field Training Officers:

1. An officer who meets the qualifications set forth above may be nominated to be an FTO by an active FTO, Field Training Coordinator, Deputy Chief, or Chief.
2. Any officer, who possess the qualifications set forth above may by letter to the Deputy Chief, request to be considered for nomination.

3. The Deputy Chief will forward the names of nominated officers, with endorsement to the Chief of Police for review and designation.

#### D. Selection of Field Training Officers:

Because training new officers is both a monumental and critical responsibility, the Aquia Harbour Police Department needs to ensure that a baseline of knowledge is present amongst all Field Training Officers, which will be assessed through this selection process.

1. FTO Recommendation or Request.
  - i. Officers may request to be FTO's or can be recommended by a supervisor.
  - ii. Once an officer request is recommended for the FTO position, the Field Training Coordinator shall ensure the officer meets the agency's criteria and will draft a memo for FTO nomination.
  - iii. Once the memo of FTO nomination has been completed it will be signed off by the Field Training Coordinator, Deputy Chief, and Chief of Police.
  - iv. Once the memo of FTO nomination has been signed off and approved, the officer will complete a Basic Field Training Officer Course.

#### E. Basic Responsibilities of Field Training Officers.

The following responsibilities for the proper conduct of the Field Training Officer Program are assigned to define the roles of people and sections involved in its execution.

1. Train new recruits in the daily performance of their duties in the community.
2. Evaluate recruits' performance in all aspects including attitude, knowledge, and appearance.
3. Follow the FTO guide designed to record performance in each of the training categories.
4. Submit weekly observation reports based on the observed performance and behavior of the trainee to the Field Training Coordinator that will be forwarded to the Deputy Chief.
5. Identify/document areas of deficiency and provide remedial training as needed.

6. Submit written documentation in support recruit, release to independent duties or termination if necessary.
7. Attend any training sessions for FTO and any scheduled meetings.

F. Responsibilities of the Field Training Coordinator.

1. Coordinate FTO meetings when necessary.
2. Verify all recruit training evaluations for completeness and channel them to the proper location.
3. Administer or coordinate the administration of any pre-designated progress assessments or tests.
4. Provide assistance to any FTO seeking training materials.
5. Maintain liaison with the training academy, keep the Police Department's Command Staff informed of progress of recruits in the academy and provide assistance to recruits and academy staff.
6. Ensure that the FTO manuals and guides are kept in compliance with Police Department Policy and Standard Operating Procedures.

G. Recruit Training

The Police Department is committed to the accomplishment of our training goals through the coordinated efforts of the Rappahannock Regional Criminal Justice Academy, the Training Officer, and the designated Field Training Coordinator. The training will be accomplished in the following phases:

1. Pre-academy Phase (1 week):
  - i. During the first week of employment, the Officer will report to the Police Department for orientation. The recruit will be sworn in, briefed on the Police Department's Use of Force Policy, issued uniforms and equipment, and taken to the range for firearms familiarization. The recruits will attend pre-academy training for the rest of the week.
2. Academy Phase:
  - i. During the period of training at the Regional Academy, the recruit officer will be taught the basic principles and procedures of law enforcement. The Field Training Coordinator will maintain liaison with the academy to

assure that the recruits are meeting academy and Police Department requirements. The Field Training Coordinator will review all evaluations and counsel those officers when appropriate. After satisfactory completion of the academy, the officer will report back to the Police Department and complete Post Basic training.

3. Post Academy Training Phase (1 week):

- i. During this phase of training, the recruit officer will complete several training blocks, including Taser. They will also cover many procedural training blocks.

4. Field Training Phase (Approximately 4 weeks blocks)

- i. Once assigned to the First Phase Field Training Officer, the Probationary Officer will receive on-the-job training. Each four-week block will be handled by a different FTO. The FTO will teach and guide the recruit in all phases of training covered in the Field Training Manual. The FTO will complete and submit the required Weekly Observation report. The FTO will follow the evaluation guidelines for the Weekly Observation report when making this evaluation. The Field Training Coordinator is responsible for looking at all the evaluation reports and forwarding them to the Deputy Chief. The maximum time a recruit officer spends with an FTO will depend on the recruit's satisfactory performance and will vary with each individual.
- ii. Field training will be split into two four-week blocks. If at the end of the second block the Probationary Officer is not ready to be released, they will be assigned to a third block of training with the Field Training Coordinator. During that time, a meeting with the Deputy Chief will be conducted by the Field Training Coordinator to determine what further steps need to be taken.
- iii. The Post Academy Field Training Phase is further segmented into additional phases, each of which will have specific duties associated with them. It is the Field Training Officer's responsibility to accomplish all duties outlined for the phase he or she is assigned to with their recruit.
  1. Indoctrination Phase – (1 week long)
    - a. The purpose of this phase is to introduce the recruit to field work, assess baseline knowledge, build a rapport with the

Field Training Officer and allow the recruit to see how a variety of calls are handled by their FTO.

- b. During this week, the FTO will perform all the duties associated with this phase in the FTO book. If the FTO cannot complete the tasks in one week, cause must be shown, and an extension may be deemed appropriate.
- c. The recruit does not drive during this week and is not expected to interact with the public. The recruit has the primary responsibility of observing the FTO and learning how to interact with the public through the actions of the FTO. It is critical that the FTO makes attempts to handle a wide variety of calls and explain why certain actions were undertaken.

2. Basic Phase – (3 weeks long)

- a. This is the first phase where the recruit is taking the primary role. From day one of this phase, the recruit will be driving and handling calls.
- b. The purpose of this phase is to acclimate the recruit to handling calls, interacting with the public, and all the basic patrol skills.
- c. It is the assigned FTO's responsibility to complete all of the tasks associated with this phase in the FTO book. If the FTO has not completed all of the tasks associated with this phase during this phase, then cause must be shown and an extension may be deemed appropriate.

i. Basic Assessment:

- 1. By this point in the process, the recruit should be familiar with the material from the Indoctrination Phase and Basic Phase. A small assessment will be conducted to gauge the recruit's progress and knowledge retention. Areas of focus will be on critical skills.

2. This process allows the FTO Coordinator to assess the capabilities of both the recruit and the Basic Phase FTO.
3. If the recruit performs unsatisfactorily during this assessment, a meeting between the FTO and FTO Coordinator will be convened, and this phase may be extended.
4. The assessment will be created by FTO Coordinator and administered by either the FTO or FTO Coordinator.

3. Advanced Phase – (3 weeks long)

- a. This phase is designed to instruct advanced patrol skills while refreshing the recruit's memory on all basic skills
- b. It is the assigned FTO's responsibility to complete all of the tasks associated with this phase in the FTO book. If the FTO has not completed all of the tasks associated with this phase during this phase, then cause must be shown and an extension may be deemed appropriate.

i. Advanced Assessment:

1. By this point in the process, the recruit should be familiar with the material from the Advanced Phase. A small assessment will be conducted to gauge the recruit's progress and knowledge retention, only on the learning objectives for the Advanced Phase. Areas of focus will be on critical skills.
2. This process allows the FTO Coordinator to assess the capabilities of both the recruit and the Basic Phase FTO.
3. If the recruit performs unsatisfactorily during this assessment, a meeting between the FTO and FTO Coordinator will be convened, and this phase may be extended.

4. The assessment will be created by FTO Coordinator and administered by either the FTO or FTO Coordinator.

4. Shadow Phase – (maximum 1 week long):

- a. During this phase, the assigned FTO observes the recruit without providing any input. The purpose is that the assigned FTO is assessing the recruit to see if they will be successful if released to independent patrol. It is the responsibility of the recruit to reach out to any other officers for assistance.
- b. While the maximum length of shadow phase will be 1 week long, the minimum length will be at the discretion of the Field Training Coordinator with the input from the Advanced Phase FTO. If, in the opinion of both the FTO and FTO Coordinator, the recruit's performance is such that immediate release would be beneficial, then the FTO Coordinator may approve the shortening of the Shadow Phase to expedite the exit interview process.
- c. Once the recruit officer has completed all necessary in-house department Field Training objectives, they will be assigned to ride along with a Stafford County Sheriff's Deputy during a maximum of 3 shifts.
  - i. The officer will strictly be assigned to ride along or observation and will not participate in any law enforcement activity.

5. Exit Interview:

- a. Release Letter
  - i. When the FTO is satisfied that the recruit has reached an acceptable proficiency level, they will submit a memo to the FTO Coordinator requesting the recruit be released from Field Training.
  - ii. The FTO Coordinator will then schedule an exit interview to be conducted with the recruit officer. After a satisfactory exit interview, the FTO

Coordinator will submit a complete field training packet to the Deputy Chief. The package shall include:

1. Documentation of Basic Phase, including all weekly evaluations
2. Documentation of Advanced Phase, including all weekly evaluations
3. All required DCJS forms
4. Exit Interview Test
5. FTO Release Memo

iii. The Deputy Chief or their designee will then review the packet and meet with the recruit officer and release him or her to independent patrol, or recommend additional training as needed, or if the termination procedure should begin.

5. Field Training of Previously Certified Law Enforcement Personnel:

- i. It is understood that previously certified law enforcement personnel would not normally need to undergo the traditional Field Training process, as they already have the requisite experience and should possess similar training. As all law enforcement officers are different in their knowledge and abilities, the length of time for the Field Training process for such recruits will be determined by the FTO Coordinator on a case-by-case basis. The emphasis here will not be on specific number of hours, but rather that the pre-certified recruit is refreshed on law and procedure, learns our policy, and understands how our agency conducts business. The FTO Coordinator will rely on input from the assigned FTO to make the determination to release the pre-certified recruit.

6. Training Evaluation Reports

- i. FTO's will maintain an evaluation of each recruit he or she is training on a weekly basis and review the reports with the FTO Coordinator. After review by the FTO Coordinator, the weekly reports will be forwarded to the Deputy Chief and the Chief of Police before being filed.

7. Evaluation Guidelines for Field Training Report:

- i. A set of guidelines and instructions has been prepared to assist the FTO in preparing training reports on recruits in training. The guide(s) are intended to aid in standardized performance for the FTO to base his/her rating of recruit performance. Both the guidelines and instructions are located in the Police Department's Share Drive.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 03-13 SEXUAL HARASSMENT**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The department's policy is to provide a professional, businesslike work environment free from all forms of employee **discrimination** including sexual harassment, or on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status or disability. No employee shall be subjected to unsolicited and unwelcome sexual overtures or other conduct either verbal or physical. Note that the conduct is measured against what an objective, reasonable man or woman (depending on the sex of the complainant) perceives as harassing behavior. The harassment may involve a man against a woman, a woman against a man, or a person against another person of the same sex. The harassing behavior, to be subject to this order, need not occur only during work hours on agency premises, but may occur before or after work at other locations. Sexual harassment is misconduct and the department shall apply appropriate disciplinary sanctions.

Pursuant to the Civil Rights Act of 1964, no person shall be discriminated against in any fashion due to religion, race, sex, creed, or national origin. All employees will be afforded equal opportunities and will be free from discrimination in the Aquia Harbour Police Department's workplace.

**II. PURPOSE**

To define and give examples of sexual harassment, outline prohibited behavior, and describe reporting procedures.

**III. DEFINITIONS**

A. Sexual harassment

The Civil Rights Act of 1964 prohibits discrimination based on color, race, religion, age, national origin, and sex. Sexual harassment is a form of sex discrimination, defined as unwelcome sexual advances, requests for favors, and other verbal or physical conduct that enters into employment decisions, or conduct that unreasonably interferes with an employee's work performance or which creates an intimidating, hostile, or offensive working environment. Two kinds of sexual harassment apply *quid pro quo* harassment and hostile work environment

harassment, defined below. The two forms of harassment may overlap.

B. Quid pro quo harassment

This form of harassment occurs when an employee is being pressured to engage in sexual conduct or else lose a tangible job benefit. (*Quid pro quo* means "something for something.") This form of harassment usually occurs between a supervisor and a subordinate where the harasser has power to control the employee's work benefits or conditions. Note that this form of harassment is not limited to expressing demands for sexual favors, but may be implied by circumstances (e.g., offering an employee sexually explicit magazines).

1. Examples of this form of harassment include a request for sexual favors, accompanied by implied or overt threats concerning a person's employment status, or promise of preferential treatment in terms of benefits or status; granting job favors to those who participate in consensual sexual activity while penalizing those who refuse to participate; unwanted, intentional touching (patting, massaging, rubbing, hugging, pinching); telephoning or following an employee, during work hours or not, and either harassing the employee or requesting sexual favors.

C. Hostile work environment harassment

This form of harassment is **unwelcome** conduct that is severe or pervasive as to change the conditions of the victim's employment, thus creating an intimidating, hostile, or offensive work environment.

1. A hostile environment exists when the employer tolerates unwelcome, pervasive conduct including sexual comments of a provocative or suggestive nature; jokes or innuendoes intended for and directed to another employee; leaving sexually explicit books, magazines, photographs where employees will find them; unwelcome demeaning comments (such as talking about physical attributes), ridicule, offensive language, propositions or other similar actions; unwanted, unwarranted, unsolicited off-duty telephone calls and contact; signed or anonymous notes or drawings placed on or in desks, bulletin boards, or in lockers; deliberately singling out women in front of men co-workers (or *vice versa*) and subjecting them to demeaning or derogatory remarks.

D. Fraternization

Defined as a romantic and/or sexual relationship between members of the Aquia Harbour Police Department. Social events, parties, and other events in which there is a recreational or agency purpose are not considered fraternization.

#### IV. PROHIBITED CONDUCT

- A. The department considers romantic relationships between supervisors and subordinates non-consensual. Violations will be subject to demotion or disciplinary action up to and including termination of employment.
- B. Supervisors shall ensure that pornographic or suggestive photographs, illustrations, or cartoons shall not be posted or kept in any work area. Materials of this kind used for investigative purposes shall be properly secured according to evidentiary standards.
- C. Supervisors shall order employees on department premises who are making sexually hostile comments, put-downs, or degrading remarks about other persons of the same or opposite sex to cease or face discipline.
- D. Employees shall avoid physical contact with one another unless required by a training situation or police procedure. Kissing, back rubbing, embracing, and other unnecessary touching are prohibited on department premises.
- E. Personnel shall not retaliate against any person for reporting sexual harassment, giving testimony, or participating in the investigation. Retaliation in any form shall result in discipline.

#### V. PROCEDURES

- A. An employee who believes he or she has been sexually harassed or otherwise discriminated against should first tell the offender to cease the inappropriate behavior, although circumstances may not always allow the complainant to make this request. If the conduct does not stop, or if the complainant is unable to confront the offender, the complainant shall contact his or her own immediate supervisor. The employee shall submit a memorandum to the Chief of Police through the chain of command detailing circumstances. If a supervisor learns of an incident of harassment or discrimination, he or she shall investigate the matter even if the victim did not submit a complaint. If the harasser is the victim's immediate supervisor, victim shall contact the Chief of Police by the most expeditious means (in writing or in person) so as to inform him or her of the situation.
  - 1. If the complainant is not an employee of the department, the complaint itself is considered no less valid and shall be investigated according to the procedures set forth in the grievance policy.
  - 2. Employees must understand that sexual harassment can become a criminal matter. Allegations of stalking (*Virginia Code* § 18.2-60.3) and sexual battery (§ 18.2-67.4) shall be handled immediately as criminal investigations.
  - 3. If appropriate, the complaint may be resolved at the immediate supervisory level.

- B. When an employee reports an allegation of sexual harassment or other discrimination, a confidential internal investigation shall begin immediately.
  - 1. The Chief of Police shall immediately take action to limit the concerned employees from any further work contact with the alleged offender.
  - 2. The Chief of Police shall conduct an investigation.
  - 3. If the sexual harassment allegation is not resolved to the satisfaction of the complainant, eligible employees may invoke the departmental grievance procedure.
- C. If the situation warrants, the Chief of Police shall report such allegations to the General Manager without delay.
- D. If the allegation involves the Chief of Police or similar senior official, the complainant shall present the allegation without delay to the General Manager.

**INVESTIGATION OF COMPLAINTS:**

- 1. The Deputy Chief will investigate sexual and other unlawful harassment and/or unlawful discrimination accusations filed by or against department personnel.



**AQUIA HARBOUR POLICE DEPARTMENT**  
**POLICIES AND PROCEDURES**

**Policy: 03-14 DRUGS AND ALCOHOL**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The Police Department shall be maintained as a drug-free workplace. No employee shall unlawfully manufacture, distribute, dispense, possess, or use on or in the workplace or while off duty any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, as defined in Schedules I through VI of the Drug Control Act (Chapter 15.1, Title 54, Code of Virginia, as amended), and whose manufacture, distribution, dispensation, use, or possession is controlled by law.

**II. PURPOSE**

The Police Department recognizes that alcohol and drug abuse are serious problems across the United States. It is, therefore, the goal of the Chief of Police to establish and maintain a safe and healthy workplace for its employees, free from drug and alcohol abuse, and to protect the safety of the public by providing the highest quality of service.

**III. REGULATIONS AND DEFINITIONS**

As a condition of employment, each employee shall abide by the terms of this policy and regulations respecting a drug-free workplace. All Police Department areas and all Harbour Association owned property are subject to drug inspections as outlined in this policy. The possession and/or consumption of illegal drugs or alcoholic beverages in the workplace are prohibited. Violation of this policy could result in personnel action up to and including termination.

“Workplace” is defined to mean any site for the performance of work by an employee, including but not limited to any AHPOA owned building or premises, any AHPOA owned vehicle, and any non-AHPOA property during any AHPOA sponsored/approved event or function. “Workplace” also includes all AHPOA owned property such as, but not limited to, offices, desks, lockers, safes, filing cabinets, and all toolboxes

Medical Review Officer means a licensed physician (medical doctor or designated doctor of osteopathy) who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s confirmed positive test result together with his or her medical history and any other relevant biomedical information.

**IV. DRUG AND ALCOHOL TESTING**

A. Drug and/or alcohol testing will be required in the following cases:

1. Pre-Employment: All candidates selected for employment with the Police Department shall complete a pre-employment post-offer medical examination paid for by the AHPOA, which will include a drug/alcohol test.

2. Random Drug/Alcohol Testing: The percent of employees to be randomly tested may be determined by the Chief of Police.
  3. Investigative: Where there is a reasonable suspicion that a Police Department employee, regardless of position, is under the influence or illegal drugs or alcohol.
- B. In all cases, a refusal to submit immediately to a drug or alcohol test when requested, including failure to appear for testing will subject the employee to the full range of disciplinary action up to and including dismissal; or in the case of an applicant, the withdrawal of a conditional offer of employment.

## **V. TEST PROCEDURES IN GENERAL**

The results of these tests will be reported immediately to the Chief of Police.

All drug testing information specifically relating to employees and applicants is confidential and should be treated as such by anyone authorized to review such information.

All records and information of any personnel actions involving an employee with verified positive results shall be maintained in confidential and secured files in the Chief of Police's office and disseminated only to authorized individuals on a confirmed "Need to Know" basis as determined by the Chief in accordance with applicable federal regulations.

<b>AQUIA HARBOUR POLICE DEPARTMENT</b>	
<b>POLICE AND PROCEDURES</b>	
<b>Policy: 03-15 UNIFORMS AND APPEARANCE</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  <i>Bryan Cameron</i> Chief of Police

**I. POLICY**

The Aquia Harbour Police Department expects its personnel to maintain a high standard of personal appearance. The public similarly expects the same level of personal appearance. A high standard of personal appearance promotes a professional image. As such, the Aquia Harbour Police Department must establish regulations to govern the attire and grooming of employees during those times and places where the employee is acting in his or her duty assignment, in training, or whenever representing the Aquia Harbour Police Department.

**II. PURPOSE**

To establish regulations for wearing the Department uniform in a consistent manner by employees of the Aquia Harbour Police Department. This regulation also addresses personal grooming standards for the employees of the Aquia Harbour Police Department.

**III. HAIR**

1. Hairstyles should not distract from a professional appearance in uniform with emphasis on officer safety.
2. Officers shall maintain a neat, well-groomed appearance. When the officer is standing erect, the length and/or arrangement of their hair shall not extend below the bottom of the shirt collar or cover the outer edge of the ear. Hair on the forehead shall not obstruct vision. The unique quality and texture of curled, waved, and straight hair are recognized. Natural hairstyles are permissible if the officer’s vision is not obstructed and the length and/or arrangement is compliant. Braids, cultivated locs (individual sections of hair that are intertwined from the root tip, which creates a uniform ringlet or cordlike appearance requiring maintenance/upkeep and are uniform in appearance), or cornrows, if neat and styled close to the head, are permissible. Beads and/or other decorative small items shall not be braided into the hair.
3. Facial Hair
  - a. Beards must be neatly trimmed and above the neckline. The length cannot exceed 1 inch and must contour to the face. Beads or other decorative items shall not be braided into the hair.

- b. Goatees must be neatly trimmed and about the neckline. The hair cannot extend more than 1 inch from the corner of the mouth on each side or more than 1 inches below the chin. It cannot exceed 1 inch in length and must contour to the face. Beads and other decorative items shall not be braided into the hair.
- c. If a measurement is required, it must be done in a private location and the member will measure their own hair in several locations in front of a supervisor.
- d. Mustaches worn without a beard shall be neat and closely trimmed and shall not extend over the lip line of the upper lip or beyond or below the corner of the mouth. The ends of the mustache shall not be twisted or waxed.
- e. Lower lip patches, grown between the lower lip and the chin that are not part of a beard or goatee, are not permitted.
- f. Sideburns are allowed to the bottom of the ear opening. Sideburns should not be so full as to hide the ears from the front.
- g. Facial hair shall be of a natural color and present a professional appearance without special design or custom exaggerated trims.
- h. Basic Police Academy Recruits shall be required to remain clean shaven for the duration of the academy and field training.
- i. If any officer believes they need a reasonable accommodation due to a medical condition, they will inform a supervisor who will coordinate with them to facilitate the process.

#### **IV. TATTOOS AND BRANDING**

1. A tattoo is any design, letter, scroll, figure, symbol, or any other mark made under the skin or upon any person with ink or any other substance, resulting in a permanent or temporary discoloration to the skin.
2. A branding is a type of scarification, a body modification that permanently transforms the skin by causing a visible scar, often made by burning.
3. Tattoos and brandings on the hands, scalp, face (front of the person's head from the forehead to chin), and the front of the neck shall be prohibited.
4. Cosmetic tattoos such as eyeliner, eyebrows, and lips are permitted so long as they are natural in appearance.
5. Tattoos and branding that detract from the mission of law enforcement shall be prohibited. Prohibited tattoos and brandings include but are not limited to, those which incorporate profanity, promote racism, discrimination, indecency, obscenity, lawlessness, violence, illegal drug use, hatred or intolerance, and depict sexually explicit or anatomically correct nude images.
6. The Chief of Police has the authority to order personnel to cover tattoos deemed to be inconsistent with the mission of law enforcement. Members shall cover such tattoos

with Department-issued clothing or by utilizing commercially available cosmetics or fabric covers made for the purpose of covering tattoos. If commercial products are used, they must be of a skin-tone color and be neutral in appearance. This policy shall apply while the member is on-duty (including training or outside events), representing the Department in an official capacity.

## **V. BODY ORNAMENTATION**

1. Members shall not wear any item of ornamentation or jewelry on their hands, ears, head, face, nose, eyebrow, tongue, or any other part that is visible when clothed; except as authorized in this policy. Prohibited ornamentation includes, but is not limited to, body-piercing jewelry.
2. Members are permitted to wear the following jewelry:
  - a. Up to three (3) rings on the ring finger of one hand and one ring on the other hand;
  - b. One wristwatch;
  - c. Medical alert bracelet;
  - d. No more than two earrings per ear. Earrings must be ball or stud type earrings having a diameter of no more than ¼ inch; and
  - e. Necklaces that are not visible when in uniform.
3. This policy shall apply while the member is on-duty (including training or outside events), representing the Department in an official capacity, regardless of whether the member is in uniform or otherwise attired.

## **VI. GENERAL UNIFORM POLICY**

1. BDU's are issued to all sworn officers as the primary uniform for routine patrol duties. Officers shall wear their uniforms only when on duty, or when travelling to and from Duty, training, or special assignments.
2. Uniforms shall have a clean and neatly pressed appearance at all times.
3. The Chief shall approve all medals, bars or awards prior to the item being worn on the uniform.
4. Only issued or approved equipment may be worn as part of the uniform.
5. A memorandum shall be completed by the officer when any loss or damage occurs to any uniform article or issued equipment. This form shall be submitted prior to the end of the shift on the day of the occurrence.
6. Summer Uniforms: Shirts are to be short-sleeved with open collars, either BDU short-sleeved shirt or issued short-sleeved polo. Black BDU trousers, boots, black t-shirt, black socks, external ballistic vest, and nylon equipment belt. Summer Uniforms may be

worn all year long.

7. Winter Uniforms: Shirts are to be long-sleeved with open collars. Black BDU trousers, boots, black t-shirt, black socks, external ballistic vest, and nylon equipment belt. Winter Uniforms may be worn by members at their discretion, or as indicated by the Chief.
8. Class A Uniforms: Shirts are to be long-sleeved, button up with tie. Trousers should be issued dressed pants. Ballistic Vest, Class A equipment belt, and jacket or coat if required by weather. Boots should be clean with a polished toe.
9. Officers shall wear appropriate uniform when attending General District and Juvenile Domestic Court. For either Grand Jury or Circuit Court, the Officer shall wear Class A uniform.
10. Officers of the department who attend court on personal business are prohibited from wearing their department issued uniform.
11. Officers may wear sunglasses at their option. Sunglasses shall have undecorated conservative frames. Sunglasses worn by on duty personnel shall not be mirrored. Officers are advised to remove sunglasses when entering a building; they should not be hung from the neck or be sitting on top of the head.

## **V. UNIFORM DEVICES**

1. The nameplate shall be worn at all times, centered on the right shirt pocket flap and no higher than 1/8 inch below the pocket flap. Only approved metals, bars or nameplates shall be worn on the uniform. When the coat is worn the nameplate shall be worn above the right coat pocket in the same manner.
2. Brass insignia signifying rank shall be worn on each collar on the long and short sleeve shirt appropriately centered.
3. Medals, bars and awards shall be worn in a single vertical line above the nameplate.
4. The badge shall be worn over the left pocket in the holes designated for it.
5. Officers may wear a tie bar that is similar in color to their nameplate.
6. All badges, nameplates, and other items representing members with the rank of Sergeant or higher will be gold in color. All metal insignias and fittings will be kept highly polished.
7. Service Stripes are diagonal stripes worn on the left sleeve 1.5 inches above the cuff line on the Class A long sleeve uniform shift to the right of the pressed seem line of the sleeve. Service stripes shall not be worn on the short sleeve BDU shirt, long sleeve BDU shirt, jackets or other garments.
  - a. Each stripe shall denote three (3) years of service of sworn law enforcement.

## **VI. UNIFORM ACCESSORIES**

1. The issued firearm and holster may be worn on either side, depending on the officer being naturally right or left-handed.
2. The magazine case will be worn to the front of the equipment belt on either the left or right side of the belt buckle.
3. Taser equipment, if issued; shall be worn on the opposite side from the side arm.
4. Handcuff case should be worn in such a manner as to be accessible by either hand. A second pair of handcuffs may be carried on the equipment belt.
5. All nylon equipment will be black in color.
6. Uniform baseball cap may be worn at the officers' discretion. The wearing of the uniform hat is encouraged.
7. Boots shall be black in color which are intended for tactical, patrol, or military use. Boots must have a polishable toe. Exterior surface should be primarily of leather, synthetic leather, or similar material. Any obvious and off-colored logos must be easily hidden underneath the pant leg or can be blackened with dye.
8. Coats are optional depending on weather conditions. Only approved patches may be worn on the uniform coat.
9. Officers are responsible for the upkeep and proper care of all issued equipment, uniforms and accessories.

## **VII. CIVILIAN CLOTHING**

1. Officers assigned to light duty or modified duty may wear approved civilian attire in the course of their duty at the Chief's discretion.
2. Attire will conform to "Business" or "Business Casual" standards. The Chief or his designee reserve the right to critique and approve or disapprove different apparel, jewelry, tattoos, earrings, nose rings, tongue rings, and inappropriate dress.
3. At no time will an Officer attend court in civilian clothing unless approved by the Chief.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 03-16 OFF-DUTY EMPLOYMENT**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The Chief of Police and their officers must ensure the continued efficiency and effectiveness of the department while simultaneously reducing or eliminating conflicts of interest. To this end, the Chief of Police shall manage according to whatever reasonable controls he deems necessary to restrict or regulate the conduct of employees. It is the policy of the department, therefore, to prohibit off-duty/extra-duty employment when it may impair efficiency or conflict with employees' duties and responsibilities. To promote the welfare and good reputation of the department, however, this order outlines procedures to ensure appropriate, accountable, and reasonable off-duty work.

**II. PURPOSE**

To define regulations governing off-duty/extra-duty employment and conduct while employed in an off-duty/extra duty capacity.

**III. DEFINITIONS**

A. Employment

Any work performed or services provided for compensation (a fee or otherwise), including self-employment. Volunteer charity work is excluded. The Department recognizes two forms of off-duty employment, extra-duty employment and secondary employment. The phrase "off- duty" is used throughout this order and covers both forms of employment.

B. Law enforcement-related extra-duty employment

**Extra-duty employment entails** the use of law-enforcement powers, granted by the Commonwealth of Virginia.

C. Probationary Period

The period of time measured, beginning with the date of initial hire or graduation from a basic academy.

D. Secondary employment

Any non-law enforcement-related **off-duty work** for pay. Secondary employment does not require sworn enforcement powers as a condition of employment and the work does not provide implied law-enforcement service.

IV. **PROCEDURES**

A. General

All employees are able to work off-duty, on a case-by-case basis, with approval by the Chief of Police. Employees on medical or sick leave, temporary disability, or light duty due to injury are ineligible for off-duty employment. An employee engaged in **any** off-duty employment may be called to duty in an emergency.

B. Secondary employment

Employment shall not constitute a conflict of interest. A conflict of interest, as determined by the Chief of Police, is any activity inconsistent, incompatible, or in conflict with the duties, functions, or responsibilities of employment.

C. Law enforcement-related extra-duty employment

1. **NOTE: Police Department does not provide contract for law enforcement services outside the boundaries of Aquia Harbour.** Law enforcement-related employment shall not exceed 14 hours per day, including on-duty time: e.g., an officer working a 10-hour tour may work four hours of off-duty on the same day and an officer on a day off may work 14 hours. For the purpose of computing allowable work time, court appearances constitute on-duty time, as does sick leave.
2. Officers may perform law-enforcement duties beyond Aquia Harbour boundaries if working in conjunction with another jurisdiction's regular law-enforcement agency and after having been duly sworn as a law-enforcement officer for and in that jurisdiction.
3. The minimum salary required for officers employed in a law enforcement-related capacity must be at least equal to the rate for a starting officer.
4. No employee shall solicit any person or business for the purpose of gaining law enforcement-related extra-duty employment, and, while on duty, shall not solicit any person or business for the purpose of gaining secondary employment.
5. The department uniform shall not be worn while engaged in off-duty employment. -owned vehicles, radios, or other equipment shall not be used while traveling to and from or engaging in off-duty employment.

6. Officers, while engaged in law enforcement-related employment, shall be subject to the orders of the on-duty law-enforcement supervisor.
7. In the event that an injury occurs during off-duty employment the secondary employer will be required to notify Police Department of the circumstances surrounding the incident.
  - a. The approved request is subject to periodic review by the Chief of Police. Officers shall communicate any changes in information contained on the form to the Chief of Police as soon as possible.
  - b. The Chief of Police may revoke permission to work off-duty if the officer fails to perform adequately on duty or receives disciplinary action. To be eligible for permission to work off-duty, officers must be in good standing with the department.

D. Administration

1. Employees must submit a written request to the Chief of Police through the chain of command for any employment. Employees shall not begin any work until approval has been granted. The request shall be filed in the employee's personnel file.
2. The Chief of Police shall disapprove any employment that demeans the status or dignity of the law-enforcement profession, or otherwise represents a conflict of interest. Examples of such employment include:
  - a. Retailers which sell pornographic materials, or provide services of a sexual nature.
  - b. Retailers who sell, manufacture, or transport alcoholic beverages as the principal business. (Civilian Employees are exempt).
  - c. Gambling establishments not exempted by law.
  - d. Any firm connected with, bill collecting, bodyguards, repossessioners, private investigators, process servers, or taxi cab drivers.
  - e. Performance in department uniform of any tasks other than those of law enforcement.
  - f. Performance of any work for a business or labor group that is on strike.
  - g. Performance of any work regulated or licensed through the department.
  - h. Performance of personnel investigations for private firms, or any employment requiring the officer to have access to police files, records, or information as a condition of employment.

- i. Performance of **any** activity which supports case preparation for the defense in any criminal or civil action.
  - j. Serving as a recruiter and receiving compensation for procurement of law enforcement-related jobs for other department employees is prohibited.
3. **Arrests made while engaged in extra-duty** law enforcement-related employment shall be limited to felonies or criminal misdemeanors committed in the officer's presence or a breach of the peace jeopardizing public safety.
- a. Employees shall understand that department liability protection does not extend to willful acts, which cause injury or damage, or acts the officer knew or reasonably should have known conflicted with department policy or the law.
  - b. Extra-duty arrests shall **not** be made when the officer is personally involved in the incident underlying the arrest.
  - c. Off-duty arrests shall **not** be made when the officer's actions only further the interests of the private employer.

E. Liability, indemnification, insurance

- 1. Employees must submit a written request to the Chief of Police through the chain of command for any law enforcement related employment. As with off-duty employment the form found at the end of this order shall be used for the purpose. Employees shall not begin any work until approval has been granted. The request shall be filed in the employee's personnel file.
  - a. The approved request is subject to periodic review by the Chief of Police. Officers shall communicate any changes in information contained on the form to the Chief of Police as soon as possible.
  - b. The Chief of Police, who is responsible for the administration of this program, may revoke permission to work off-duty if the officer fails to perform adequately on duty or receives disciplinary action. To be eligible for permission to work off-duty, officers must be in good standing with the department.
- 2. In addition to the application form, the employee must submit to the Chief of Police proof of employment with the employer. The document must also specify:
  - a. The precise nature of the work to be performed.
  - b. Hours or schedule of the work performed.
  - c. What equipment the employee must maintain.

- d. Proof of insurance coverage providing medical treatment for job-related injuries and indemnification for litigation arising from off-duty employment.
3. The department shall not be responsible for medical expenses incurred from injuries sustained while working in **any** off-duty employment. Additionally, in the event that an injury occurs during off-duty employment the secondary employer will be required to notify Police Department of the circumstances surrounding the incident.
  4. The department recognizes that an officer in law enforcement-related employment may undertake an action connected with the employment that the courts may construe as a law-enforcement duty, and therefore an extension of the job. Officers are reminded that their extra-duty performance must follow the same standards required for on-duty performance. Extra-duty law-enforcement actions, whether for a private employer or not, must meet the requirements of this manual.

<b>AQUIA HARBOUR POLICE DEPARTMENT POLICIES AND PROCEDURES</b>	
<b>Policy: 03-17 LAW ENFORCEMENT TRAINING</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  <i>Bryan Cameron</i> Chief of Police

**I. POLICY**

The department encourages employees to seek opportunities to develop their knowledge, skills, and abilities. Although all officers must attend a basic academy and periodic in-service training, the department attempts to arrange participation in specialized or advanced training. Training has often been cited as one of the most important responsibilities in any law-enforcement agency. Training serves three broad purposes. First, well-trained officers are generally better prepared to act decisively and correctly in a broad spectrum of situations. Second, training results in greater productivity and effectiveness. Third, it fosters cooperation and unity of purpose. Furthermore, agencies are now being held legally accountable for the actions of their personnel and for failing to provide initial or remedial training. The department recognizes the importance of training and is committed to providing the best training available to all personnel.

**II. PURPOSE**

The Police Department has no formal career development program. These guidelines govern employee participation in all training programs made available to personnel of the Police Department, for the enhancement and/or development of their skills, knowledge and abilities in a particular area of interest or expertise.

**III. PROCEDURES**

Training opportunities which are offered through the regional training academy, DCJS or other entity will be posted on the bulletin board. Training opportunities will be reviewed by the Chief prior to posting. Certain individual training is necessary for every officer and the best interest of the Department as outlined below.

A. Responsibilities of the Chief of Police

1. The Chief shall ensure that at least one department employee:
  - a. Achieves and maintains certification as a firearms instructor.
  - b. Receives advanced instruction in evidence collection techniques.
2. All officers shall maintain current Red Cross cardiopulmonary resuscitation

(CPR) and AED certifications.

3. The Chief shall ensure the availability of a trained armorer, either through training a department employee or contracting with an armorer in their jurisdiction. The armorer shall inspect all firearms and ammunition for safety and reliability. The armorer shall also repair broken or malfunctioning weapons.
4. The Chief of Police shall ensure that any employee, upon receiving a new assignment, attend relevant training as soon as practicable.
5. All sworn officers must complete the DCJS required academy training within twelve (12) months of hire.

#### IV. TRAINING

##### A. Attendance

Personnel are expected to attend any assigned training programs. Attendance will be documented by academy or organization responsible for the training. There are cases where attendance at a training program may be excused, such as for court appearance or sickness. Any absence must be properly excused by the administrators of the program attended and must comply with directives under which the training program is operated. The time lost must be made up before any certificate of completion is issued. Certificates will be issued to those students who complete any training program. Employees shall provide a copy of any course- completion certificates to the Chief for inclusion in the employee's personnel file.

##### B. Expenses

With the exception of pencils and pens, all expenses incurred by department personnel as a result of required training will be reimbursed based on actual expense (receipts must be provided).

##### C. Performance-based training

The Department of Criminal Justice Services requires performance-based basic training. This method of training requires the development of performance objectives. The use of performance objectives acquaints the training participants with the information they are required to know, the skills that must be demonstrated, and the circumstances under which the skills will be used. This approach also enables the instructors to relate training directly to the job performance that will be expected by supervisors. An employee who develops an outline for instruction of a topic must develop objectives which:

1. Focus on the elements of the job-task analysis for which training is needed.
2. Provide clear statements of what is to be learned.
3. Provide the basis for evaluating the participants.
4. Provide the basis for evaluating the effectiveness of the training program.

##### D. Lesson plans

1. Lesson plans are required for all training courses conducted or sponsored by the department. It is the responsibility of the individual instructor, whether a member of the department or not, to provide the chief with a copy of the lesson plan for approval before each class.
2. The lesson plan should include a statement of performance objectives, the content of the training, specification of the appropriate instructional techniques, references, relationships to the job tasks, responsibilities of the participants for the material taught, and plans for evaluation of the participants. The instructional techniques that might be used include:
  - a. Conferences (debate, discussion groups, panels and seminars).
  - b. Field experiences (field trips, interviews, operational experiences and observations).
  - c. Presentations (lectures, lecture-discussion, lecture-demonstration).
  - d. Problem investigations (committee inquiry, critical incidents).
  - e. Simulations (case study, simulation, games, and role-play).

E. Remedial training

Remedial training is directed at solving or curing a particular problem or improving performance in a particular area, within a designated time and with clearly defined, expected results.

1. Remedial training may be assigned as a result of discipline or counseling.

F. Training records

1. The Deputy Chief of Police shall maintain, in each personnel file, a training record, which includes:
  - a. The title and type of training received.
  - b. The date and number of hours of attendance.
  - c. The identification of trainers or agencies presenting the course.
  - d. Attendance, the names of all agency personnel receiving training.
  - e. Scores, if any.
  - f. Certificates received.
2. The Deputy Chief shall also maintain files on all in-house training courses or presentations, including:
  - a. Course content (lesson plans).

- b. Personnel attending.
- c. Any performance measures as ascertained through tests or demonstrations.

G. Instructors

1. Instructors for all department-training programs shall:
  - a. Have a minimum of three years law-enforcement experience.
  - b. Have completed an instructor's course and be certified as an instructor.
  - c. Possess a demonstrated skill in an area of instruction.
  - d. Be knowledgeable of teaching theories, methods, and practices and have knowledge of law-enforcement practices.
2. The Chief shall approve instructors enlisted from outside the department. The instructor must have demonstrated skill in his/her area of instruction and comply with requirements for instructing at the regional criminal justice academy. The chief of police will determine any compensation.
3. Before being allowed to instruct any state-mandated courses at the department, instructors shall receive, at a minimum, training in:
  - a. Lesson plan development.
  - b. Development of performance objectives.
  - c. Instructional techniques.
  - d. Learning theory.
  - e. Testing and evaluation techniques.
  - f. Resources.
4. Normally, officers selected and trained, as instructors in a particular subject will be expected to teach it when needed for a minimum of two years.

H. In-service training

All sworn personnel of the department shall, biennially, as required by DCJS, receive 40-hours of in-service school credit. In-service instruction may include:

1. A review of changes or revisions in the *Code of Virginia*, taught by a commonwealth's attorney, on-line academy training or other legally knowledgeable person, supervisory and management training, policies and procedures and any other training deemed as necessary.
2. Firearms training and qualifications annually.

3. Specialized or advance training relative to their individual areas of expertise
  - a. As information becomes available through the Police Academy or similar institutions of learning, details of such courses offered will be posted for all departmental personnel, on the department bulletin board, located at the gatehouse. Requests may be made by departmental personnel to attend these courses.
  - b. An area of expertise requiring specialized or advanced training is described as such, but not limited to an investigator, firearms instructor, defensive tactics instructor, internal affairs, supervisory, field training officers, evidence technicians, radar instructor and armorer.
  - c. The Chief of Police will select those employees to receive specialized or advanced training based upon recommendations of the Deputy Chief of Police and their immediate supervisor.
  - d. Employees receiving such training may be assigned or transferred to positions to allow them to utilize such training received. They may be assigned specific duties within their current assignments which allows for use of the training received. Such assignments may be to instruct other officers.

I. Civilian personnel

All newly appointed civilian personnel will receive the following information from the Chief or his designee. Civilian positions in the department include administrative assistants, communications officers and any other non-sworn employees.

1. Orientation to the department's role, purpose, goals, policies, and procedures.
2. Working conditions, rules, and regulations.
3. Responsibilities and rights of employees.

J. Advanced education

Training may be conducted at academies, colleges and universities. Employees may seek additional higher education to complement career goals. This training may be either beneficial to law enforcement work or to enhance the employee's life experiences. Employees who attend and satisfactorily complete advanced training through their own initiative and expense, may request reimbursement from the department. Written documentation regarding incurred expenses, proof of completion and a summary of training received must be submitted to the Chief of Police along with the request.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 03-18 JURISDICTON; MUTUAL AID**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

On occasion the need arises to request assistance from or give assistance to a neighboring-law enforcement agency. This need usually results from an emergency such as a civil disorder, fire, flood, or other disaster. Before the need arises, agencies must clarify and plan emergency procedures. Aquia Harbour Property Owners Association has a working Emergency Operations Plan for emergencies specific to properties. Police and dispatch responsibilities are delineated in various chapters throughout the plan. Available state support systems shall be used to support operations.

**II. PURPOSE**

To establish procedures, duties, and responsibilities for providing assistance to, or requesting assistance from another law-enforcement agency and to provide for the use of statewide law-enforcement support systems.

**III. PROCEDURE**

A. Jurisdiction/Local Mutual Aid

1. As authorized by Virginia Code Section 9.1-101, in addition to the geographical boundaries of the Aquia Harbour Subdivision, the Sheriff of Stafford County grants the Aquia Harbour Police Department law enforcement authority on the specific properties contiguous to the Aquia Harbour Subdivision. These properties are generally known as the Aquia Town Center, Aquia Church, Aquia Creek, and Government Island. Authorization of law enforcement authority to the properties identified as Aquia Town Center and Aquia Creek are granted for the purpose of providing the ability to the Aquia Harbour Police Department to provide assistance to the Sheriff's Office in an emergency or other situation when requested. Routine patrol of these properties is not required nor expected.

B. Mutual aid:

1. Mutual aid is addressed in § 15.2-1724. For the purpose of this general order, mutual aid is defined as the short-term assistance given or asked for between the department and neighboring law- enforcement agencies during emergencies. The circumstances which require mutual aid, per § 15.2-1724, can include one or more of the following situations:
  - a. Enforcement of laws, which control or prohibit the use or sale of controlled drugs (see §§ 18.2-344 and 54.1-3401);
  - b. Any law-enforcement emergency involving an immediate threat to public safety;
  - c. When executing orders for the temporary detention or emergency custody of people for mental health evaluation;
  - d. Any public disaster, war, fires, floods, epidemic, civil disorder (Ref. AHPOA Emergency Operations Plan (per § 15.2-1724)
  
2. Mutual aid may be requested from or provided to another law-enforcement agency by the department at the discretion of the on-duty supervisor; officers must remember, however, that they are primarily responsible for providing law-enforcement service to. There are generally three levels of mutual aid assistance as follows:
  - a. Short duration, approximately 30 minutes or less, where an additional show of force or traffic control or assistance with prisoner transportation is required.
  - b. Medium duration, approximately one to four hours, where the senior officer on duty may request assistance from the neighboring law- enforcement agencies and the State Police; however, their role is normally confined to a showing of force, transporting prisoners, or traffic control.
  - c. Long duration, more than four hours, full- scale assistance required. The on- duty supervisor shall immediately notify the Chief of Police who will assist in coordinating additional aid as required.
  
3. Any long-term support between the department and neighboring law-enforcement agencies shall be coordinated in advance through a written agreement that incorporates the following:
  - a. Indemnification of the provider agency and its personnel.
  - b. List of resources to be shared.
  - c. Estimate of amount of aid available.

- d. Payment for certain expenses, e.g., meals, lodging, gas, overtime pay.

C. Statewide law-enforcement support

1. The department participates in the use of the Central Criminal Records Exchange (CCRE) and complies with the procedures for the use of this exchange. In addition, the department participates in the Uniform Crime Reporting system administered by the State Police.
2. Some state-owned law- may be made available to the department for special use. These resources, and the to contact, include:
  - a. Canine teams—Stafford County Sheriff’s Office. Canine teams, if requested, shall only be used to track, and great caution shall be used in deploying teams in heavily populated or congested areas. Handlers are responsible for compliance with their own agency policies and procedures.
  - b. Helicopter or fixed-wing aircraft--State Police. Normally requested in advance by the Chief of Police/sheriff to the superintendent. May be available on an emergency basis through the Virginia State Police.
  - c. Polygraph: Stafford County Sheriff’s Office.
  - d. Riot truck and equipment: Stafford County Sheriff’s Office.
  - e. Bomb disposal: State Police.
  - f. Drug surveillance vans: Stafford County Sheriff’s Office.
  - g. Hostage Negotiations: Stafford County Sheriff’s Office
  - h. Tactical Team: Stafford County Sheriff’s Office

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 03-19 OFFICER WELLNESS**

**EFFECTIVE DATE: 12/5/2025**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

Sworn personnel are required to maintain their general health and personal physical fitness at a level which allows them to perform all of the essential job functions as represented in their current position classification.

The Aquia Harbour Police Department supports health life styles, proper physical fitness, and a positive mindset of its employees that ensures duty readiness, the ability to engage in community and personnel activities, and facilitates a productive life.

**II. PURPOSE**

This policy is to promote the physical, mental, and emotional well-being of officers by providing access to wellness resources, encouraging physical fitness, and allowing dedicated time for officers to maintain a healthy lifestyle. This policy aims to reduce stress, improve performance, and enhance overall health, contributing to the safety and effectiveness of both the officers and the community they serve.

**III. DEFINITIONS**

- A. Wellness – a holistic approach to an officer’s well-being that includes physical, emotional, and mental health.
- B. Paid Work-Out Time – paid time during an officer’s shift designated for physical exercise.
- C. Gym Membership – paid membership to a local Planet Fitness gym, provided by the Aquia Harbour Property Owners Association for officer use.

**IV. WELLNESS**

The Aquia Harbour Police Department believes that the physical, emotional, and mental wellbeing of their sworn employees is paramount in order to achieve a positive working environment which directly translates to a work force that promotes community engagement and trust.

- A. As part of the Department hiring / selection process, all applicants who are offered employment undergo a medical examination including physical fitness examination for participation in the physical parameters of law enforcement training as described by DCJS. This establishes a base line for future health examinations and fitness levels.
- B. During basic recruit training at the local regional criminal justice training academy newly hire recruit officers participate in a physical training program. Recruit officers are encouraged to continue their level of fitness throughout their professional law enforcement career.

- C. Each officer is personally responsible for his or her own level of conditioning and ensuring that he or she is always fit for duty.
- D. All officers are encouraged to maintain a diet that is specific to the wellness and health needs of the individual officer. It is recognized that a healthy diet in conjunction with a regularly implemented physical fitness program contributes significantly to the overall wellness and fitness of the individual.
- E. Officers shall undergo an annual medical wellness examination paid for by the Department.

## **V. PHYSICAL FITNESS**

- A. Officers are responsible for his or her own level of conditioning and ensure that he or she is always fit for duty.
- B. All full-time officers will be provided with paid membership to Planet Fitness, which they can use to maintain their physical fitness.
- C. The membership will be for use at any participating Planet Fitness location, and officers are encouraged to make use of the gym during their off-duty hours or within their work schedule when staffing allows.
- D. Officers will be allowed up to 30 minutes of paid workout out time per shift to use for physical exercise, provided it does not interfere with the department's operational needs.
- E. This paid time is subject to approval based on staffing levels and operational demands. When staffing allows, officers can take this time to engage in exercise activities, at the local Planet Fitness facility located on Garrisonville Road.
- F. All full-time officers are eligible for paid Planet Fitness membership and work-out time.
- G. Officers who are on light duty, restricted duty, or other modified schedules may be eligible, subject to the approval of their supervisor and based on their physical capabilities.

## **VI. PROCEDURES**

- A. Officers must receive prior approval from their supervisor for the use of paid work-out time to ensure it does not conflict with department needs, such as emergency calls or staffing requirements.
- B. Work-out time may be taken at any point during an officer's shift but must be scheduled in a way that minimizes disruption to department operations.
- C. Officers may use the Planet Fitness gym located on Garrisonville Rd. while on shift but may use any planet fitness in their off time. The department will cover the cost of membership, but any additional costs related to personal training or upgrades must be paid for by the officer.
- D. Officers should wear appropriate fitness attire when using the work out time during their shift.
- E. Officers are expected to use appropriate safety measures while working out, including adhering to proper exercise techniques and taking precautions to avoid injury.

- F. The department encourages officers to maintain their fitness levels, but it is understood that not all officers may have the same fitness needs or goals. Supervisors may work with individual officers to provide reasonable accommodations when necessary.
- G. Officers should use the 30-minute work-out time for physical fitness activities such as strength training, cardiovascular exercises, or flexibility workouts. Officers are encouraged to choose activities that promote their health and well-being.
- H. Officers should ensure that they remain contactable during the work-out period and are ready to respond to calls if needed. Officers should have their department issued cellphones with them while on work-out time, in the event that a supervisor needs to have them return to work earlier.

## **VII. ACCOUNTABILITY AND COMPLIANCE**

- A. Officers are expected to use their work-out time in a responsible manner. Supervisors may monitor and review usage to ensure that work-out time is used effectively and in accordance with department needs.
- B. Any misuse of paid work-out time will be addressed in accordance with the department's code of conduct and disciplinary policies.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 04-01 PATROL**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

Patrol is the primary activity of law enforcement that includes much more than driving through neighborhoods looking for evidence of lawbreaking. The department expects officers to conduct patrol vigorously to enforce traffic and criminal laws, answer complaints, conduct investigations, promote community relations, transport prisoners, and prevent crime.

**II. PURPOSE**

The purpose of this policy is to define and outline procedures of commonly handled patrol incidents.

**III. PROCEDURES – GENERAL**

**A. Patrol Coverage**

1. The Police Department provides 24-hour coverage, seven days per week, to provide citizens with law enforcement services. The department will provide, generally, the same services at all hours of the day or night in relation to answering calls for service, emergencies, preventive patrol, house checks, security checks, foot patrols, or traffic enforcement.
2. Each patrol officer will normally work an 11.5/11-hour shift on a Panama shift. Any additional days or hours actually worked above the eighty-hour pay period will constitute overtime. Shift schedule as designed provides an overlap to allow for continuous coverage during shift change. The only exception is the change from night and daylight at 0600 hours. All shifts will brief oncoming officers with information that occurred during their tour.
  - a. The Deputy Chief will be responsible for shift assignments, based on:
    - (1) Needs of the Department
    - (2) Officer's preference
    - (3) Final approval by the Chief

## B. Patrol Activities

1. Responding to calls effectively and safely may, in some situations, require several officers. Circumstances requiring the response of at least two officers include:
  - a. Potential or actual assault of an officer
  - b. Possibility of or actual on-scene arrest for a felony or violent misdemeanor.
  - c. Potential or actual resistance to arrest
  - d. Possibility of or actual use of force
  - e. Domestic Assault and Battery
  - f. Crime in progress
  - g. Fleeing suspect
  
2. In accordance with the memorandum of understanding with the Stafford County Sheriff's Office, AHPD will respond if available, take lifesaving actions, and control and secure the scene at all incidents. The following incidents shall be the responsibility of the Sheriff's Department:
  - a. Missing adults and juveniles
  - b. Death investigations, including suicides, suspicious deaths, and homicides
  - c. Runaway juveniles
  - d. Abduction
  - e. Suspected or actual gang activity
  - f. Felonious assault
  - g. Robbery
  - h. Rape, attempted rape, and sodomy
  - i. Felony narcotics violations
  - j. Crimes against children (physical and sexual abuse)
  - k. Serious or fatal accidents
  - l. Burglary
  - m. Stolen/recovered vehicles
  - n. Fatal or serious injury traffic crashes



#### IV. PROCEDURES – CONDUCT WHILE ON PATROL

- A. Aquia Harbour Police Department serves as the primary law enforcement response for the residents of Aquia Harbour. Officers are expected to conduct vigorous patrols to enforce traffic and criminal laws, answer resident complaints and calls for service, conduct investigations, conduct building and amenity safety checks, promote community relations, and prevent crime.
- B. When conducting traffic stops, officers shall employ the utmost care to protect themselves when stopping violations for infractions of law. Consideration must also be given to stopping vehicles from a safety standpoint, during inclement weather, on hills and curves, or in any instance where life and property may be endangered.
- C. When an officer observes a violation of the law, he or she shall either (1) warn, (2) issue a summons to appear before the court, or (3) arrest the violator.
  - 1. The officer shall inform the offender of the following:
    - a. The nature of the offense
    - b. The specific charge if a charge is made
    - c. The procedure the violator must follow in order to bring the matter to a conclusion
    - d. The reason why the offense was detrimental to the safety of the public; if appropriate (e.g. speeding in a residential area)
- D. When responding to complaints and calls for service, officers shall respond expeditiously to the incident or complaint. Officers shall remain impartial to determine whether or not a criminal act has occurred so that a resolution can be made that preserves peace.
- E. The department shall honor requests from property owners to conduct security checks of their homes when they are away. An officer receiving a request shall place that resident's home on the checklist for "Security Checks". Also included in that checklist shall be the resident's name, phone number, and pertinent information about the residence.
- F. While the department shall honor requests from property owners, officers shall provide no guarantee that their property will be safe from vandalism, burglary, or other offenses. Furthermore, officers shall advise the homeowner of crime prevention techniques such as having a neighbor collect mail and/or packages.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 04-02 VEHICLE OPERATIONS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026 updated\***

**AMENDS/SUPERSEDES:**

**APPROVED:** *Bryan Cameron*  
Chief of Police

## **I. POLICY**

All personnel operating department vehicles shall exercise due regard for the safety of all persons: protection of life is the paramount goal of the department. **No task, call, or incident justifies disregard of public safety.** Further, the public expects its law-enforcement officers to demonstrate exemplary driving skills. All department personnel who operate department vehicles will comply with safe driving procedures outlined herein with particular attention to responding to calls for service or engaging in pursuits. Emergency warning devices shall be used consistent with both legal requirements and the safety of the public and department personnel.

Pursuits represent a dangerous and difficult task that receives much public and legal scrutiny when accidents, injuries, or death result. Pursuing officers and supervisors must justify their actions and, once they have decided to pursue, continuously evaluate the safety of their actions. Further, forcible measures to stop a fleeing driver, as detailed below, are prohibited except where deadly force is appropriate.

## **II. PURPOSE**

To establish procedures governing the operation of police vehicles, with special attention to emergencies and pursuits.

## **III. DEFINITIONS**

- A. Boxing In - A deliberate tactic by two or more pursuit vehicles to force a pursued vehicle in a specific direction or to force it to reduce speed or stop by maneuvering the pursuit vehicles in front of, behind, or beside the pursued vehicle. Boxing in is prohibited by policy.
- B. Caravanning - Direct participation in a pursuit by department vehicles other than the primary and authorized support vehicles. Caravanning is prohibited by policy
- C. Felonious Crime Involving Violence - An offense involving violence or the threat of violence to another person, or the use or threat of physical force to another person. Examples:
  - 1. Murder;
  - 2. Rape;
  - 3. Robbery;
  - 4. Felonious Assault;

5. Felonious Sexual Offense;
  6. Abduction;
  7. Arson involving death or serious injury;
  8. Any property crime coupled with life-threatening acts
  9. Any felonious crime involving the display or use of a firearm.
- D. Emergency Driving - That driving in response to a life-threatening or other serious incident (based on available information) which requires emergency equipment in operation. *Virginia Code* §§ 46.2-829, -920, and -1022 apply.
- E. Emergency Equipment - Flickering, blinking, or alternating emergency lights and a siren, whistle, or air horn designed to give intermittent signals automatically. §§ 46.2-920 and -1022 apply. All marked vehicles have distinctive, reflectorized decals for additional visibility. In this order, an authorized emergency vehicle is one that is equipped with emergency equipment.
- F. Normal or routine driving - That driving which dictates vehicle speed consistent with the normal flow of traffic, obedience to vehicle laws and posted signs, adherence to commonly understood "rules of the road."
- G. Primary Pursuit Vehicle - Normally the department vehicle that begins the pursuit or the vehicle closest to the fleeing suspect. The primary pursuit vehicle may be re-designated by order of the on-duty supervisor.
- H. Pursuit Driving - An active attempt by an officer in an authorized emergency vehicle to apprehend a suspect who is fleeing or evading apprehension, provided the officer reasonably believes that the suspect is refusing to stop and is willfully fleeing capture by high-speed driving or other evasive maneuvers and the officer has probable cause to believe that the fleeing suspect has committed, or has threatened to commit, a felonious crime involving violence or the display or use of a firearm. Pursuits shall be conducted only with activated emergency equipment as defined in § 46.2-920 and -1022 and under circumstances outlined in this order. An attempt to stop a vehicle that is not fleeing or attempts to stop a vehicle that is refusing to stop while still obeying traffic control devices and not exceeding the speed limit by more than ten miles per hour is not a pursuit.
- I. Risk – The degree of danger or hazard to the public or officers.
- J. Roadblock – Any method, restriction, or obstruction used to prevent free passage of vehicles on a roadway in order to stop a suspect. Roadblocks are prohibited by policy.
- K. Support vehicles - The second or additional department vehicles, participating in the pursuit, which follows the primary pursuit vehicle at a safe distance and helps the primary one once the suspect vehicle has stopped, or which can assume the primary role if circumstances dictate.

## IV. GENERAL PROCEDURES FOR ALL RESPONSES

### A. General

1. All departmental vehicles shall be driven safely and properly in full compliance with all traffic laws and regulations. Department vehicles are conspicuous symbols of authority on the streets, and many people observe an officer's actions. Each officer must set an example of good driving behavior and habits.
2. Under certain emergencies as defined below, the Code of Virginia authorizes officers to disregard traffic regulations. Both the operator and the department, however, are not released from civil liability for failure to use reasonable care in such operation.

### B. Routine Operation

1. In case of accident or damage to any department vehicle, the driver shall document the damage on a memorandum to the Chief.
  - a. The officer shall forward that memorandum along with photographs of the damage to the Deputy Chief for review.
  - b. Once a review has been conducted the Deputy Chief shall report findings to the Chief of Police.
  - c. If, in the opinion of the Chief of Police, vehicle damage resulted from the abuse or neglect caused by an officer, disciplinary actions may result.
2. In case of accident that disables any department vehicle, the officer shall immediately request the on-duty (or on-call) supervisor to conduct an investigation.
  - a. The on-duty (or on-call) supervisor may respond to the accident depending upon the severity of the damage to the vehicle. If there is any injury to the officer, the on-duty (or on-call) supervisor shall respond to the accident scene.
  - b. The officer shall forward a memorandum detailing the circumstances along with photographs of the damage to the Deputy Chief for review.
  - c. The on-duty (or on-call) supervisor shall forward a memorandum of their investigatory findings to the Deputy Chief for review.
  - d. Once a review has been conducted, the Deputy Chief shall report findings to the Chief of Police.
  - e. If, in the opinion of the Chief of Police, vehicle damage resulted from the abuse or neglect caused by an officer, disciplinary actions may result.
3. Vehicles used in routine or general patrol service shall be conspicuously marked.
4. Unmarked cars should not be used for pursuit except in absolute emergencies but may be used for patrol. They may be used to stop vehicles provided they are equipped with grille or dash mounted emergency lights and a siren.

5. Standard lighting equipment on marked vehicles includes hazardous warning lights, spotlights and alley (side) lights on the rooftop light bar. Hazardous warning lights may be used at any time the department vehicle is parked where other moving vehicles may be endangered. Alley lights and spotlights may be used when the vehicle is stationary or moving at speeds not to exceed 15 miles per hour and shall not be used in a manner which will blind or interfere with the vision of operators of other approaching vehicles (§ 46.2-1029).
6. All personnel or ride-alongs during vehicle operation shall wear seat belts and shoulder straps. Prisoners shall be strapped in with seat belts whenever possible.
  - a. Exception: When approaching an incident scene or a call where the officer believes that a rapid exit from the vehicle may be required, the officer may release the seat belt (§ 46.2-1094 applies).

### C. Inspection

1. Before each duty assignment, officers shall check their vehicles for cleanliness and operability of all equipment. Officers shall also ensure that vehicles have adequate levels of oil, brake fluid, power steering fluid, and gas.
2. Officers shall check the safety features of the vehicle before assuming duty. The check shall include (but not be limited to) all lights, brakes, siren, horn, and steering.
3. Officers shall examine their vehicles at the beginning and end of their shifts for damage. Officers shall report any damage immediately to the on-duty (or on-call) supervisor.
4. Officers shall examine their vehicles at the beginning and end of their shifts to search for evidence, contraband, or property discarded by prisoners or others. Rear seats shall be thoroughly checked.
5. Officers who discover a department vehicle in need of extensive repairs shall immediately inform the on-duty (or on-call) supervisor.
6. If, in the opinion of the chief of police, vehicle damage resulted from abuse or neglect caused by an officer, disciplinary action may result.
7. No driver shall modify, remove, de-activate, or otherwise tamper with the vehicle safety belts, emission control device, or any part of the vehicle which affects its operation.
8. During periods of inclement weather when department vehicles cannot be washed regularly, the driver must ensure that headlight and taillight lenses are kept clean, insofar as circumstances permit.
9. No officer or employee shall operate any department vehicle, which he or she believes to be unsafe.

## D. Driving Rules

1. The driver shall carefully observe the surrounding conditions before turning or backing any vehicle.
2. A department vehicle shall not be left unattended with the engine running unless locked, nor shall the vehicle be left unlocked when the officer has left it to handle other business.
3. The driver must recognize the variable factors of weather, road surface conditions, road contour, and traffic congestion, all of which directly affect the safe operation of any motor vehicle and shall govern the operation of the vehicle accordingly.
4. Officers responding to certain crimes-in-progress sometimes discontinue the use of the siren upon approaching the location of the occurrence. Officers shall understand that to do so means that, according to Virginia law, they are no longer operating an emergency vehicle and must therefore observe all posted speeds and traffic control devices.
5. Emergency driving to the scene of a motor vehicle accident is permissible **only** when an emergency exists, (Code 1 response indicated by dispatch) when specific information indicates that conditions at the scene require an emergency response, or when directed to do so by a supervisor.
6. Upon approaching a controlled intersection or other location where there is great possibility of collision because of traffic congestion, the emergency driver shall reduce the speed of the vehicle, stopping completely, if necessary, before entering and traversing the intersection. When faced with a red traffic signal or stop sign, however, the officer shall stop his or her vehicle and ensure by careful observation that the way is clear before proceeding through the intersection.
7. Regardless of the seriousness of the situation to which the officer is responding and excepting circumstances that are clearly beyond the officer's control, he or she shall be held accountable for the manner in which he or she operates the vehicle.
8. At the scene of a crime, a motor vehicle crash, or other incident, a department vehicle shall be parked in such a manner so as not to create an obstacle or hazard to other traffic, unless necessary for the protection of an incident scene or injured persons. If a traffic hazard exists, the emergency lights and four-way flashing lights shall be used to warn other drivers approaching the location.
9. Operators of department vehicles must bear in mind that traffic regulations requiring other vehicles to yield the right of way to any emergency vehicle do not relieve the emergency vehicle operator from the duty to drive with due regard for the safety of all persons using the highways, nor shall they protect the driver from the consequences of an arbitrary exercise of such right of way (§ 46.2-829).

## V. PROCEDURES FOR EMERGENCY DRIVING

### A. General

1. No fixed rule can apply to every circumstance that may arise governing emergency driving. Although an officer may receive information that leads him/her to respond to a

call with emergency lights and siren activated, in the majority of such cases an officer discovers, upon arrival, that an emergency response was not justified.

2. § 46.2-920.B states that the exemptions to driving laws granted to emergency vehicle operators "shall not, however, protect the operator of any vehicle from criminal prosecution for conduct constituting reckless disregard of the safety of persons and property" and that the law does not "release the operator of any such vehicle for failure to use reasonable care in such operation." Recognizing that protection of human life is paramount, the responding officer must remember that his or her objective is to get to the location of the occurrence as soon as possible--safely--without danger to himself or to others.

## B. Response Codes

1. Calls for service are classified by the dispatcher based on information received, as Code 1, 2 or 3 depending on circumstances. The codes are defined as follows:
  - a. **Code 1: Code 1 responses are authorized for any emergency where the preservation of life is a consideration.**
    - 1) Primary and support units responding to Code 1 calls shall proceed rapidly to the location of the emergency by the most direct means (consistent with § 46.2-920), using all emergency warning devices with a paramount consideration for the safety of the public and the assigned officers.
  - b. **Code 2: Code 2 responses are authorized for any other situation regardless of apparent urgency where the preservation of life is not a consideration.**
    - 1) Units responding to Code 2 calls shall respond to the location without delay, complying with all traffic regulations and shall not use emergency warning devices.
  - c. **Code 3: Code 3 responses are authorized for any situation readily evident to be a non-emergency.**
    - 1) Units responding to Code 3 calls shall respond to the location in a non-emergency manner. The calls are to be completed at the officers' convenience.
  - d. Field supervisors shall monitor the response codes for calls for assistance and shall have the authority to upgrade or downgrade assigned response codes. Field supervisors shall closely monitor all Code 1 calls and shall respond if necessary.

## C. Dispatcher Assignments

1. The dispatcher shall assign Code 1 classification to those calls for service which meet the description under B.1.a above, which indicate a crime involving violence is in progress or where the suspect is armed, and all other requests alleging an implied or immediate threat to the safety of a person. Some felonies-in-progress that do not apparently involve violence are dispatched as Code 1. Examples of Code 1 calls (not all-inclusive) include:

- a. An officer who needs urgent help.
  - b. A burglary in progress.
  - c. A robbery in progress.
  - d. A person with deadly weapon.
  - e. A serious injury or fatal accident or hit/run.
  - f. A riot or large disturbance with fighting or injuries or damage occurring.
  - g. An apparent homicide.
  - h. A fight- or an assault-in-progress.
  - i. A sex offense in progress.
  - j. An auto theft in progress.
  - k. A shoplifting involving a violent suspect.
  - l. Domestic dispute with an assault in progress or just occurred with a suspect still present.
  - m. An in-progress suicide attempt.
2. Upon receiving a request for law-enforcement service, which necessitates the dispatch of an officer, the dispatcher receiving the request shall determine sufficient facts to set the priority code of the response.
- a. The dispatcher shall obtain information about the following:
    - 1) Whether the perpetrator is still on the scene, or armed.
    - 2) Condition of the victim.
    - 3) A possible hostage situation.
    - 4) The direction and method of travel of any fleeing suspects.
    - 5) A description of any fleeing vehicles.
  - b. When sufficient information concerning a request for service has been obtained, the dispatcher shall assign the complaint a response code. Absent any information to suggest that the call involves an in-progress crime, and absent any information that violence has been involved or is occurring, the dispatcher shall assign the call as Code 2.
  - c. The officer may initiate a Code 3 response under some circumstances. See D.4 below.

#### D. Officer's response to a call

1. Upon arrival at the scene of a call, the responding officer shall rapidly evaluate the situation and determine whether additional units are still needed or whether other units responding Code 1 can be slowed or cancelled.
2. All units responding to robbery- and burglary-in-progress calls, before coming within hearing distance, shall discontinue the use of the siren and at that time fully comply with all traffic laws. Before coming within sight of the location, officers shall discontinue the use of the emergency warning lights.
  - a. Officers are reminded that upon deactivation of a siren and flashing lights, their response ceases to be an emergency, and they must comply with all posted speeds and traffic control devices.
3. In situations requiring a silent response, e.g., alarms and prowler calls, officers shall respond as rapidly as possible, obeying all traffic laws and signs.
4. Officer-initiated response.
  - a. Any incident where the use of emergency lights constitutes a necessary warning for the safety of life (such as scenes of fires, accidents, or disasters).
  - b. As a visual signal to attract the attention of motorists being stopped for traffic violations, or to warn motorists of imminent dangers.
  - c. Responding to Code 2 calls, where the officer has previous or additional information which, had the dispatcher known it, would have resulted in the call being dispatched as Code 1. Responding officer to notify dispatch of code change.
  - d. Whereas because of location, distance to be traveled, or traffic conditions, the officer determines that emergency operating conditions are essential in order to provide an appropriate response.
  - e. In response to an officer's emergency request for assistance.
  - f. For pursuit, see section VI.

#### E. Use of emergency warning devices in non-emergencies

1. Officers shall activate emergency equipment to notify drivers that they must stop and to provide a safe environment for the driver, officer, and the public.
2. Officers may activate emergency equipment in non-emergencies when expediency is required to eliminate a potential hazard to the public or other officers, such as using emergency lights to protect disabled motorists or when department vehicles are used as protective barriers.

## VI. PROCEDURES FOR PURSUIT

### A. General

1. All Police Department personnel operating vehicles in a law enforcement capacity shall be thoroughly familiar with all the laws of this state concerning the use of emergency vehicles and equipment, as well as applicable Police Department procedures. Every officer of this agency must become familiar with the provisions both through Police Department training and personal reading of the statute.
2. It is important to remember that traffic law exemptions provided by the state law, such as those outlined in Virginia Code 46.2-920, are contingent upon due regard for the safety of all persons. The courts have frequently considered this phrase as placing a higher burden of responsibility on the officers as opposed to a lesser one. Any questions regarding applicable laws and procedures should be promptly directed to the supervisor.
3. All pursuits units shall maintain an adequate distance to ensure adequate reaction and braking time unless tactics require the distance to be closed.
4. Officers engaged in pursuit shall at all time drive in a manner exercising reasonable care for the safety of themselves and all other persons and property within the pursuit area.
5. Should the person(s) attempting to avoid apprehension stop the fleeing vehicle and proceed on foot, the officer should stop, give his location, and continue efforts to make apprehension. The backup/secondary officer will assist in making the arrest. Care should be used in running past the suspect vehicle to ensure that other occupants are not injured or a danger to responding officers.
6. Whenever the pursuit extends off roadway, as when the fleeing vehicle leaves the roadway and proceeds cross-country, the pursuing officer(s) must carefully consider whether or not the seriousness of the offense outweighs the risk of his safety and the potential damage to the vehicle or private property. When the risk of pursuit exceeds the need to capture the offender, the officer must discontinue pursuit.
7. Following the termination of any pursuit, involved Police Department members shall cooperate fully in all post-incident evaluations, critiques, or investigations. To the maximum extent feasible, post-incident critiques will be used as the basis for Police Department training to highlight both positive and negative aspects of the pursuit operation.
8. Intersections are a particular source of danger. When approaching an intersection where signal lights or stop signs control the flow of traffic, officers shall:
  - a. Slow to a stop and enter the intersection at a reduced speed and only when safe, when all other vehicles are aware of the officer's presence.
  - b. Resume pursuit speed only when safe. When using emergency lights, siren, and headlamps, the officer is requesting the right of way and **does not absolutely have** the right to run a red traffic light or stop sign.
9. The pursuit shall be limited to the initial unit and one secondary Aquia Harbour unit.

10. Officers shall not engage in a pursuit until they have successfully completed a Police Department approved Emergency Vehicle Operations Course that includes pursuit tactics. Officers may also be required to attend annual training that specifically covers the Police Department Pursuit Policy.

#### B. Justification for Pursuit

In determining whether to pursue, the officer must weigh the decision by examining the degree of seriousness of the incident against the risk levels involved.


1. An Officer may pursue a vehicle only when they have reason to believe the violator has committed or is attempting to commit a serious felony (a felony involving the use or threatened use of violence) or when the necessity of immediate apprehension in case of a non-violent felony, or misdemeanor that outweighs the level of danger created by the pursuit.
2. Officers shall not operate a vehicle at a speed that is not consistent with due regard for safety and is reasonable under the conditions. The Police Department expects an Officer to end their involvement in pursuit whenever the risks to his own safety or the safety of others outweigh the danger to the community if the suspect is not apprehended.
3. The decision to begin and the responsibility for continuing rests primarily, if not solely with the individual officer(s) involved. In deciding, he is faced with a dilemma because although the law does not prevent him from using emergency speeds while engaged in pursuit, it does hold him criminally and civilly responsible for their actions. Therefore, officers must exercise sound judgment and carefully consider the seriousness of the offense, the possible consequences and the safety of the citizens. Such considerations include:
  - a. Does the seriousness of the crime warrant a chase at unsafe speeds?
  - b. What is the possibility of apprehension?
  - c. Will the pursuit take place on residential streets, a business district, or interstate?
  - d. Is the offender known so that warrants can be obtained if he escapes?
  - e. Do weather and traffic conditions make the pursuit a higher risk?

[REDACTED]

[REDACTED]

### C. Pursuit Prohibitions

1. Officers shall not engage in high-speed pursuits when prisoners, suspects, complainants, witnesses, or any other person(s) that are not sworn police officers of this state occupies their vehicle. This prohibition applies whether or not the passenger has been approved for or has been authorized for a ride-a-long and has signed a waiver of liability.
2. In case of pursuit, should the violator enter a one-way street against the flow of traffic or enter a major highway or interstate/freeway by proceeding along an exit ramp against the flow of traffic direction, the pursuing officer shall not follow the violator but instead transmit detailed observations via radio about the suspect vehicle's location, speed, and direction of travel.
3. Officers shall not intentionally ram, bump, or collide with a fleeing vehicle nor shall officers pull alongside such vehicles in an attempt to force them off the road or into an obstacle.

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5. Boxing in is prohibited by department policy.
  6. Caravanning is prohibited by department policy.
  7. Officers shall not fire their weapons from a moving department vehicle.
  8. Roadblocks (stationary/rolling) are prohibited by department policy.
  9. Officers involved in a pursuit shall not try to overtake or pass the suspect's vehicle.

### D. Primary Officer Responsibilities

1. The officer's primary responsibility in a pursuit is the safe operation of the vehicle. The officer who undertakes a pursuit does so at their own discretion taking into consideration the factors listed within this policy.
2. The pursuing officer shall activate all emergency equipment prior to beginning the pursuit. All officers involved in the pursuit of any capacity shall activate the body worn camera upon their initial involvement in the pursuit.
3. Officers shall only pursue persons on probable cause that the fleeing persons have committed or is attempting to commit a serious felony (a felony involving the use or threatened use of violence) or when the necessity of immediate apprehension in case of a non-violent felony, a misdemeanor or traffic offense outweighs the level of danger created by the pursuit. Only marked vehicles with emergency equipment shall pursue.

The Officer shall notify the SCSO dispatcher of the following:

- a. Unit Identification
- b. Location, speed and direction of travel of the fleeing vehicle
- c. Description of the vehicle and the license plate number, if known

- d. Number of occupants in the fleeing vehicle, including descriptions
- e. Reason for initiating or continuing the pursuit
- f. Weather conditions and other vehicle traffic conditions
- g. Continual updates of conditions, location and direction

#### E. Back-up Officer Responsibilities

1. The first back-up unit to respond shall assist the primary officer in making the arrest.
2. That officer will assume the radio responsibilities of updating the dispatcher with the location and direction of travel of all vehicles involved, thereby allowing the primary officer to focus attention on pursuit driving.
3. A secondary pursuit vehicle shall not pass the primary pursuit vehicle unless requested to do so by its operator or directed to do so by a supervisor.
4. All patrol officers not directly involved in the pursuit shall monitor radio traffic and not talk unless they are directly involved in the pursuit.
5. In the event a patrol officer not involved in the pursuit needs further information concerning the pursuit, they shall use an alternate talk group.

#### F. Supervisor Responsibilities

1. The on-duty supervisor shall monitor the pursuit by ensuring compliance with department policy, directing officers to join or abandon pursuit, reassigning primary and support pursuing vehicles if necessary, approving or directing pursuit tactics, and terminating the pursuit.
2. The on-duty patrol supervisor shall monitor the pursuit and may respond to the location of the stopped suspect. The supervisor may end the pursuit at any time that he or she feels circumstances warrant.
3. When an on-duty AHPD supervisor is not on duty, a SCSO supervisor will monitor the pursuit and direct officers to join or abandon pursuit.
4. No more than two department vehicles may pursue a fleeing suspect without the specific authorization of the on-duty (or on-call) supervisor. In authorizing additional department vehicles to pursue, the supervisor shall consider:
  - a. The nature of the offense.
  - b. The number of suspects.
  - c. The number of officers currently participating as primary or support vehicles.
  - d. Any injuries or property damage already sustained as a result of the pursuit.

- e. Any other clear, articulated facts that would justify the assignment of additional department vehicles.
4. After the incident, the supervisor shall critique the pursuit with all of the officers' involved and direct participants to submit reports.
5. The on-duty supervisor at the time the pursuit was begun will retain authority over the pursuing officers of the department for the duration of the pursuit while within Aquia Harbour jurisdiction.

#### C. Out-of-jurisdiction Pursuits

1. Pursuits beyond the local jurisdiction require the direct approval of the on-duty supervisor and, if approved, shall be conducted according to this order.
  - a. Officers shall review § 19.2-76 concerning arrests outside the jurisdiction where the offense is charged and § 19.2-77 concerning pursuits and arrests anywhere within Virginia. Officers are authorized to pursue a suspect and apprehend him wherever he is found within Virginia.
2. Once the pursuit has entered another jurisdiction, if officers from that jurisdiction enter the pursuit, department officers shall cease their emergency driving (unless circumstances require their continued pursuit), turn off emergency equipment, and follow the pursuit while observing all posted speed limits and traffic control devices.
  - a. AHPD Officers initiating a pursuit within Aquia Harbour jurisdiction shall notify SCSO dispatch immediately to request additional SCSO resources. Should the pursuit proceed towards the entrance of the property; AHPD Officers shall notify SCSO dispatch and ascertain location of closest SCSO back up deputy. Once SCSO resources have joined the pursuit, AHPD officers are instructed to cease pursuit and return to Aquia Harbour jurisdiction unless otherwise instructed by a supervisor.
  - b. No officer may leave the geographical boundaries set forth in this policy in pursuit of a vehicle unless the officer has established reasonable suspicion that the person being pursued has committed or is committing any of the following:
    - i. A felony involving violence or threatening violence or outstanding warrants for a violent felony.
    - ii. Any misdemeanor violation where the driving behavior is indicative of extreme impairment and failure to stop the vehicle could result in serious injury or death.
    - iii. A supervisor in charge of the pursuit may authorize the pursuit to continue when the necessity of immediate apprehension in case of a non-violent felony or a misdemeanor offense outweighs the level of danger created by the pursuit. The supervisor must consider the traffic conditions, offender's driving behavior, speed, weather conditions, officer experience level, and severity of the crime.
    - iv. If the pursuit is for traffic related charges only, the pursuit will be

terminated when it leaves the geographical boundaries of Aquia Harbour jurisdiction unless Stafford County Sheriff's Office decides to continue the pursuit themselves.

3. If officers from another jurisdiction pursue a suspect into ours, department officers shall enter the pursuit only if the other agency specifically requests help and the on-duty supervisor approves our participation, and the pursuit is for a crime involving felonious violence. Any non-pursuit assistance (including apprehension of a stopped suspect) may be provided as the circumstance dictates.
4. When the fleeing suspect is apprehended in another jurisdiction, the pursuing officer shall take the arrested person before a judicial officer of that jurisdiction. The officers shall then go before our local magistrate to obtain a warrant and ensure that a teletype is sent through VCIN to the apprehending jurisdiction as soon as possible, acting as a detainer.

## VII. TERMINATING PURSUITS

- A. This order has noted the necessity for a pursuing officer to continuously evaluate the risks and goals of a pursuit. Under some conditions, abandoning a pursuit may prove the most intelligent decision the officer can make.
- B. Because the decision to terminate a pursuit is based on the analysis of the risk created by the pursuit compared to the benefits gained by an immediate apprehension, the officer's or supervisor's decision to terminate shall be respected. The due regard for the safety of others includes the consideration of the risks created by the violator's driving as well as that of the officer. Termination must occur when ordered by the supervisor in charge or when the officer driving the lead unit determines that termination is the appropriate response based upon evaluation of the likelihood of apprehension, escalated danger to the public including passengers in the suspect vehicle, environmental, road, equipment, or weather conditions or any combination of such considerations. An officer's decision to terminate will not result in any adverse Police Department action or stigma.
- C. Officers **shall discontinue** a pursuit under the following circumstances:
  1. Situations that violate this policy
  2. The on-duty supervisor orders it
  3. The pursuit of a motorcycle, motorized bicycle, all-terrain vehicle (ATV), semi, or tanker should be terminated if the driver of the vehicle is engaged in dangerous or evasive tactics (disregarding stop signs, dangerous or continuous lane changes, excessive speeds, etc.) unless the perpetrator, if not immediately apprehended, may cause death or serious bodily injury to members of the public.
  4. Situations in which the offender is identified, and the failure to apprehend the offender during the pursuit poses no immediate threat of death or serious injury to another person and the vehicle is engaged in evasive tactics (disregarding stop signs, dangerous or continuous lane changes, excessive speeds, etc.)
  5. The pursuing officer knows or is reasonably certain that the fleeing vehicle is operated by a juvenile and the offense constitutes a misdemeanor or non-violent felony. (The

pursuit may stimulate the juvenile to recklessly disregard public safety)

6. Weather or traffic conditions substantially increase the danger of pursuit beyond the worth of apprehending the suspect.
7. The pursuing vehicle experiences an equipment or mechanical failure that renders the vehicle unsafe for emergency driving.
8. The pursued vehicle has outdistanced the pursuing officer such that its location is not known.
9. A person has been injured during the pursuit, and no medical or other department personnel are able to provide help.
10. The pursuing officer perceives a clear, unreasonable danger to officers, the fleeing suspect, or the public, and the danger created by continuing the pursuit outweighs the value of apprehending the suspect **at the time**.
11. In the event deputies involved in the pursuit lose contact with the communication center (ie. Radio/cell)

## VIII. APPREHENSION

- A. At the conclusion of a pursuit, custody and control of a suspect requires the priority attention of the officers involved. The means of apprehending a suspect will be determined by the circumstances known to the officers at the scene of the pursuit's conclusion. Suspects who have committed serious offenses must be approached in accordance with training provided for conducting high-risk stops. Every situation must be evaluated by officer's familiar with the circumstances of the underlying offense for which pursuit was initiated. Primary emphasis must be on officer safety and use of only necessary force in the apprehension of the suspect.
- B. The supervisor controlling the pursuit will determine the means of affecting the apprehension of the suspect based upon the information provided by the primary and/or secondary unit. This determination shall include the decision to order additional or specialized units to the scene of the pursuit's conclusion. Only the officers involved in the pursuit and those units ordered to the scene by the supervisor will respond.

## IX. MEDICAL ASSISTANCE

- A. In the event any person is injured during the course of the pursuit, the involved officer(s) shall immediately provide, or plan for providing medical care. The care for human life will exceed the capture of a fleeing suspect in the vast majority of situations. If the pursuit must be continued to prevent additional deaths or injury, the pursuing officer(s) must plan via radio to provide the victim(s) alternate care.

## X. FOLLOW-UP REQUIREMENTS

- A. The on-duty supervisor shall ensure that all participating officers document their involvement in the pursuit before the end of their shift **whether or not the suspect was stopped**. The supervisor shall prepare a summary report, which includes:
  1. The names of participating officers.

2. A narrative description of where the pursuit began and under what circumstances (including the weather conditions and road description), where it ended and under what circumstances, at what speeds, and the duration of the pursuit.
3. A description of the tactics used to stop the suspect's vehicle, including the use of tire-deflation devices, and an evaluation of their effectiveness.
4. Any observations on the behavior or actions of the fleeing driver that may support additional criminal charges.
5. A description of how the suspect was apprehended, and the force measures employed.
6. A description of property damaged or an account of injuries sustained during the pursuit.
7. The offenses for which the suspect was charged.

B. That summary report shall be forwarded via email to the Deputy Chief of Police and Chief of Police for review.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 04-03 ALARM RESPONSE**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

Alarms are a means of notifying the local law-enforcement agency that a serious crime may be in progress when the use of a telephone is impractical or impossible. Despite the frequency of false alarms, verified alarms represent a threat to citizens and law-enforcement officers and therefore require an organized, cautious response. All alarms shall be responded to as if they are real until proved otherwise. With this in mind, officers shall proceed with extreme caution when answering any type of alarm call. Officers shall be aware that alarms can be activated in a number of ways, the nature of the alarm sometimes determining the response.

**II. PURPOSE**

To outline a plan to be followed in response to activated alarms to promote officer safety.

**III. PROCEDURES**

**A. General Activated Alarms Response and Notification**

1. For all alarms, two units will be dispatched immediately to the alarm location. Two units shall respond unless one of the units disregards the second unit. Any alarm having less than three (3) activations in the preceding 30 days shall have two units dispatched. If there have been three (3) or more false alarms during the preceding 30 days, one (1) unit will be dispatched with a lower priority response.
2. At the direction of Patrol Supervisor or responding officer; dispatcher may make telephone contact with the home. Once contact is made with the home, the dispatcher will identify the individual with whom they are speaking. In the event, the dispatchers believe the circumstances are suspicious in nature, they will maintain telephone contact until the officer arrives on scene.
3. If a telephone call goes unanswered, responding officers shall be advised. No messages will be left on answering machines, unless requested by the officer.
4. Upon arrival at an alarm activation, all officers will check the outer perimeter for security. If the home owner meets the officer upon their arrival, the officer shall verify their association to the residence.
5. During an alarm call for service, it is discovered that the alarm is a third or subsequent false alarm within thirty days, the responding officer shall leave a business card with information for the homeowner to follow up with the Police Department.

## B. Responding to a Residential Alarm

1. Upon arriving at a scene, officers will park their cruisers in a tactical manner.
2. Officers shall check for suspicious persons and/or vehicles
3. The responding officer will first check the exterior of the residence to ensure that all windows and doors are secured
4. When possible, officers shall try to contact the owner or person in charge of the residence before entering
5. Unescorted entry should only be made if it is possible that a suspect is still on the premise or it is evident that a crime may have occurred.

C. Officers are reminded of the terrain inside Aquia Harbour and advised to terminate any sirens well before arriving on scene.

<b>AQUIA HARBOUR POLICE DEPARTMENT</b> <b>POLICIES AND PROCEDURES</b>	
<b>Policy: 04-04 VICTIM SERVICES</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  Chief of Police

## **I. POLICY**

The rights of suspects and defendants involved in the criminal process are unquestionably important; yet it is equally important to protect the rights of the victims of crime. Victims have a need and an expectation to obtain fair and humane treatment from law enforcement personnel. Crime victims often suffer physical, psychological, and financial injuries. The first source of protection for most victims is the law enforcement officer.

A victim treated well during a crisis provides the law enforcement officer with a better witness who will give a more accurate account of what happened. The Police Department recognizes the importance of adequate victim services. Responsiveness to the needs of crime victims must be a Police Department priority.

## **II. PURPOSE**

The purpose of the policy is to establish guidelines, responsibilities, and procedures for crime victim assistance.

## **III. PROCEDURES – GENERAL**

### **A. General Responsibilities**

1. “Victim” means a person who suffers as a direct result of a crime committed upon his or her property or person.
2. All members of the Police Department have responsibilities for, and shall support, crime victim assistance procedures.
3. Police Department personnel shall consider victims as clients of the Criminal Justice System who are to be treated with respect and fairness.
4. Police Department personnel shall view victim assistance as a partnership. Better treatment of victims will result in better investigations leading to more convictions.
5. Cultural/language differences may exist. Personnel are encouraged to use interpreters and translator services, if needed.
6. All personnel shall receive periodic In-Service training on the nature and impact of victimization.

- a. The Police Department will provide In-Service training at least annually concerning Victim Assistance.
  - b. Training may include recognition of symptoms of crisis (shock, disbelief, denial, anger, fear, guilt, frustration); suggested approaches to interviewing victims and resources available to the officers.
  - c. The Chief shall ensure that Police Department personnel are trained periodically on current procedures used locally in the processing of a victim's case and the victim's role in each stage.
7. Officers are required to render assistance to victims unless victims refuse it. An officer who has a duty to act to assist a victim may be liable for negligence for improperly performing or failing to perform a duty. (Federal and State Courts have decided that victims of crime have a right to equal protection of the law under the 14th Amendment of the Constitution and that victims under certain circumstances may have a special relationship with law enforcement agencies. Failure either to provide an appropriate response to victims or to respond upon the pleadings of a victim for help may be judged as malfeasance or nonfeasance of official law enforcement duties and obligations.)

#### **IV. PATROL RESPONSIBILITIES**

##### **A. Arrival at scene**

1. Officers shall
  - a. Record date and time of arrival.
  - b. Determine location and condition of victim.
  - c. Determine if suspect is still at crime scene (initiate crime broadcast, if applicable);
  - d. Summon ambulance, if needed.
2. Officers must explain their role to the crime victims and why they need to ask questions.
3. Officers shall know and practice crisis intervention skills.

##### **B. Crime scene preservation**

1. First officer on the scene is responsible for preserving crime scene and to fully explain to the victim what the investigation will entail.
2. Ensure that evidence is not destroyed or contaminated. Further, an officer must remain at the crime scene until the evidence is processed.
3. Victims must be informed of the necessity of taking photographs of the person and removing personal belongings for evidence. Officers shall use tact in explaining evidence collection procedures because the victim may well be upset or distraught.

- C. Officers shall demonstrate concern for the victim after the crime has occurred. To this end, officers shall freely provide information about available social services, the criminal justice process, or accommodate any other reasonable need.
- D. Identify and separate witnesses
1. Record names and addresses of witnesses and other persons at the scene.
  2. Obtain valid identification, if possible
  3. Obtain preliminary statements.
- E. Interview victims separately from witnesses and in privacy
1. Victims are interviewed; suspects are interrogated. Interviews with victims require patience, firm but not overbearing control, tact, and a demonstrated concern for their discomfort.
  2. Establish rapport with the victim. Explain the necessity of asking specific personal questions.
  3. Use appropriate interview techniques.
- F. Assess medical/psychological needs of victims.
1. Arrange for appropriate treatment as soon as possible. The victim may want or need to be examined and reassured of his or her physical condition. Similarly, the victim may want or need to speak to someone for psychological support (relative, friend, or counselor).
  2. Victim may be confused or unable to express his or her needs. Use good judgment and, if appropriate, refer victim to another agency.
- G. Transportation of crime victims
1. Victims may be transported in Police Department vehicles when necessary to accomplish a law enforcement purpose: to a medical facility, to the Police Department or other criminal justice agency, to a safe shelter or a safe location.
  2. Once the victim is taken to the necessary destination, an officer will escort the victim inside, ensuring that the proper authority is notified of arrival.
- H. Completing the crime (incident) report
1. The purpose of the crime report is to document the incident for further investigation and prosecution.
  2. Reports must be factual, clear, concise, and unbiased.
  3. Be specific. Use victims' own terminology in report.
  4. Avoid personal opinions regarding any comments made by victims or witnesses.

5. Use effective communication skills which are both easy to understand and supportive of the victim.
  6. At completion of the initial investigation, provide the victim with the case number, officer's name, badge number, and phone number to obtain or relay additional information. Advise victim of how to obtain a copy of incident report.
- I. Patrol officers should give brochures to the victim or victim's representative that explain the next steps to be taken in the case.
  - J. Determine where the victim will be over the next several months; obtain addresses for any temporary or permanent residence, place of business, or other place to contact.
  - K. Patrol officers should distribute the following to crime victims or their representatives
    1. Victim compensation information care (for violent offenses)
    2. Victim and Witness Information Brochures
    3. Victim/Witness Program Brochure (if one exists)
  - L. Property control - If an officer takes property from the victim for purposes of investigation, he or she shall provide a written receipt for such property to the victim accompanied by an explanation of why it is required as evidence.
  - M. Notify the victim of the Police Department interest in protection from intimidation or threats by defendant, his family, or friends. Instruct the victim to call the Police Department, Sheriff's Office, or the Commonwealth Attorney's Office if such occurs.
  - N. Media relations
    1. Use discretion with media personnel. Do not give reporters specific information about the case that might impede its investigation and prosecution. Refer them to the Chief of their designee.
    2. Protect the victim's identity by not releasing the victim's name or address. Advise reporters to contact the Chief or their designee.
  - O. Should a detective be dispatched from the Sheriff's Office, the patrol officer will report all that has been done.
  - P. In all cases, where the officer assumes the responsibility for investigating the case, a phone number will be furnished for the victim to call and give additional information or receive information regarding the case.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 04-05 DOMESTIC ASSAULT AND BATTERY**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**VLEPSC STANDARDS:**

## **I. POLICY**

The department assigns domestic and family violence (domestic disturbance) calls as a high priority. The nature and seriousness of crimes committed between family and household members are not mitigated because of the relationships or living arrangements of those involved. Therefore, law enforcement must exercise leadership in the community in responding to domestic violence. An immediate criminal justice response can make a major difference in the disputants' lives. With all due consideration for their own safety, department personnel responding to a domestic disturbance call shall (1) restore order; (2) arrest persons when probable cause exists that a crime has occurred; (3) provide safety and security for the crime victim(s); and (4) help participants contact appropriate agencies to help prevent future occurrences.

## **II. PURPOSE**

To define domestic violence and related offenses, outline a safe procedure for handling violent incidents and calls, describe measures to end violence and protect victims.

## **III. DEFINITIONS**

- A. Domestic Violence / Assault - Domestic violence is a pattern of coercive behavior characterized by the domination and control of one person over another, usually an intimate partner, through physical, psychological, emotional, verbal, sexual, and/or economic abuse. Domestic violence is often called "domestic abuse" because it does not necessarily involve physical violence, and some of the tactics may not even be considered a crime.

See **Virginia Code 18.2-57 and 18.2-57.2** (Assault and Battery Against a Family or Household Member, which upon a third or subsequent conviction of the same or similar offense of any jurisdiction within a ten-year period shall be treated as a Class 6 Felony).

1. A related matter, 18.2-60; criminalizes the sending of letters to anyone threatening death or injury (Class 6 Felony)
2. A magistrate issuing a warrant for violation 18.2-57.2 shall also issue an emergency protective order.

- B. Abuser - A person who perpetrates a pattern of coercive tactics which can include physical, psychological, sexual, economic, and emotional abuse against an intimate partner, with the goal of establishing and maintaining power and control over the victim.
- C. Victim – The person against whom an abuser directs coercive and / or violent acts.
- D. Intimate Partner - Intimate partners are persons who are, or have been involved, in an intimate relationship who:
1. Are married, separated, or divorced;
  2. Live or have lived together;
  3. Have child in common; or
  4. Date, or have dated, but do not live or never have lived together.
- E. Lethality Screening Tool - The evidence-based field instrument used by trained practitioners to assess a person who is a victim of intimate partner violence for her/his risk of being killed by an intimate partner.
- F. High Danger - Term used for a victim who has been assessed through use of the LAP and the Lethality Screen as being at the greatest risk of being killed. The victim is said to be at “High Danger.”
- G. Domestic Violence Shelters / Programs - Services that are provided (24 hours a day) for women and their children who have been physically or emotionally abused, or who have been threatened with abuse by their spouses or partners. Services include crisis intervention, counseling, shelter, escorts to court, food, clothing, and transportation.
- H. Family Abuse - Any act of violence, including forceful detention, which results in physical injury or places one in reasonable apprehension of serious bodily injury and which is committed by a person against such person’s family or household member.
- I. Family or Household Member – Per 18.2-57.2, 16.1-228, and 19.2-81.3, includes:
1. Spouses, whether or not residing in the same home.
  2. Former spouses, whether or not residing in the same home.
  3. Persons who have a child in common, whether or not they have ever been married or resided together.
  4. Parents, children, stepparents, stepchildren, grandparents, grandchildren, brothers and sisters who reside in the same home with the suspect.
  5. Parents-in-law, children-in-law, brothers, and sisters-in-law who reside in the same home with the suspect.

6. Persons who cohabit or who, within the previous 12 months cohabited with the suspect, and any children of either whom then resided in the same home as the suspect.
- J. Predominant Physical Aggressor - The party that poses the greatest threat. The predominant physical aggressor IS NOT NECESSARILY THE FIRST disputant to engage in assaultive behavior, but the one with the most ability and inclination to inflict physical injury. Officers shall identify a predominant physical aggressor based on the totality of the circumstances. Some or all these characteristics may be present:
1. Evidence that any of the parties acted in self-defense.
  2. A history of violence (prior assault convictions) of the parties involved, including history of calls for service.
  3. The relative severity of injuries inflicted on all parties, plus consideration whether the injuries were offensive or defensive.
  4. The relative size, bulk, and strength of the parties involved.
  5. Evidence from persons involved in or witnesses to the incident.
  6. The likelihood of future injury to any party.
  7. Current or previous protection orders filed against either party.
- K. Protective Order - A court order of protection on behalf of an abused family / household member that restrains the abuser from further acts of violence, may order the abuser to refrain from further contact, vacate the residence, relinquish custody of a vehicle, plus other measures (see 16.2-279.1). A protective order may be valid for up to two years. Officers must be aware of two types of protective orders:
1. A law enforcement officer may request an emergency protective order (16.1-253.4) by telephone or in person (or by an allegedly abused individual in person) from a judge or magistrate. The emergency protective order aims to protect the health or safety of any person. It must be put in writing as soon as possible by the officer on form DC-626. The order expires 72 hours after issuance, but if the expiration of the 72-hour period occurs when the court is not in session, the protective order shall be extended until the next business day that the court is in session. The officer shall serve a copy of this order on the respondent and give a copy to the abused family/household member. The officer shall forward the original to the issuing judge or magistrate for verification, who then files it with the Juvenile Domestic Court. The officer shall return the served/unserved copy to Stafford County Sheriff's Office Dispatch so that it may be entered into VCIN as soon as possible.
  2. An abused family / household member may petition for a preliminary protective order (see 16.1-253.1) through the Court Services Unit. After an ex parte hearing and based on immediate and present danger of family abuse or evidence sufficient to establish probable cause that family abuse has recently occurred, the court may issue a preliminary protective order (protecting the or his or her family) which is valid pending a full hearing which is to be held within 15 days of the issuance of the protective order. Officers shall serve the order as soon as possible on the respondent and shall specify a

date for the full hearing. The officer shall leave a copy of any order with the victim. The officer shall return the served/unserved copy to Stafford County Sheriff's Office Dispatch as soon as possible so that it can be entered and/or updated in VCIN.

3. Protective orders are available for victims of stalking. Stalking protective orders function like those outlined above. Victims must petition the Circuit Court if the stalker is not a family member. If the stalker is a family member, then the Juvenile Domestic Relations Court is appropriate.
4. Any person violating the provisions of a protective order as outlined in 16.1-253.2 shall be guilty of a Class 1 Misdemeanor.
5. Officers shall enforce protective orders from other states or possessions of the United States as if they were issued in Virginia.

L. Stalking - Any person who on more than once occasion engages in conduct directed at another person with the intent to place, or with the knowledge that the conduct places, that other person or the person's family or household member in a reasonable fear of death, criminal sexual assault, or bodily injury; shall be guilty of a Class 1 Misdemeanor (18.2-60.3). Further, upon a conviction the court shall impose an order prohibiting contact between the offender and the victim or victim's family.

1. Stalking behaviors include following a person to home, work, and other places, parking outside home or office, threatening notes or telephone calls, threats.
2. A person who violates any provision of a protective order related to stalking is guilty of a Class 1 Misdemeanor (18.2-60.4).

#### IV. PROCEDURES

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**V. LETHALITY ASSESSMENT PROGRAM**

It is the policy of the Aquia Harbour Police Department to use the Lethality Screening tool at the scene of a domestic violence incident to identify victims of domestic violence in potentially lethal situations, and follow the established criteria to place those victims in immediate and direct contact with a domestic violence service program advocate. Officer administering the Lethality Screening tool shall ask the victim the Lethality Screening questions and, when a victim is assessed as being a High-Danger, call Empowerhouse and ask the victim to speak with a domestic violence advocate.

**A. Purpose**

1. In addition to the procedures outlined in the general order, the responding officer shall complete the Lethality Assessment Screening tool when he/she responds to a domestic violence complaint involving intimate partners and one or more of the following conditions exist:
  - a. There is reason to believe an assault or an act that constitutes domestic violence has occurred, whether or not there is an arrest.
  - b. There is belief or sense on the part of the responding officer that once the victim is no longer in the care or presence of the responding officer the potential for assault or danger is high; or
  - c. Repeated calls for domestic violence complaints at the same location or involving the same parties.

**B. Lethality Screening Questions**

1. To initiate the Lethality Assessment Screening tool and corresponded LAP response

protocol, the responding officer should:

- a. Advise the victim in a positive, supportive tone that she/he will be asked a series of questions to help the officer determine the immediate potential for danger to the victim.
- b. Administer the Lethality Assessment Screening tool outside the presence, hearing, and awareness of the abusive partner.
- c. Ask the questions in the order they are listed on the form and in the manner, they are written.
- d. Ask all the questions in assessing the victim. The more questions the victim responds to positively, the clearer and more immediate the potential for danger is to the victim.

### C. Assessing the Responses to the Lethality Questions

1. After the responding officer asks the questions on the Lethality Assessment Screening tool, he/she shall handle the information as follows:
  - a. A **single** “yes” or positive response by the victim to questions #1, 2, or 3 reflects a High-Danger situation and automatically triggers the hotline call. Officers shall still ask the remaining questions, as they will help the officer gather a more comprehensive understanding of the victim’s situation before calling the hotline. Doing so will also allow the victim to assimilate lethality predictors that indicate that she/he is at risk of being killed by her/his intimate partner.
  - b. If the victim gives negative responses to questions # 1-3, but positive responses to four or more of the questions #4 through #11, this reflects a High-Danger situation and triggers the hotline call.
  - c. “No” or negative responses to all the assessment questions, or positive responses to less than four of the questions #4 through 11, may still trigger the hotline call if the responding officer believes it is appropriate. The officer should ask the victim the following question: “Is there anything else that worries you about your safety? If yes, what worries you? The response to the question may aid the officer in his/her assessment.
  - d. Like the subsection above, the officer may also assess a victim as High-Danger if the officer believes it is appropriate when:
    - (1) The victim declines to answer all the questions on the Lethality Assessment Screening tool, or
    - (2) The victim does not answer one or several of the questions so that the victim does not respond “yes” to enough questions to be assessed at High-Danger according to the protocol.
    - (3) If the victim’s responses do not reflect High-Danger, but the officer’s “read” of the situation indicates High-Danger, the officer should make the hotline call.

#### D. Assessing the Responses to the Lethality Assessment Screening Questions – Not High Danger

1. If the victim is not assessed as High-Danger after the Lethality Assessment Screening tool is completed, the officer shall:
  - a. Advise the victim that “domestic violence is dangerous and sometimes fatal.”
  - b. Inform the victim to watch for the signs listed in the assessment because they may convey to the victim that she/he is at an increased level of danger.
  - c. Refer the victim to Empowerhouse. The officer should volunteer to call the hotline for the victim if the victim would like to speak with the hotline. If the victim agrees, the officer does not need to remain on the scene during the victim-advocate conversation.
  - d. Provide the victim with the case number, the officer’s contact information or the number of another agency contact if the officer is not available, in case the victim wants to talk further or needs help.

#### E. High Danger Victims and the Hotline Call

1. If a High-Danger assessment is made the hotline call shall be implemented as follows:
  - a. Advise the victim that her/his situation has indicated to the officer that the victim is at an increased level of danger, and that people in the victim’s situation have been killed or seriously injured. Convey this information in an understanding manner.
  - b. Advise the victim that you would like to call Empowerhouse and invite the victim to speak with a hotline advocate. In communicating with the victim, be encouraging and supportive.
    - (1) If the victim initially declines to speak with the hotline advocate, the officer shall:
      - i. Tell the victim that the officer will still contact the domestic violence hotline to receive guidance on how to proceed with the situation.
      - ii. Tell the victim that she/he may decline to speak with the hotline advocate, but that the officer would like the victim to reconsider speaking with the advocate; and
      - iii. While the officer is still on the phone with the hotline advocate, the officer asks the victim if she/he has reconsidered and would now like to speak with the advocate.
    - (2) If the victim continues to decline to speak with the hotline advocate, the officer should do the same thing he/she would do for a victim who was not assessed as High-Danger, including conveying information that the hotline

advocate has suggested about safety planning and requesting a safe phone number for an advocate to follow up with the victim.

- (3) If the victim agrees to speak with the hotline advocate, the officer shall call the hotline number, introduce him/herself, and advise the hotline advocate that he/she has made a High Danger assessment. The officer shall provide responses to a brief set of questions prompted by the hotline advocate.
- c. During the conversation between the hotline advocate and the victim, the officer shall stay on the scene and allow the victim privacy while she/he speaks with the hotline.
- d. At the appropriate time during the conversation between the victim and the hotline advocate, the hotline advocate will ask to speak with the officer to conclude the call.
- e. The officer shall be guided by discussion with the hotline advocate for further assistance. Officers shall provide reasonable assistance to the victim if help is requested, such as transporting the victim to a safe place.

#### F. Filing the Lethality Assessment Screening Tool

1. Officers who have completed Lethality Assessment Screening tools shall submit a copy to the LAP Representative by the end of the officer's shift.
2. Officers shall also attach a copy of the Lethality Assessment Screening tool to their report as a scanned attachment.
3. The agency LAP Representative shall:
  - a. Maintain a file of all Lethality Assessment Screening tools.
  - b. Prepare a report as provided in Section (i) below, and
  - c. Submit the report to the LAP coordinator by January 15th and July 15th each year for the previous six-month period.

#### G. LAP Agency Representative

1. The LAP agency representative shall:
  - a. Facilitate training.
  - b. Maintain and report data.
  - c. Serve as a liaison, communicate, and meet with participating LAP agency representatives and agencies; and
  - d. Generally, oversee and monitor progress of the LAP.

## H. Training

1. LAP training shall be provided by LAP trained staff to all new entry-level officers who have not received it in the training academy before the conclusion of their field training period.
2. In-service LAP training shall be provided for the officers at least every two years.

## I. Records Reporting

1. The agency shall prepare and forward reports to the LAP advocate coordinator by the 15th of:
  - a. January
  - b. July
2. The reports shall contain the following information:
  - a. How many lethality assessment screenings were attempted?
  - b. How many victims were assessed as being at High Danger?
  - c. How many victims were not assessed as being at High Danger?
  - d. How many victims did not respond to all the screening questions?
  - e. How many victims assessed as being at High Danger spoke to a hotline advocate?

## VI. DOCUMENTING DOMESTIC VIOLENCE INCIDENT

- A. A report shall be filed for all domestic calls, whether an offense occurred or not. All incident reports on domestic violence shall follow general report procedures with special attention to the victim's services crime report procedure.
- B. Include in all reports of domestic violence:
  1. Facts and circumstances of domestic violence include a description of why one disputant was deemed the predominant physical aggressor.
  2. Victim's statements as to the frequency and severity of prior incidents of abuse by the same family or household member.
  3. The victim's statements as to the number of prior calls for law enforcement assistance.
  4. The disposition of the investigation.
- C. If an arrest is not made, the incident must still be documented, where either no probable cause existed, or circumstances dictated another course of action. In such cases, in addition to the above considerations, officers shall note:

1. What referral information was given.
  2. Why no arrest was made, nor any warrant issued?
- D. If children were present, make a report of abuse or neglect, if appropriate, and forward to Child Protective Services.
- E. Regardless of whether an arrest is made, the officer shall provide appropriate information to the victim about legal and community resources available.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 04-06 FIELD INTERVIEWS; STOP / FRISK**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The Police Department expects and encourages officers to conduct field interviews. A field interview is a lawful stop of a citizen for investigative purposes. Officers shall document such stops for the purpose of identifying individuals for crime prevention, intelligence gathering, or community relations. The Police Department further expects officers to gather such information with proper observance of constitutional safeguards. Strict constitutional guidelines exist that protect both the civil rights of citizens and the rights of law enforcement officers to obtain information crucial to the reduction and prevention of crime. Further, field interviews frequently contribute to the building of a reasonable suspicion or even probable cause to arrest or conduct a search. The only restricted search that normally accompanies field interviews, the frisk or pat down, may be performed when the officers suspect the presence of a weapon.

**II. PURPOSE**

To establish policy and procedures for conducting field interviews and an accompanying frisk for weapons.

**III. PROCEDURES**

A. Making in field contact, conducting the interview

1. Officers may make field contacts when they reasonably believe that some investigative inquiry is warranted. Consensual encounters of a person in public may occur at any time.

A field interview (consensual encounter), therefore, requires voluntary cooperation from the citizen. In the absence of probable cause to arrest the citizen, the citizen may discontinue the interview at any time and leave. The citizen may also refuse to produce identification or otherwise identify himself. A distinction is drawn herein between a field interview and contact (consensual encounter which is made to resolve an ambiguous situation) and a stop (or a brief detention of a person because of suspected criminal behavior).

2. The Supreme Court stated, in *Terry v. Ohio* (392 U.S. 1, 1968), that an officer "may in appropriate circumstances and in an appropriate manner approach a person for the purposes of investigating possible criminal behavior even though there is not probable cause to make an arrest."
3. Officers must be able to articulate the circumstances that warranted the stop of the citizen. The circumstances constitute the officer's reasonable suspicion. In court, should

a field interview result in an arrest, an officer must justify his intrusion by describing "specific and articulate facts which, taken together with rational inferences from those facts, reasonably warrant that intrusion."

- a. Articulate circumstances derived from
  - (1) Firsthand observations;
  - (2) Hearsay, as from informants;
  - (3) "Collective knowledge" or information shared by several officers (example: an officer may make an arrest or conduct a search at the request of another agency without knowing all of the facts which prompted the request);
  - (4) Totality of facts and circumstances. The Police Department encourages officers to question persons whose behavior, conduct, or mere presence at a particular place and time does not match the officer's notion of what is appropriate for the place and time.

#### B. Field interviews serve as

1. A source of information
  - a. The field interview is based on the principle that the opportunity to apprehend criminals and to prevent crime increases with the number and frequency of persons interviewed. One way an officer can increase his skill as an observer is to obtain information from persons living or working within his patrol area.
2. A means of identifying the suspect
  - a. An on-view arrest is not always based upon the immediate recognition of a wanted criminal. Frequently, it is the outgrowth of the action taken by an officer who stops to question a person who has aroused his suspicions. Information obtained during a field contact may be used at a later date to identify a criminal.
3. A means of obtaining suspects or witnesses
  - a. The value of field interviews becomes very pronounced when a crime is committed and there are few investigative leads. The officer must then rely on the field interview reports to sift out useful information. A review of these reports will show if anyone had been questioned in the vicinity at the approximate time of the crime.

#### C. Place of interview

1. The difference between a field interview and a lawful detainment is a thin one. As noted earlier, reasonable suspicion provides the key basis for the officer's actions.
2. As a general rule, field interviews may be conducted anywhere the officer has a right to be, including:

- a. Aquia Harbour owned or controlled property normally open to members of the public;
  - b. Areas intended for public use or normally exposed to public view;
  - c. Places to which an officer has been admitted with the consent of the person empowered to give such consent;
  - d. Places where circumstances require an immediate law enforcement presence to protect life, well-being or property;
  - e. Areas where an officer may be admitted pursuant to a lawful arrest or search warrant;
  - f. Any other area in which an officer may affect a warrantless arrest.
3. Field contacts shall not be done to coerce a person to leave an area or place where he or she has a legitimate right to be and no violation of law has occurred.

#### D. Conduct of interviews

1. As noted above, a person interviewed by the officer may discontinue the interview at any time. Further details of frisk requirements are found under Section IV of this instruction. To repeat, during a routine field interview, persons shall not be detained in any manner against their will, nor shall they be required to answer questions or respond in any manner if they choose not to do so. The fine line drawn between a field contact and a stop and frisk must be strictly observed to avoid accusations of harassment. Since the distinction between a "contact" and a "stop" depends to a great extent on whether, under the circumstances, the citizen perceives that he or she is free to leave; officers shall comply with the following guidelines:
  - a. All requests during the contact should be phrased with neutral or optional words, such as "may," "would you mind," etc.
  - b. Abrupt, short responses which could be misunderstood and requests which could be misinterpreted as commands must be avoided.
  - c. The duration of a contact should be as brief as possible.
2. The success or failure of obtaining information beneficial to crime analysis and criminal investigation will depend upon an officer's ability to put citizens at ease and establish rapport. However, during a field contact, if the person should ask whether he must respond or indicate that he feels compelled to respond, the officer shall immediately inform him of the right to refuse, as well as the right to leave. Where citizens refuse or cease to cooperate during a contact, the refusal itself cannot be used as the basis for escalating the encounter into a stop and frisk.

## E. Immigration Law Enforcement

1. The indiscriminate questioning of individuals about their citizenship status without a reasonable basis for suspicion of a criminal charge is unconstitutional. That an individual is suspected only of being an undocumented alien alone shall not be basis for contact, detention or arrest.
2. When witnesses or victims are being interviewed, questions about their immigration status will not be part of the routine questioning.
3. When criminal immigration warrants are located in NCIC during traffic stops and investigations, the individual will be detained and confirmation with Immigration and Custom Enforcement (ICE) will be made.
4. Before any further detention, search or arrest is made, it must be confirmed that the warrant is both active and is for a criminal offense.

## IV. STOP AND FRISK OR INVESTIGATIVE DETENTION

- A. The legal authority to stop and frisk has been defined by the Supreme Court. A temporary detention of a person to investigate suspected criminal activity is controlled by the Fourth Amendment.
- B. Investigative detention involves two distinct acts - the stop and the frisk.
- C. Stop
  1. The detention of a subject for a brief period of time in order to make the stop, the officer must have reasonable suspicion to believe that criminal activity is afoot and that the person to be stopped is involved. The courts have ruled that the following factors may be considered in building a reasonable suspicion:
    - a. Officer has knowledge that a person has a criminal past, and the person's actions, whereabouts (place and time) are very similar to the past criminal incidents;
    - b. A person fits the description of a wanted notice;
    - c. A person has exhibited furtive conduct, such as fleeing from the presence of an officer or attempting to conceal an object from the officer's view;
    - d. Clothing worn by a person is similar to description given in a lookout for a known offense;
    - e. The officer observes a vehicle that is similar to that of a broadcast description for a known offense;
    - f. A person exhibits unusual behavior, such as staggering or appearing to be in need of medical attention;
    - g. The area and time of day, such as a person observed in a public area, which has a history of recurring crime during the same time as that of the stop;

- h. Hearsay information is acceptable. In order for the information to be credible, the officer must have some means to gauge the reliability of the informant's knowledge.

#### D. Frisk

1. Should the officer reasonably believe that the person stopped intends to do him bodily harm or is carrying a concealed weapon, the officer may conduct a limited search of the person's outer clothing for weapons. The courts have held that if an officer has reasonable suspicion the individual is armed and the subject is wearing a heavy overcoat, the officer is proper in having the subject remove the coat so that he may be patted down.

#### E. Protective Search

1. Under some conditions, the protective search for weapons may be extended beyond the person detained. Such a search occurs most often involving vehicles. A lawful protective search for weapons, which extends to an area beyond the person in the absence of probable cause to arrest, must have all of the following elements present:
  - a. A lawful investigative stop as defined herein or lawful vehicles stop;
  - b. A reasonable belief that the suspect poses a danger;
  - c. The search must be limited to those areas in which a weapon may be placed or hidden;
  - d. The search must be limited to the area within the subject's immediate grasp.

#### F. Period of detention

1. Investigative detention, as with non-criminal field interviews, must be conducted as briefly as possible. Once the detaining officer determines that his basis for reasonable suspicion no longer exists, the person detained shall be immediately released. Should the suspicion be reinforced with additional information or the officer develops probable cause, the period of detention could be lengthened. The courts generally permit up to 20 minutes to constitute a reasonable period of time for the interview. This guideline is not to be confused with incidents where a suspect so closely fits the description of the perpetrator of a crime that has just occurred, where probable cause exists to detain the individual in order to transport an eye witness to the scene.

#### G. Recording the stop

1. A Harbour and/or Stafford report will be completed for each person an officer stops for an interview.
2. A Harbour and/or Stafford report may be completed on an individual who is stopped for a traffic violation if the situation warrants.
3. A Harbour and/or Stafford report may also be used for field observation. In these instances, the officer should fill out the report form as completely as possible, using patrol area knowledge and current observations of the person or vehicle. This will

eliminate the necessity of asking the dispatcher to log people or vehicles at specific locations. Examples of instances when the report form should be used include, but are not limited to, the following:

- a. An officer stops a person for the purpose of conducting a field interview, and that person refuses to give the officer any information. The officer has no reasonable cause to pursue the matter further.
  - b. An officer wishes to make note of a person in a specific place at a certain time, but the officer has completed a report on the same person on another occasion.
4. Officers may attach photos of vehicles or people with the report.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 04-07 COMMUNICABLE DISEASES**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

## **I. POLICY**

This policy contains information to inform and guide personnel who are subject to a possible infectious disease exposure. All guidelines set forth herein will be adhered to; failure to do so will result in disciplinary action.

The Police Department bears an obligation to its own personnel to increase awareness about risks, modes of transmission, and procedures for handling communicable diseases.

Officers shall act responsibly in minimizing the risk of infection when dealing with any person or with any body fluids. A few simple precautions, however, will avoid the risk of infection almost entirely.

Personnel shall not shy away from dealing with people in a legitimate law enforcement context. The measures provided herein will assist officers in carrying out their duties while simultaneously minimizing health risks. The Police Department will not accommodate personal prejudices when, in its view, no health risk exists. Officers cannot refuse to work with or handle anyone because of the officer's fear of possible infection.

The most likely danger from contact with blood borne communicable diseases comes from handling blood or other body fluids as evidence or at the scene of injury or death. The Police Department does expect officers to exercise caution when handling evidence, to which end the following procedures are set forth.

Finally, the Police Department advises all personnel that they shall not receive discriminatory treatment nor bear any stigma if they contract a communicable disease, which becomes known to the Police Department. Legally, a communicable disease **is** a handicap under Federal law so discrimination against infected persons is illegal.

## **II. PURPOSE**

The purpose of this order is to establish guidelines and procedures to be followed when a member of the department is exposed to a communicable disease with a risk of major illness or death, and for handling of evidence or property that may be contaminated.

## **III. PROCEDURES**

- A. All employees will adopt the practice of Body Substance Isolation to reduce the risk for exposure to blood and OPIM.
- B. The term body substance isolation is a concept, which considers blood and all body fluids to be potentially infectious. Use of this concept does NOT require that there be good visibility and a

controlled WORK environment. This can, therefore be followed in all work areas of employees.

C. PERSONAL PROTECTIVE EQUIPMENT (PPE) WILL BE ISSUED TO ALL POLICE DEPARTMENT PERSONNEL.

**IV. PERSONAL PROTECTIVE EQUIPMENT**

- A. Personal protective equipment will be provided at NO cost to employees with a risk for occupational exposure. Personal Protective Equipment will be issued based on the needs of each particular work group and the anticipated exposure.
- B. Personal Protective Equipment (PPE) for Police Department personnel will include, but not limited to: disposable gloves, protective eyewear, masks (surgical), disposable shoe covers, waterless hand wash solution, and a Biohazard bag. PPE is available in the Infectious Disease Kit in each vehicle.
- C. Employees will be instructed, followed by compliance monitoring, concerning the appropriate use of PPE. In addition, the following points will be made:
1. In cases where an employee temporarily and briefly declines to use PPE in a particular situation, the employee makes the "Professional Judgment" call that in the specific instance its use would have interfered with the proper delivery of first aid, or other duties, or that it would pose a risk to personal safety.
  2. If clothing becomes contaminated with blood or OPIM, then it shall be removed as soon as possible;
  3. All PPE shall be removed prior to leaving the workplace or if contaminated.
  4. When PPE is removed, it shall be placed in an appropriate area and in a designated container for disposal; uniforms are to be placed in plastic bags for laundering.
  5. PPE will be issued in appropriate sizes, and will be readily accessible at the work sites or will be issued directly to the employee. For employees who have allergies to specific glove materials, hypoallergenic gloves, glove liners or powderless gloves will be made available.
- D. Equipment Use of Personal Protective - General Statements
1. Gloves should be carried on the officer's duty belt in provided pouch. Gloves shall be worn when it can be reasonably anticipated that an employee may have contact with blood or OPIM, mucous membranes, and non-intact skin, when performing first aid, or handling or touching contaminated items or surfaces.
  2. Disposable gloves shall be replaced as soon as practical when they become contaminated, torn or ripped. Disposable gloves shall not be reused.
  3. Heavy-duty utility gloves should be used when cleaning contaminated equipment, surfaces or when disposable gloves are insufficient. Heavy-duty utility gloves can be washed and reused as long as they are not torn or cracked.
    - a. Cuts or other wounds must be covered with a Band-Aid or bandage. If a wound cannot be covered, the employee cannot be assigned to a position where a

potential exposure may occur.

- b. Hands should be washed after gloves are removed, even if the gloves appear to be intact.
4. Masks may be worn when it is suspected that an individual may have an airborne transmissible disease. This would apply during prisoner/arrestee transports. The style mask issued shall be the molded fitted type.
5. Masks in conjunction with protective eyewear will be used when it is anticipated that there is the opportunity for gross splatter of blood or OPIM into the eye, nose or mouth.

#### E. Protective Clothing – Police Department Personnel

1. The officer's uniform will act as PPE. Gowns/covers are available at the office if needed.
2. All personnel trained in the administration of CPR will be trained in the use of a pocket mask. All personnel will be trained in the proper use of the pocket mask and the method for proper disposal or cleaning.

#### F. Police Department Workplace Specific Equipment

1. Personal Protective Equipment for Police Department: All supplies are available in the Police Department.
2. The Deputy Chief or their designee shall be responsible for inventory, ordering and issuing supplies.
3. Communicable Disease Control Kits will be placed in every patrol car. Kits will include:
  - a. 1 black nylon 10" x 6" x 4" bag
  - b. 1 large red medical waste bag, marked Biohazard
  - c. 1 small red medical waste bag, marked Biohazard
  - d. 1 biohazard needle container
  - e. 1 4 oz. Bottle of Septi-clean
  - f. 1 Pair hypoallergenic latex gloves
  - g. 1 Pair polycarbonate eye protectors
  - h. 1 Disposable Plastic Bag
  - i. 3 Disposable Face Masks

#### G. Additional Supplies at Police Department

1. Disinfectant
2. Biohazard bags with tape and ties
3. Bleach/water solution for cleaning

## V. CLEANING SCHEDULE

### A. Police Vehicles and Equipment

1. Police cruisers and equipment (handcuffs, flashlight, etc) will be cleaned on an as needed basis. All areas covered with blood/OPIM should be cleaned as soon as possible using a fresh solution of bleach and water.
2. Bleach and water solution should be mixed by taking 1/4 cup of bleach and adding it to 1 gallon of water. Dishwashing style rubber gloves should be worn for this and the solution may be applied using a cloth and bucket. Care should be taken to prevent splatter to the eyes, nose and mouth.

### B. Handling Contaminated Uniforms

1. Uniforms contaminated with blood or OPIM should be bagged and brought to the Deputy Chief's office for laundering. Attach an evidence tag with the officer's name and type and place of contamination. The Deputy Chief or designee will have the uniform laundered and returned. Contaminated clothing should be washed in hot water and a normal detergent. Place in the dryer on normal cycle.
2. **EMPLOYEES MAY NOT TAKE OR WEAR CONTAMINATED UNIFORMS HOME.**
3. Officers whose uniforms become contaminated shall acquire a fresh uniform from supply and change as soon as possible. The officer will return the additional uniform once their contaminated uniform has been washed and returned to the officer.

## VI. POST EXPOSURE NOTIFICATION / MANAGEMENT AND RECORD KEEPING

### A. Clarifying Exposure to Bloodborne Pathogens

1. Events to report directly to the Deputy Chief or designee.
  - a. A contaminated needle stick injury
  - b. Blood/OPIM in direct contact with the surface of the eye, inner surface of the nose or mouth.
  - c. Blood/OPIM in direct contact with an open area of the skin
  - d. Cuts with sharp objects covered in Blood/OPIM

### B. Immediate Needs Post Exposure

1. If the exposure is a sharps injury:
    - a. Get the area to bleed freely
    - b. Wash the area with soap and water or the waterless hand wash solution
  2. If the exposure was a splash to the eye, nose, or mouth
    - a. Flush the area for 10 minutes with water
  3. Precautions if bitten by a human
    - a. The danger of infection through bites is extremely low. The victim cannot be infected by the blood of the person committing the bite unless that person has blood in his or her mouth, which comes into contact with the victim's blood. HIV cannot be transmitted through saliva. Precautionary procedures to minimize the risk of infection include:
      - b. Encouraging the wound to bleed by applying pressure and gently "milking" the wound
      - c. Washing the area thoroughly with soap and hot water
      - d. Seeking medical attention at the nearest hospital.
  4. Notify the Deputy Chief or Designee
    - a. The Deputy Chief or designee for Disease/Exposure Reporting and Medical Follow-up
- C. Employees who experience a potential exposure incident (as listed above) should notify the Deputy Chief or designee. When the Deputy Chief or designee is contacted, the following will occur:
1. The Deputy Chief or designee will make a determination if an exposure has occurred.
  2. If a potential exposure has occurred, the Deputy Chief or designee will make a written record of the event.
  3. The written record, at a minimum, will include:
    - a. Documentation of the route(s) of exposure
    - b. Circumstances under which the incident occurred
    - c. Identification and documentation of the source individual, unless identification is infeasible.
  4. The record will be kept in a confidential file maintained for each employee.
  5. The Deputy Chief or designee will be the keeper of these records.

6. The Deputy Chief or designee will then make a recommendation as to when and where to refer the employee for medical treatment. This will be in accordance with the federal standard 1910.1030 (bloodborne pathogens standard).
7. If the source of the exposure is known, the individual may be required to submit to testing as required by law for infectious disease. The exposed employee will be informed of the results of the source individual's testing.

## **VII. VACCINATIONS**

- A. Hepatitis B Vaccine (Recombivax-HB) in the form of an ongoing vaccine program will be made available to all employees who have been deemed to be at risk for occupational exposure. Vaccine will be administered at no cost to the employee.

## **VIII. COMMUNICABLE DISEASE TRAINING**

- A. The Deputy Chief or designee will coordinate with Stafford County Fire and Rescue to provide training updates.
- B. All new sworn employees will receive introductory training during post basic training. This will coincide with training provided prior to Hepatitis B vaccine.

## **IX. RECORD KEEPING AND CONFIDENTIALITY**

- A. The Deputy Chief or designee will keep on file in a secure location an individual record for each employee. This record will be established for each employee and will maintain a history of vaccines and a brief medical health history. This will be locked and maintained for 30 years after the employee leaves employment. These records will be kept according to Federal OSHA standards.
- B. The Deputy Chief or designee shall obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15-days of the completion of the evaluation. The written opinion will be limited to the following information:
  1. The employee has been informed of the results of the evaluation
  2. The employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials, which require further evaluation or treatment
  3. **All findings will remain confidential.**

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 04-08 AUTOMATED EXTERNAL DEFIBRILLATOR (AED)**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

This policy is issued for the purpose of establishing guidelines for and defining the use and care of the Automated External Defibrillator, hereafter referred to as AED, in order to ensure the most effective and efficient delivery of emergency AED services to the residents of Aquia Harbour.

**II. PURPOSE**

It is the policy of the Aquia Harbour Police Department to provide emergency AED services whenever possible to the public within its service area.

Use of this equipment is restricted to personnel trained in its operation.

**III. DEFINITIONS**

- A. AED Operator – Someone who has completed a training program approved by the American Red Cross or American Heart Association in cardiopulmonary resuscitation and in the use of the AED.
- B. Automated External Defibrillator or AED – A device which combines a heart monitor and defibrillator and (i) is capable of determining, without intervention by an operator, whether defibrillation should be performed, and (ii) automatically charges and requests delivery of an electrical impulse to an individual’s heart, upon determining that defibrillation should be performed.
- C. Unresponsive – If the patient doesn’t move, speak, blink or otherwise react, then they are considered unresponsive.

**IV. OFFICER’S RESPONSIBILITIES**

- A. Officers will ensure that all AED’s are assigned and placed in their patrol cars at the beginning of each shift. As a rule, AED’s should be placed strategically in the patrol car so that it can be quickly grabbed in the event of an emergency. Officers will be responsible for reporting any defects, such as expired battery and missing pads to the Deputy Chief.
- B. Respond to all assigned calls for CPR in progress or respiratory arrest. **RESPOND CODE 1.**
  - 1. Officers may disregard themselves from lesser priority calls to respond to an AED call.
- C. If rescue arrives on scene prior to an officer, the officer shall lower response to **CODE 2.**

- D. Do not expose the AED to extreme high temperatures for a long period of time. Temperatures above 122 degrees Fahrenheit can damage the AED battery.

## V. OPERATION PROCEDURES

- A. Verify that the patient is unconscious, confirm absence of pulse.
- B. Press ON to turn on the AED.
- C. Prepare the patient for electrode placement.
1. If possible, place the patient on a hard surface away from standing water or conductive material.
  2. Remove clothing from the patient's upper torso.
  3. If possible, dry shave excessive hair from the electrode sites. Avoid cutting skin.
  4. Do not apply alcohol or other flammables to the skin
  5. Remove medication patches from electrode sites and wipe clean.
- D. Apply the electrodes to the patient's chest as directed on the electrode.
- E. Follow the voice prompts provided by the AED.

### Patients with Implanted Pacemakers

If possible, place defibrillation electrodes away from the internal pacemaker generator. Treat this patient like any other patient requiring emergency care. Pacemaker pulses may prevent advisement of an appropriate shock, regardless of the patient's underlying rhythm.

### SPECIAL INSTRUCTIONS FOR VOICE PROMPTS

1. **“Stand Clear” and “Analyze Now”** – DO NOT touch the patient, AED, Cable, or Patches until “Check for Pulse” prompt is given.
2. **“Stand Clear” and “Push to Shock”** – Operator immediately states: “I’m Clear, You’re Clear, Everybody Clear” and visually checks that no one is touching the patient; then depresses shock button.
3. **“Connect Electrodes”** – verify cable connected fully to AED. Verify patches stuck to chest. If excessive chest hair is present, remove patches, dry shave chest and use NEW patches.

## VI. TRAINING

- A. Initial training will take place at the law enforcement basic academy and ongoing training will take place every two years per the DCJS standard.

## **VII. RECORDS AND REPORTS**

- A. The following records and reports shall be maintained by the Deputy Chief for a period of not less than five (5) years:
  - 1. CPR and AED training for each AED operator.
  - 2. Records of each automated external defibrillator currently in use to include maintenance records and records of safety inspections.
- B. An Incident Report Titled “AED” shall be completed by the officer utilizing the AED for each instance where the AED is deployed and eventually applied to an actual or potential patient. This will be in addition to other incidents associated with the AED use e.g. DOA, Attempted Suicide, etc.

## **VIII. PROVISIONS OF CARE**

- A. Personnel shall be responsible for providing care consistent with their levels of training.
- B. Personnel shall be authorized to withhold treatment from patients in respiratory and/or cardiac arrest only when provided with documentation that the patient involved has a valid “Do Not Resuscitate Order.”
- C. In compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPPA) Privacy and Security Rules for Protection of Health and Mental Health Information, medical information concerning any individual is confidential and shall not be shared or disclosed except for continuing medical care or for investigations by the Department of Health.
- D. Personnel shall not leave a patient without assuring that an equal or higher level of care is provided. Informed consent shall be obtained or informed refusal of care shall be documented by responding EMS workers.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 04-09 NASAL NALOXONE (NARCAN)**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

It is the policy of the Aquia Harbour Police Department that the administration of Nasal Naloxone by sworn personnel be performed in accordance with state law and training. In order to reduce the number of fatalities which can result from opiate overdoses, the Police Department will train its officers in the proper pre-hospitalization administration of Nasal Naloxone. The authority to carry out the provisions of this policy derives from the **Code of Virginia §8.01-225**.

**II. PURPOSE**

The purpose of this policy is to establish guidelines for the proper use of the agency issued Nasal Naloxone, in an effort to broaden the ability of public safety personnel, including law enforcement, to respond to opiate overdoses. Naloxone is a fast-acting opiate antagonist used in emergency medicine to rapidly reverse opiate-induced sedation and respiratory depression. Naloxone is marketed under various trademarks including “Narcan”, “Nalone” and “Narcanti.” For the purposes of this policy, the term “Narcan” will be used to refer to Nasal Naloxone. Narcan is a scheduled drug but has no euphoric properties and virtually no dangerous side effects. During an opiate overdose, a patient may suffer a disruption in normal breathing. In some cases, breathing may stop altogether (respiratory arrest), quickly leading to death. Law enforcement personnel often arrive on the scene of overdoses before emergency medical providers; as a result, the administration of Narcan by officers has the potential to save lives.

**III. DEFINITIONS**

Opiate – An opiate is any controlled substance containing or compounded to be a derivative of morphine or morphine sulfate. The term opiate describes any of the narcotic opioid alkaloids found as natural products in the opium poppy plant ( papaver somniferum). Commonly encountered opiates in police service include Heroin, Morphine, Oxycontin, Percocet, and Percodan.

Naloxone – Naloxone is an opioid antagonist drug. Naloxone is used to counter the effects of opiate overdose, for example heroin or morphine overdose. Naloxone is specifically used to counteract life-threatening depression of the central nervous system and respiratory system. It is marketed under various trademarks including Narcan, Nalone, and Narcanti, and has sometimes been mistakenly called "Naltrexate". It is not to be confused with Naltrexone, an opioid receptor antagonist with qualitatively different effects, used for dependence treatment rather than emergency overdose treatment.

Operational Medical Director – The Operational Medical Director, herein after referred to as OMD, shall be a designated Medical Doctor who is licensed to practice medicine in the Commonwealth of Virginia.

AED Operator – Someone who has completed a training program approved by the American Red Cross or American Heart Association in cardiopulmonary resuscitation and in the use of the AED.

Automated External Defibrillator or AED – A device which combines a heart monitor and defibrillator and (i) is capable of determining, without intervention by an operator, whether defibrillation should be performed, and (ii) automatically charges and requests delivery of an electrical impulse to an individual's heart when required.

Unresponsive – If the patient doesn't move, speak, blink or otherwise react, they are considered unresponsive.

#### **IV. OPERATION PROCEDURES**

##### **A. Training**

Prior to the issuance and/or administration of Narcan, Police Department personnel will attend and successfully complete an agency-approved training course. The Police Department personnel will be provided with refresher training every two years, when completing CPR Recertification.

##### **B. Disbursement of Narcan**

1. Surplus Narcan dispensers will be kept in a secure cabinet under the supervision of the Deputy Chief.
2. Officers certified to administer Narcan will be issued their own dispenser which will be kept on their person while on-duty.

##### **C. Administration**

1. Consistent with their training, authorized officers will utilize Narcan on subjects who are unconscious/unresponsive and believed to be suffering from an opiate overdose. When using Narcan, officers will maintain scene safety, utilize standard precautions against blood borne pathogens, perform a patient assessment, and determine unresponsiveness and the absence of effective breathing and/or a pulse. If the patient is not breathing and does not have a pulse, CPR should be considered.

##### **D. Indications that a subject may be suffering from an opiate overdose include, but are not limited to:**

1. Pinpoint Pupils
2. Depressed or slow respiratory rate;
3. Difficulty Breathing (labored breathing, shallow breaths)
4. Blue skin, lips or fingernails;
5. Decreased pulse rate;
6. Loss of alertness (drowsiness);
7. Unresponsiveness;
8. Evidence of ingestion, inhalation, or injection (needles, spoons, tourniquets, needle tracks, bloody nose, etc)

9. Past history of opiate use/abuse

##### **E. Acute opiate withdrawal can be life-threatening in neonates (newborn infants). The amount of Narcan administered to a newborn is based upon their weight; therefore, Police Department**

personnel **will not** administer Narcan to infants. In the event that officers arrive on the scene of an incident where a newborn is experiencing an opiate overdose, they are instructed to administer basic first responder lifesaving measures, such as CPR or Rescue Breathing until medical personnel arrive on scene.

- F. Officers shall follow the protocols outlined in their Narcan training when administering the product:
1. Officers will update Stafford Dispatch that the patient is in a potential overdose status and ensure that EMS has been dispatched to the scene.
  2. Officers should remove the Narcan from the package, ensuring that the medication has not expired.
  3. Officers should hold the Narcan Spray with the nozzle between the index and middle fingers, and thumb on the plunger.
  4. Officers should then control the patient's head and insert the nozzle into one nostril and depress the plunger.
  5. Allow 3-5 minutes for Narcan to take effect then continue Rescue Breathing, CPR, or the application of an AED.
  6. Expended Narcan devices should be disposed of by placing them in a sharps or biohazard container (maintained by EMS or a local hospital) after use.

G. Maintenance and Replacement

1. Officers authorized to use Narcan are responsible for the inspection of the Narcan prior to each shift. Missing or damaged Narcan must be reported to the supervisor as soon as detected and documented as damaged or lost Police Department property. An open Narcan package is considered damaged.
2. Additionally, the officer will, as soon as possible but before the end of his/her shift, obtain a replacement Narcan dispenser from the Equipment Room.
3. In the event that there are no other re-supply dispensers in the Equipment Room, the Deputy Chief will be notified so that replacement dispensers will be re-stocked in a timely manner.
4. Officers will refer to the expiration date listed on the packaging. If the expiration date is not present, officers will refer to the manufacturer specifications of Narcan having a two-year shelf life.

H. Security and Storage

1. All personnel certified to administer Narcan and issued a dispenser will carry the item on their person while on duty. When off-duty, personnel will ensure that the item is secured at their residence in the same manner in which they would secure other Police Department Equipment such as; Taser, OC Spray or Handgun.
2. The effectiveness of Narcan can diminish when exposed to light or extreme

temperatures; therefore, Narcan should be secured/stored at room temperature.

#### I. Documentation Requirements

1. Upon completing a medical assist with Narcan, the officer will complete an Stafford IBR detailing the nature of the incident, the care the patient received, that Narcan was administered and the outcome of the Narcan administration.
2. The officer will also notify the Deputy Chief that Narcan was administered

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 04-10 BODY WORN CAMERS (BWC)**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:** *Bryan Cameron*  
Chief of Police

## **I. POLICY**

It is the policy of the Aquia Harbour Police Department that officers use Body-Worn Cameras (BWC) to record law enforcement actions accurately, capture evidence pursuant to investigations, and enhance department transparency and accountability in a manner that also safeguards privacy concerns for those individuals being recorded. Officers are required to activate their BWC while performing their duties, where capturing video documentation complies with department policy and the Code of Virginia. It is acknowledged that, at times, officers can face rapidly evolving situations where they cannot safely activate these systems. However, officers must make all reasonable efforts to record interactions between themselves and members of the public whenever it is practicable and safe to do so. All data created by the BWC systems shall remain the exclusive property of the Aquia Harbour Police Department and shall only be released by state and federal law, Police Department Policy, and the Virginia Freedom of Information Act.

## **II. PURPOSE**

This policy aims to establish guidelines and procedures for all employees on the proper use, storage, and file categorization of Department Body-Worn Cameras (BWC).

## **III. DEFINITIONS**

- A. Body-Worn Camera: A device capable of recording audio and video worn on an officer's person or uniform.
- B. Daily Systems Check: Pre-shift check of the BWC to ensure proper functionality for any officer assigned a BWC.
- C. Metadata: Information about a recording that allows it to be searched for and is related to a specific event or case. This data may include incident numbers, report numbers (case management), the date and time the video was created, the name of the officer that created the video, and a video category that determines the retention period.
- D. Critical Incident: An event in which an officer is involved in a shooting, a vehicle crash that results in fatality or serious injury, or any event that, through an officer's actions, results in death or serious injury.

## **IV. GENERAL**

- A. Officers equipped with BWC shall utilize them as required in the performance of all official duties, and whenever interacting with members of the public to:

1. Capture video documentation of law enforcement public contacts, arrests, and critical incidents
2. Enhance law enforcement operations, training, and courtroom testimony
3. Document crime and motor vehicle accident scenes and confiscation of evidence and contraband
4. Assist with supervisor review and evaluation of officer interactions with members of the public, and
5. Identify and correct internal agency issues (e.g., tactics, communications, policy compliance, customer service, officer safety, and more).

#### B. Assignment and Training Requirements

1. Each patrol officer shall be issued a BWC specific to their individual badge number.
2. Any officer assigned a BWC shall attend and complete a department-approved training program to ensure proper use and operation.

#### C. Wearing Body Worn Cameras

All officers who are issued BWC systems shall wear their BWC whenever they are in uniform. The required wearing of BWC is subject to the following exemptions:

1. While attending court
2. While attending ceremonies
3. While officers are assigned to administrative duties not requiring regular contact with the public in an enforcement capacity.
4. Any other time an officer is instructed to or given permission by a command staff member.

#### D. Equipment: BWC systems are for agency use only and shall never be used for non-work purposes or personal activities. Officers shall only use those BWC systems approved and issued by the department and shall not use personally owned BWC equipment.

1. Officers shall ensure their BWC is fully charged before their shift. Should an officer's BWC become inoperable they shall promptly notify a supervisor.
2. When an officer's BWC system malfunctions, is damaged, or is lost, that officer shall promptly notify a supervisor and submit a memorandum to the Deputy Chief. Officers shall not, under any circumstances, attempt to manipulate or alter any part of the BWC equipment or data.

#### E. BWC Activation and Deactivation: BWC activation or deactivation shall only occur when doing so does not compromise the physical safety of the officer or any other individual. When an officer does not activate their BWC due to safety concerns, the reason(s) for non-activation shall be documented in a report or CAD notes if a report is not required. Once activated, recording

BWC systems shall remain active until the incident, public contact, or rendering of law enforcement services has concluded. Officers assisting other officers engaged in an incident, public contact, or the rendering of law enforcement services shall also ensure their BWC's are promptly activated when activation is required by this policy.

1. **Mandatory BWC Activation:** Officers shall activate the recording feature of their BWC system before the following situations:
  - a. Contacts with community members are associated with the performance of official law enforcement duties including responding to calls for service, self-initiated encounters, arrests, traffic stops, field contacts, and all events that involve the rendering of public services or law enforcement activity.
  - b. Actions conducted in the official performance of duty include emergency response driving, vehicle pursuits, vehicle stops, searches of buildings and vehicles, the search or frisk of individuals, searches for fleeing suspects, the collection of physical evidence, and transportation of any individual in custody.
2. **Police-Affiliated Critical Incidents:** Officers involved in or present at a critical incident shall continue to record with BWC until directed by a supervisor not directly involved in the incident, who has deemed the scene safe and secured and there is no further need to record.
3. **Recording Prohibitions:**
  - a. Conversations with other employees or law enforcement personnel in a deliberately surreptitious manner or while discussing law enforcement tactics, strategy, procedures, or plans with other officers.
  - b. Staff meetings, training, business and community events, meetings, personal activities, or other administrative activities.
  - c. While discussing tactics, strategy, procedures, plans, or legal advice with the Commonwealth Attorney's Office.
  - d. While coaching, counseling, or mentoring subordinate employees.
  - e. In locker room or restrooms, unless responding to a call for service.
  - f. To intentionally record information from any data terminal.
  - g. While present in federal, state, or local court.
  - h. Inside jail or correctional facility, when requested by the facility. At the Rappahannock Regional Jail, officers may record in the Magistrate's office, intake, probation and parole, and the public lobby but should discontinue recording when proceeding elsewhere in the facility.
  - i. When ordered to do so by a supervisor or command staff member. Supervisors and command staff members ordering the discontinuing of a recording should be prepared to justify their instructions in writing, at the request of higher authority.

- j. In the presence of an undercover officer or known confidential informant.
- 4. Privacy and Restricted Use: Officers should inform citizens that BWC recording is in progress when asked unless doing so could jeopardize an investigation.
- 5. BWC may be discontinued in situations outlined below. Upon completion of the discussion or portion of the incident subject to exemption, officers should reactivate their BWC if mandatory activation conditions continue to be present.
  - a. While discussing tactics, strategy, procedures, or plans with other Police Department officers and employees.
  - b. When a victim or witness of a crime requests not to be recorded on a BWC or while officers are conducting a lethality assessment program (LAP) screening. If the officer elects not to record the conversation with the witness or victim, the victim or witness request must be documented in a report or notes of the call if a report is not required.
  - c. At the discretion of the officer in a medical or mental health facility to preserve battery power during the treatment of mental health patients or prisoners once the person in their custody has been secured to a hospital bed. The BWC should be reactivated anytime the individual in custody's restraints are adjusted, when the individual is being escorted throughout the hospital, when a use of force is anticipated, or any other time the officer believes the situation should be recorded.

## **V. OFFICER'S RESPONSIBILITIES**

- A. Pre-Shift Tests: Before their shift or assignment begins, officers shall conduct pre-shift checks of their BWC and review their recordings to ensure the devices are properly functioning. Test videos shall be categorized as "SHIFT START TEST". BWCs are the responsibility of the officer assigned to that BWC and will be maintained according to the manufacturer's recommendations and this policy.
- B. Wearing of Body-Worn Cameras: Officers shall affix their BWC to the front of their uniform as close as possible to the center of the officer's chest. Officers may reasonably re-position their BWC based upon uniform variances and ability to access other equipment so long as the BWC remains as close as possible to the center chest position. Exceptions to this requirement may be implemented only with the approval of the Chief.
- C. Obstruction of Body-Worn Cameras: Officers shall not immediately obstruct the BWC nor purposefully seek to avoid the recording of a police incident on these devices per this policy; however, under no circumstances should any officer compromise their safety or the safety of others out of concern, that an event will not be fully captured by their BWC.
- D. Documentation:
  - 1. Officers will document in their incident report or supplemental report that their BWC systems were active and recording during an event.
  - 2. In addition, officers will document in the report, supplemental report, or notes to the call if a report or supplemental report is not required when:
    - a. The failure to activate or reactivate the BWC is a required situation.

- b. They discontinued recording during the required situation and not exempted under this policy.
    - c. When BWC malfunctions during an otherwise required activation event.
  - 3. Officers shall also note in these reports whether the videos were pursuant to a custodial arrest, releasable arrest upon a summons, or whether a warrant will be obtained later and that they were correctly categorized as “Misdemeanor Arrest” or “Felony Arrest” through evidence.com.
- E. Video Tagging: The BWC systems does not interact with the CAD system; therefore, officers will ensure certain events are appropriately tagged within their dashboard on evidence.com.
  - 1. Officers shall review their recordings to ensure proper categorization is conducted following their BWC training by the end of the next shift the work after uploading their videos.
- F. Sharing of Videos with the Office of Commonwealth’s Attorney: The Chief or designee shall share BWC video(s) with the Office of the Commonwealth Attorney by the conclusion of their current or subsequent shift through evidence.com as prescribed during their training.
- G. Officers should discontinue the use of audible electronic devices when BWC systems are actively recording to eliminate unnecessary noise that might interfere with the recording of police activity and radio transmissions. This includes but is not limited to police cruiser AM/FM radios.
- H. Officers should refrain from using personal cell phones while recording on their BWC.

## **VI. SUPERVISOR RESPONSIBILITY**

- A. Restriction of Videos: Supervisors may restrict officers from viewing BWC video(s) where an administrative inquiry or investigation has been initiated. All BWC videos used in an administrative investigation shall be documented and categorized, regardless of whether the complaint is disproven without needing a full investigation. The videos will be categorized as “Personnel”
- B. Conduct Monthly Audits: Supervisors shall conduct monthly audits of their personnel’s BWC in a number determined to be appropriate by the Chief or designee. BWC reviews should specifically focus on response driving and traffic stops. Review of these videos shall focus on the following:
  - 1. Administrative: Officers adhere to adding proper category information.
  - 2. Operational: Officers adhere to departmental policy, officer safety standards and training, professionalism, use of proper language, safe and appropriate response driving, and any identified areas for training or improvement.
- C. Training Videos: Supervisors may request the use of BWC videos for training purposes through the Chief if being used outside the agency.
- D. Police-Affiliated Critical Incidents: Supervisors who respond to a critical incident should direct

officers to terminate BWC recordings once the scene is safe and secure.

## **VII. COMMAND RESPONSIBILITY**

- A. The Chief of designee shall ensure that all personnel within the agency who are assigned a BWC system have attended and completed department-approved training courses prior to use in their duties.
- B. The Chief or designee may review BWC recordings for all pursuits and use of force incidents to ensure compliance with laws and agency policy, identify training needs, and address any concerns requiring mitigation or corrective action.

## **VIII. ACCESS AND DISSEMINATION**

- A. BWC audio and video recordings and all related metadata captured, recorded, or otherwise produced by these devices shall remain, at all times, the exclusive property of the Aquia Harbour Police Department.
- B. Providing Video Evidence to the Office of the Commonwealth's Attorney: BWC video involving any arrest shall be shared with the Office of the Commonwealth's Attorney in a timely manner.
- C. Access: Unless provided by this policy, employees shall not permanently edit, alter, erase, duplicate, copy, share, or otherwise distribute BWC videos without the authorization of the Chief or designee. Duplication of any BWC video in whole or part by a secondary recording means, including screen-capture software or audio/video recording with another device (i.e., mobile devices), is strictly prohibited.
  - 1. Viewing of a video by a member of the public: Employees shall not permit any member of the public, including complainants or witnesses, to view BWC without prior authorization from the Chief or designee and only after the video has been redacted. Requests by citizens to view or obtain a copy of BWC video shall be forwarded to the Chief or designee.
  - 2. Viewing a video by a department employee: Department employees may only view BWC videos for approved law enforcement or administrative purposes, including
    - a. In furtherance of an active investigation
    - b. Review for report writing and preparing for criminal and/or civil litigation,
    - c. Administrative audits and internal investigations,
    - d. Training needs and exercising appropriate supervision of subordinate employees,
    - e. Review for assessment of departmental training needs and procedural changes.
  - 3. All employees should be aware BWC videos contain audit trails that record the employee and date/time of all access, dissemination, or other action within evidence.com. The viewing, reproduction, distribution, or dissemination for unauthorized purposes is prohibited and may result in disciplinary action up to and including termination. Access to BWC videos is audited by the Chief and/or designee.

D. Dissemination: The Chief or designee shall handle all release and redaction requests of BWC recordings outside the agency. All FOIA requests for BWC videos shall be addressed per VAFOIA.

1. Subpoena Duces Tecum and Court Orders: Where BWC video is requested under a Subpoena Duces Tecum or court order; the Chief or designee may consult with the assigned Stafford County Attorney to coordinate the release of the requested video to the appropriate court.
2. FOIA Releases: BWC materials may also be releasable under the Virginia Freedom of Information Act.

## **IX. LEGAL REQUIREMENTS**

- A. Admissibility: BWC videos subject to the requirements for the admissibility of evidence. Officers should review BWC videos before court to be able to testify under oath; it is a fair and accurate depiction of what the BWC recorded during the incident/arrest and have their notes available during court proceedings.
- B. Recording in Public: Officers may record community members, as individuals in a public area do not expect privacy. BWC recording police contacts with individuals are permissible in areas with an expectation of privacy, provided officers have the legal authority to be in that location (e.g., domestic violence investigations that occur inside a residence).

## **X. STORAGE AND RETENTION**

- A. BWC materials shall only be stored and transmitted in a manner consistent with the appropriate US Department of Justice Criminal Justice Information Services (CJIS) Security Policy.
- B. All BWC videos shall be retained and disposed of in accordance with the Library of Virginia Records Retention and Disposal Schedule.

**AQUIA HARBOUR POLICE DEPARTMENT**  
**POLICIES AND PROCEDURES**

**Policy: 04-11 MENTAL HEALTH RESPONSE**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The Aquia Harbour Police Department is committed to the overall physical safety and the mental health of all who reside in, conduct business within, or those who visit Aquia Harbour.

It is the purpose of this policy to provide instructions and guidance to members of the Aquia Harbour Police Department when responding to or encountering persons experiencing a mental health crisis or persons who have mental illness. For the purposes of this policy, the term Person in Crisis (PIC) will be used to describe a person perceived as suffering from a mental health crisis or a mental illness.

**II. PURPOSE**

Responding to situations involving individuals reasonably believed to be a Person in Crisis (PIC) requires an officer to make judgments about the mental state and intent of the individual and necessitates the use of special skills, techniques, and abilities to effectively and appropriately resolve the situation, while minimizing violence.

The ultimate goal of law enforcement's response to a PIC is to de-escalate the situation safely for all individuals in a manner consistent with established safety priorities, when practical, and to provide appropriate services to both the PIC and the public. However, it is impossible and implausible to expect a law enforcement officer or anyone else, including trained mental health professionals, to know the cause of psychotic or violent behavior when it is initially encountered—such diagnosis requires psychological testing/questions and drug screening beyond a standard panel or initial observation as many symptoms of mental illness mirrors those of intoxication. As a result, officers must rely on their training and best judgement when determining how to address any violations of law present, whether the PIC should be taken into emergency custody, or whether the PIC can be aided in voluntarily obtaining treatment for their condition(s).

**III. DEFINITIONS**

- A. Mobile Crisis Team (MCT): A team of mental health professionals provided by regional and/or state resources that may respond to ongoing mental health incidents.
- B. Crisis Intervention Team (CIT) Officer: A officer who has completed specialized crisis intervention training to assist them in recognizing, communicating with, and potentially de-escalating a PIC.
- C. Emergency Custody Order (ECO): Further defined in **Code of Virginia 37.2-808**

- D. Marcus Alert Legislation: Marcus Alert, also called the Marcus David-Peters Act, is a law passed by the Virginia General Assembly in 2020 that directs localities throughout the Commonwealth to develop and establish a mental health awareness response and community service alert system. Marcus Alert creates coordination between 911 and regional crisis call centers. It is designed to enhance services for a Person in Crisis (PIC) who is perceived to be experiencing a crisis related to mental health, substance use, or a developmental disability.
- E. Mental Health Crisis: An event or experience in which an individual's normal coping mechanisms are overwhelmed, causing them to have an extreme emotional, physical, mental, and/or behavioral response. Symptoms may include emotional reactions such as fear, anger, or excessive giddiness; psychological impairments such as inability to focus, confusion, or nightmares, and potentially even psychosis; physical reactions like vomiting/stomach issues, headaches, dizziness, excessive tiredness, or insomnia; and/or behavioral reactions including the trigger of a "freeze, fight, or flight" response. Any individual can experience a crisis reaction regardless of previous history of mental illness (International Association of Chiefs of Police, 2018).
- F. Mental Illness: "Mental illness" means a disorder of thought, mood, emotion, perception, or orientation that significantly impairs judgment, behavior, capacity to recognize reality, or ability to address basic life necessities and requires care and treatment for the health, safety, or recovery of the individual or for the safety of others (As defined in the **Code of Virginia §37.2-100**)
- G. Person in Crisis (PIC): a person perceived to be suffering from a mental health crisis or a mental illness.
- H. Rappahannock Area Community Services Board (RACSB): A group who provides emergency services and crisis intervention. RACSB connects people with outpatient therapy, group counseling, intensive care coordination, crisis services, medication management, recovery-based rehabilitation, and residential care.
- I. Temporary Detention Order (TDO): Further defined in **Code of Virginia 37.2-809**
- J. 988/988 Call Center—988 is a federal mandated three-digit phone number for the national suicide and crisis hotline. The network is made up of over 200 call centers offering call, chat, and text services to people in crisis.

#### IV. PROCEDURE

##### A. General

1. For calls received involving a PIC, Harbour dispatchers shall forward those calls to Stafford County Dispatch. Harbour dispatchers shall still start a Police Officer to the residence for assistance.
2. Members of the department shall attempt to seek non-arrest resolutions whenever possible, with the referral to appropriate facilities on a voluntary basis being the desired result.
3. Involuntary detentions will be sought when the safety of the public, or the individual involved, is at risk. The obtaining of involuntary detentions will be done in accordance with **37.809 of the Virginia Code**.

## B. Call Classification

When the Stafford County Emergency Communications Center (ECC) receives a call where the primary complaint involves a behavioral health component, the calls will be classified in the following manner:

1. Level 1—Distressed caller appropriate for phone intervention with a trained behavioral health professional with referrals for services within 72 hours. No homicidal thoughts, intent or behavior. Suicidal thoughts can be present if no plan and/or means.
2. Level 2—Distressed caller with imminent need of in person behavioral health support. No homicidal thoughts, intent or behavior. Suicidal thoughts with no plan or no direct access to lethal means. Minor self-injurious behavior.
3. Level 3—Active aggression, florid psychosis, homicidal thoughts with no active behaviors or intent, active cutting (self-injurious behavior) with concern for medical risk, suicidal thoughts with plan and access to lethal weapons, magistrate issued emergency custody order.
4. Level 4—Direct, immediate threats to life. Active suicide attempt. Active assault on others with ability to cause significant harm. Any weapon present and accessible. Magistrate issued emergency custody order with immediate security threat.

## C. Law Enforcement Response

1. The call classifications above will receive the following response from the Stafford County Sheriff's Office (SCSO).
  - a. Level 1—Calls of this nature will be diverted to 988 (obtain info to support warm handoff) without further Sheriff's Office follow up or response.
  - b. Level 2—Calls of this nature will be coordinated with 988. These calls may require a law enforcement response.
  - c. Level 3—Calls of this nature will be coordinated with 988 and may require a law enforcement response.
  - d. Level 4—Calls of this nature will be coordinated with 988 but result in an immediate law enforcement dispatch.
2. The Aquia Harbour Police Department and Stafford Sheriff's Office enjoys significant community trust, in part, because of its willingness to respond whenever a citizen requests law enforcement assistance, regardless of whether or not a criminal issue is apparent. As a result, the Aquia Harbour Police Department and Stafford Sheriff's Office reserves the right to provide prompt assistance to the public, regardless of whether there is a behavioral health component of the call, including but not limited to when:
  - a. A citizen specifically requests a law enforcement presence.
  - b. An MCT is unavailable or their estimated time of arrival exceeds 60 minutes.

- c. There is a reasonable suspicion that criminal activity is or has occurred.
  - d. The location of an individual suffering from mental illness is unknown and further investigation is required to obtain assistance for the individual.
  - e. Any time there is an immediate threat to life or property.
3. Any question regarding whether a law enforcement response should occur will be resolved by an on-duty law enforcement supervisor.
  4. If after arriving on scene Police Department personnel identify that behavioral health is a primary component of the call, they will ensure contact is made with the 988-call center if practical and appropriate.
  5. The Stafford Sheriff's Office will ensure appropriate Crisis Intervention Team (CIT) staffing across all shifts and, as much as practical, prioritize the dispatch of Crisis Intervention Team (CIT) trained personnel to calls classified as requiring a behavioral health response involving law enforcement.
  6. A minimum of two officers should be dispatched to behavioral health calls and, whenever practical, supervisors should ensure at least one CIT officer responds to incidents where behavioral health is the primary complaint.

#### D. On Scene Responsibilities

1. Upon arriving on the scene of behavioral health call officers will:
  - a. Ensure emergency medical aid is rendered to injured parties.
  - b. Determine whether a crime has been committed.
  - c. Determine whether the person in crisis or suffering from mental illness meets conditions to be taken into emergency custody pursuant to **37.2- 808**. If the PIC has already made an active attempt to commit suicide they should be taken into emergency custody for treatment.
  - d. Determine if the individual wishes to be voluntarily transported to the hospital for mental health assistance or would benefit from a referral to community-based services at a later date.
2. Once a CIT officer is on the scene of a behavioral health call, the CIT officer may assume the lead role in interacting with the Person in Crisis (PIC) if practical. The CIT officer will also assist the primary officer in completing the above determinations.
3. Even when the officer is able to assist a PIC through a crisis, the individual will be encouraged to seek professional assistance. Officers should be prepared to provide the PIC or family members reference material and information, such as contact information for RACSB and 988, so they may seek further assistance.

## E. Responding with MCT Assistance

1. Law enforcement personnel will execute professional responses in collaboration with MCT personnel and make every effort to assist them in the execution of their duties. This response will mostly be conducted with Sheriff's Office and Aquia Harbour Police Department personnel; however, additional officers may be tasked to also respond as needed.
2. Law enforcement personnel will share any information which would not endanger an ongoing criminal investigation to assist MCT personnel in aiding the PIC. This information includes, but is not limited to, information concerning prior calls for service with the individual, safety concerns surrounding the individual, and known factors surrounding the person's mental health, and the officer's name and badge number.
3. Law enforcement personnel will respond promptly to mental health requests for law enforcement assistance based on call volume and priority and will make every effort to remain on scene with MCT personnel providing law enforcement does not become aware of a more serious call requiring their response.
4. Situations involving behavioral health outside of clinical settings can be dangerous and evolve rapidly resulting in injury or death for those present. While MCT's safety and security cannot be guaranteed, law enforcement personnel will make every effort to ensure their safety and security.

## F. ECO / TDO Service

1. In addition to officers being able to initiate an ECO without prior paperwork, a citizen who has reason to believe a person is suffering from a mental disorder and presents a danger to the life and safety of the individual or others may complete a petition for an ECO for evaluation of that person. Judicial review by a magistrate or judge is required when a citizen is the petitioner.
2. Upon determining that probable cause exists to detain the subject named in the petition, the judge or magistrate will sign the ECO and direct the Sheriff to take the subject into custody and transport the subject to an emergency facility.
3. The primary concern is the safety and welfare of the Person in Crisis (PIC), other citizens, and first responders. Shift supervisors will not delay service of an ECO arbitrarily. If all law enforcement officers are already assigned to non-emergency calls, Stafford supervisors should reassign officers to ensure that the ECO is served as soon as possible unless delay is necessitated due to higher priority calls.
4. If officers assigned to serve an ECO are unable to locate the Person in Crisis (PIC), they will record their attempts to serve the ECO and contact the supervisor for additional guidance. If the ECO has expired it should be returned to the issuing magistrate or court as soon as practical.

## G. Call Disposition

1. When responding to any behavioral health incident where issues of criminal law are present, such as the commission of a crime or presence of warrant, responding Police Department personnel will make the determination whether:
  - a. An immediate arrest is necessary.
  - b. Whether an arrest will be deferred with warrants obtained and served after the person in crisis or suffering from mental illness receives medical and/or mental health treatment.
  - c. Or whether a warning for the violation of law is appropriate in lieu of the person in crisis or suffering from mental illness receiving services from mental health professionals.
2. In determining which of the above actions is appropriate on any behavioral health incident where issues of criminal laws are present, officers should consider:
  - a. Whether mandatory arrest laws exist regarding the offense.
  - b. Whether there is an immediate threat to the life of the person in crisis or suffering from mental illness due to the ingestion of substances or injury that might necessitate prolonged medical treatment.
  - c. Whether evidence could be lost as a result of failing to make the arrest such as incidents where individuals are operating a motor vehicle while under the influence of drugs and/or alcohol.
  - d. The severity of the crime committed.
  - e. The level of supervision and security required to ensure the safety of the public.
3. Officers are reminded MCT personnel are not permitted to intimidate, impede, or obstruct law enforcement in the execution of their duties; however, the decision-making process described above should occur in consultation with responding mobile mental health response personnel.
4. Officers encountering any disagreement between themselves and members of an MCT should contact an on-duty law enforcement supervisor who will make the final decision regarding the appropriate disposition of the call.

## H. Transportation and Security of Persons in Crisis or Suffering from Mental Illness

1. Voluntary Transports
  - a. PICs who are voluntarily seeking to be transported to the hospital for mental health services may be transported by an officer, members of an MCT, or family members.
  - b. Prior to an MCT or Officer transporting a PIC voluntarily seeking mental health

assistance, officers should obtain consent to search the individual to ensure no weapons are present. If consent is withheld, officers should attempt to arrange for other means of transport.

- c. If an officer transports the PIC, upon arrival at the hospital, officers should ensure the PIC is signed in and complete any paperwork the hospital requires the officer to complete prior to departing.

## 2. Individuals in Emergency or Temporary Custody

- a. When a PIC is taken into emergency custody pursuant to **37.2-808** officers should contact RACSB as soon as practical so they can respond to meet units at the hospital and conduct a mental health assessment. ECC should also be notified when an individual is taken into custody under an ECO or TDO.
- b. Any PIC taken into emergency custody will be searched and secured. Whenever custody is exchanged between two law enforcement officers, the PIC in emergency custody will be searched.
- c. Once at the hospital, the PIC in emergency custody will have one wrist handcuffed to the bed at all times. For stays of significant duration, handcuffs should be regularly shifted to the opposite wrist at regular intervals and reasonable efforts should be made to place the handcuffs in a manner that minimizes discomfort.
- d. While at the hospital, handcuffs will only be removed when necessary for the completion of a medical procedure such as an MRI scan. When the handcuffs are removed, officers should consider having additional officers present to ensure appropriate security.
- e. Officers will maintain line of sight with the PIC in emergency custody except when an individual of the opposite sex is using the restroom or is being asked to fully disrobe by medical staff. In those cases, officers should ensure they are positioned in a manner to hear what is occurring inside the room in the event an immediate intervention is needed.
- f. Officers should exercise caution when allowing individuals in emergency custody to access the restroom. Prior to allowing the individual to use the restroom, officers will ensure the restroom is clear of all other persons, that potential weapons have been removed, and the individual is unable to lock the officer out of the restroom. Officers may require the individual to utilize bedpans in the privacy of their hospital room at their discretion if, in their judgement, allowing the individual to use the restroom would present a security risk to hospital patients and staff.
- g. All Temporary Detention Orders shall be the responsibility of the Stafford County Sheriff's Office.

## V. CRISIS INTERVENTION TEAM (CIT) PROGRAM

- A. The Crisis Intervention Team (CIT) consists of officers trained in handling a Persons in Crisis (PIC) and those who suffer from mental illness.

- B. Employees participating in the CIT Program will receive 40 hours of instruction on mental illness and techniques used to effectively de-escalate crisis incidents involving a Person in Crisis (PIC). Upon completion of the 40 hours of training, the employees will become certified as CIT members.

## **VI. REPORTING REQUIREMENTS**

- A. The Sheriff's Office will maintain and report data pursuant to the Marcus Alert Legislation and any other local, state, or federal regulations and laws.
- B. To ensure proper data reporting, a Stafford IBR report should be generated anytime a officer takes an individual into emergency custody without an ECO issued by a magistrate or the courts. Officers should also ensure that any call where behavioral health is the primary complaint or an ECO or TDO is being served is classified as the appropriate level of call in the CAD.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 04-12 TRAFFIC ENFORCEMENT**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

## **I. POLICY**

Objectives of traffic law enforcement are to reduce traffic accidents and injuries, and to facilitate the safe and expeditious flow of vehicular and pedestrian traffic through voluntary compliance with traffic regulations. The Aquia Harbour Police Department seeks to achieve this objective through a combination of education and enforcement.

The Police Department seeks to educate the public regarding traffic regulations through programs aimed at exposing specific problems, and by publishing traffic accident and injury statistics.

Enforcement action will be taken upon detection of an illegal and potentially hazardous act, without regard for such factors as attitude, intent, or excuse. Enforcement action may consist of a warning, citation, or arrest. However, overzealous enforcement without considering whether the violator is familiar with the legal requirements or without regard for the circumstances surrounding the violation causes disrespect for the law and poor relations between the department and the community.

Traffic enforcement is one of the many tasks performed by officers, but for violators it is frequently an emotionally traumatic experience. In many cases, this is the only contact that a person has with law enforcement. Officers should strive to make each contact educational and to leave the violators with the impression that the officer has performed a necessary task in a professional manner.

The Police Department conducts statistical and visual surveys to determine by location, time and day of week which violations are causing accidents. Based upon the information obtained, personnel are deployed to take enforcement action. In addition, when complaints are received regarding a specific traffic problem in a particular area, personnel are assigned to investigate and take appropriate enforcement action.

## **II. PURPOSE**

The purpose of this order is to prescribe procedures for traffic law enforcement, preventive patrol, proactive enforcement, and relationships with motorists, pedestrians, and the courts.

## **III. PROCEDURES**

### **A. General**

Officers shall enforce the same laws consistently under similar circumstances. Before taking any enforcement, officers must consider the circumstances of the law violation and decide on a course of action, which relies on experience, training, and judgment. Further, traffic laws shall be enforced without regard to race, sex, nationality, location of the operator's residence, or the

nature of the vehicle (type, model, whether commercially or privately operated).

#### IV. Types of Enforcement Actions

Enforcement actions may consist of a warning, citation, or physical arrest.

- A. Warnings: A warning may be issued to a violator whenever there is a minor traffic infraction committed in those areas where traffic accident experiences are minimal, or when the act may be due to ignorance of a local ordinance. Warnings may either be issued verbally or written on a warning notice form.
- B. Virginia Uniform Traffic Summons (UTS): UTS' should be issued to a violator who jeopardizes the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving violations or operating unsafe and improperly equipped vehicles.
- C. Physical arrest

Officers will make a physical arrest, in compliance with **Virginia Code 46.2-940**, of:

- 1. Violators of traffic laws pertaining to Driving Under the Influence of Alcohol (DUI) or other intoxicants;
- 2. Whenever a felony has been committed involving a vehicle.

#### V. Handling: Special Categories of Violators

##### A. Juveniles

- 1. Officers have the discretion to handle juvenile traffic offenders in a variety of manners. Officers may also consider educational methods to ensuring a juvenile understands their offense and the dangers of traffic violations.
- 2. Juvenile traffic offenders are prosecuted in Juvenile and Domestic Relations Court and that shall be so noted on the summons. Officers issuing a traffic summons to juvenile offenders shall advise them of their options regarding prepayment or court appearance and that a parent or guardian must accompany them when they appear before the court.

B. Career consular officers of foreign nations are immune from arrest for criminal and traffic offenses unless arrests are ordered by a federal magistrate. Once identified, consular officials will not be detained unnecessarily. Consular immunity does not normally extend to members of consular officer's families or employees.

C. The Lieutenant Governor and members of Legislature, under **Title § 30-6 Code of Virginia**: During the session of the General Assembly and for five days before and after the session, the Lieutenant Governor, a member of the General Assembly, or the Clerk thereof and their assistants, shall be privileged from being taken into custody except for treason, a felony, or a breach of the peace. The issuance of a traffic summons for a moving traffic offense is allowed, as is a physical arrest in the case of an offense involving DUI.

D. Military Personnel: Officers will abide by **Virginia Code § 46.2-305, § 46.2-306 & § 46.2-308** when enforcing licensing/traffic violations pertaining to military personnel.

- E. Nonresidents who are licensed by a reciprocal state will be treated the same as residents. When the offender is licensed in a non-reciprocal state, a physical arrest may occur.

## **VI. Information regarding traffic summons**

- A. The Virginia Uniformed Traffic Summons will be completed whenever a motorist is to be charged with a motor vehicle violation, including the following information:
  - 1. Court Appearance Schedule (Date and Time);
  - 2. Whether the court appearance by the motorist is mandatory or the fine can be prepaid;
  - 3. Any other information necessary prior to release of the motorist.

## **VII. Uniformed Enforcement Policies for Traffic Law Violations**

The following guidelines for uniform traffic law enforcement actions are provided to assist officers in making decisions as to whether or not a traffic summons is warranted.

- A. Speed violations: Should be a clearly convictable violation in court
- B. Other hazardous violations: Consider degree of hazard, place, previous accident history of location, current directed patrol emphasis, etc.
- C. Equipment violations: Often motorists are unaware of minor equipment defects and bringing the problem to their attention will suffice. A summons should be considered in cases of flagrant equipment defects.
- D. Public carrier/commercial vehicle violations: Consider the congestions, lack of parking, and carrier needs for delivery access.
- E. Multiple violations: May cite all if deemed necessary. Consider issuing a summons for the most serious violation and issuing warnings on other less severe violations.
- F. Newly enacted laws and/or regulations: Normally, a grace period is established during which only warnings should be given. Thereafter, the officer should use discretion.
- G. DUI: See below
- H. Seatbelt and Child Safety Requirements: Officers should ensure that all safety restraints are utilized in compliance with the Code of Virginia.

## **VIII. TRAFFIC LAW ENFORCEMENT PRACTICES**

- A. Normal traffic enforcement involves visible traffic patrol by officers who observe and handle traffic violations during the performance of their normal duties.
  - 1. Traffic enforcement involves general traffic enforcement efforts within the officer's assigned area of responsibility.
  - 2. Directed patrol involves specific targeted traffic enforcement efforts either within a specific location or targeting a specific violation.

3. Stationary observation, can either be covert or overt, may be used as a technique to make observations about the flow of traffic in a particular location. Officers are encouraged, when completing reports or doing other activities which will keep them out of service for a short while, to park their patrol vehicles in a conspicuous location, where just the presence of the vehicle will serve as a reminder to drivers for the need for compliance with traffic laws.

## B. Objectives of Traffic Stops

There are three primary objectives to a traffic stop. The attainment of these three objectives depends upon the officer's ability to evaluate the violator's mental outlook, physical condition, and facts concerning the violation. This requires a thorough understanding of human relations and demands flexibility on the part of the officer. Enforcement procedures should minimize conflict, which may develop between the officer and violator and assist in achieving the three major objectives, which are:

1. To take proper and appropriate enforcement actions.
2. To favorably alter the violator's future behavior.
3. To detect and disrupt criminal activity and apprehend criminal suspects.

## C. Stopping the Vehicle

All traffic stops have risk factors associated with them. These stops are directly related to the frequency in which the officer performs this task while having the least amount of information on the person operating the vehicle. Therefore, the officer shall abide by the following procedures in order to increase awareness, prevent complacency and eliminate personal injury through physical or vehicular assault.

The following steps in stopping and approaching the vehicle are intended to provide maximum safety for the officer, the occupants of the vehicle, and other users of the roadway. Varying conditions regarding the engineering of the particular traffic artery, the urgency to stop the violator (drunk driver), and the existing volume of traffic may require adjusting or altering the recommended procedure. These procedures are to be followed when possible, and are presented from the perspective that ideal conditions exist.

1. The apprehension of a vehicle has begun when the officer has positioned himself behind the vehicle to begin the stopping procedure.
2. The officer should notify SCSO Dispatch of the license number and the intended location of the traffic stop.
3. The officer should be thoroughly familiar with the area and anticipate the appropriate location to stop the vehicle. Consideration should be given to a location with ample space, appropriate lighting and should avoid stops on hills, curves, intersections, private drives, and locations which have limited parking.
4. The occupants of the vehicle should be signaled and directed to the right side of the roadway close to the curb or onto the shoulder if engineering design of the roadway

permits this.

5. Should the vehicle operator stop abruptly in the wrong lane or in another undesirable location, they should be promptly directed to move to a safer location. Officers should use the public address system to instruct the vehicle operator to move to a safer location. If the officer's verbal directions and gestures are insufficient to bring understanding, the officer should quickly exit the patrol vehicle and give verbal instructions to the vehicle operator.
6. The vehicle operator should not be permitted to move his vehicle once it has stopped, if it is suspected the driver has been drinking to the extent that his driving ability is impaired.
7. Once the vehicle operator has stopped in an appropriate location, the officer should position the patrol vehicle approximately one-half to one car length behind the violator's vehicle. The patrol vehicle should be positioned so that it will offer the officer some protection from traffic. This position should be two feet outside and to the left of the stopped vehicle. This position provides maximum safety to the occupants of the stopped vehicle, the officer, and all other traffic.
8. The officer should exit from the patrol vehicle and be continuously alert for any suspicious movement or actions on the part of the occupants of the stopped vehicle.
9. The officer should approach from the rear of the stopped vehicle, looking into the rear seat area, and stop at a point to the rear of the trailing edge of the left front door. This position should be maintained if there are only occupants in the front seat of the vehicle. From this position, the officer can communicate with the vehicle operator, keeping him in a slightly awkward position, and at the same time keep any other occupants of the vehicle in view.
10. In those cases where the stopped vehicle has occupants in both the front and rear seats, the officer should approach to a point near the leading edge of the left front door, being especially alert for any unusual actions on the part of the occupants and choosing a path so the door cannot be used as a weapon against the officer. From this position, the officer can communicate with the vehicle operator and keep all occupants in view.
11. At night, the procedure is the same with the additional necessity of exercising caution in selecting an appropriate place for the traffic stop, signaling the operator of the vehicle, and positioning the patrol vehicle. After the stop, in addition to the headlights, the takedown lights should be activated, and the spot light should be aimed at the inside mirror of the stopped vehicle.

#### D. Approaching the Vehicle Operator/Officer – Vehicle Operator Relations

Once the officer has stopped the violator and approaches to a point where communications can begin, the following guidelines should be followed in terms of officer-vehicle operator relationships

1. Be alert at all times but do not be obviously apprehensive.
2. Be certain of the traffic violation without reservation.

3. Present a professional image in dress, grooming, language, bearing, and emotional stability.
4. Be prepared for the contact by having the necessary equipment and forms immediately available.
5. In many cases, the officer has decided on an enforcement action when approaching the vehicle operator. Taking into consideration the area of the violation, the severity of the offense and its impact on the community, the officer may also evaluate the vehicle operator's willingness to conform or modify their driving behavior and determine whether a warning or summons is needed. Officer discretion is to be used professionally, only considering what is best for the community as a whole and not considering the individual's gender, race or any personal characteristics.
6. Visually assess the stopped vehicle for the number of occupants, weapons and contraband.
7. Greet the vehicle operator with an appropriate title and in a courteous manner.
8. Inform the vehicle operator of the traffic law violated and the intended enforcement action; the vehicle operator should not be kept in suspense.
9. Ask for the vehicle operator's driver license and vehicle registration, and accept only these forms. Any attempt by the driver to offer money to the officer shall be quickly refused; and the individual advised such an action is considered bribery.
10. If the vehicle operator has no driver's license, obtain another form of identification. Check the driver's license and wanted status through Stafford Dispatch.
11. Complete the forms required for the enforcement action taken (summons or written warning) or exercise a verbal warning.
12. Explain to the vehicle operator exactly what he is supposed to do in response to the action taken and how this action will affect him.
13. If the enforcement action requires a court appearance, make sure the vehicle operator knows where and when to appear. Explain any alternatives to the vehicle operator but do not predict the actions of the court.
14. Be alert to any emotional stress exhibited by the vehicle operator. If stress is present, the instructions may have to be repeated or the violator may need to calm down before resuming driving.
15. Return the violator's driver's license, registration, and a copy of the action taken.
16. Assist the violator in safely reentering the traffic flow.
17. Try not to follow the violator.
18. In situations where the officer(s) making the stop is preparing to confront the suspect of a criminal incident, certain precautions should be taken in addition to standard stopping procedures. Examples of such incidents include, but are not limited to: suspects of most misdemeanors and property crimes (such as fraud, unauthorized use, larceny,

shoplifting, or assault/domestic assault) suicidal subjects who are believed to be unarmed, suspects known to be hostile to law enforcement. These stops have a higher likeliness for danger/safety concerns for officers and require the following additional precautions be taken:

- a. Preplan the stop: Minimal traffic, wait for additional officers, if possible, provide additional suspect information to Stafford Dispatch;
- b. Increase the distance between suspect and officer's vehicle;
- c. Maintain cover/contact officer positions and visual contact with subjects;
- d. Issue verbal commands;
- e. Use additional resources, as available (i.e. Electronic Control Device, K-9, etc.).

#### E. High Risk Vehicle Stops

The use of high-risk vehicle stop techniques is designed to protect the public and officers and to provide officers as much time as possible to make decisions regarding de-escalation and the use of force. This is accomplished by positioning officers and their vehicles to limit public access to the stop and to maximize the use of distance and cover while officers gauge the vehicle occupant's compliance. In addition, high risk stops are designed to afford the public and officers the most protection possible in the event of unexpected violence being initiated by non-compliant suspects, to place officers in a tactically superior position in the event a suspect chooses to engage them with a deadly weapon, and to limit the public's access and exposure to any hazards arising from the stop.

High risk vehicle stop techniques should be utilized when stopping a vehicle, an officer has reasonable suspicion to believe is occupied by an individual or individuals who may be armed and/or dangerous. Examples of where high-risk vehicle stop techniques should be attempted include:

1. At the termination of a vehicle pursuit or
2. When an officer has reasonable suspicion the occupants of a vehicle:
  - a. Committed a crime involving the use, display, or implication of a weapon
  - b. Committed a crime and are known to be armed
  - c. Are armed and dangerous
  - d. Committed a forcible felony (felony involving violence, sex offenses)
  - e. Committed a crime where the facts known about the occupants, the unique facts of the incident, or the potential penalties for the crime lead officers to reasonably suspect the individual may be dangerous (child pornography, known police fighter, certain breaking and entering/home invasions, certain stolen vehicles etc.)
3. Prior to conducting a high risk stop, an officer will notify the dispatcher immediately of his location, and give a thorough description of the vehicle, and of the occupants. The officer will keep responding units informed of the location and direction of travel to

facilitate their approach with minimal use of emergency equipment. The suspect vehicle will not be stopped, unless absolutely necessary, until adequate support is available and in position. The following procedures will be used in effecting the stop:

- a. The officer will plan to stop the suspect vehicle in a location which presents minimal danger to himself and other citizens. Prior to making the stop, if known high risk stop, officers shall request additional support units through Stafford Dispatch.
- b. When conditions are appropriate and support units available, the officer will move into position to the rear of the suspect vehicle.
- c. The officer will signal the violator to stop, utilizing all emergency equipment to warn other traffic.
- d. The officer will have his weapon easily accessible and ready for immediate use.
- e. When the suspect vehicle begins to stop, the officer will turn off the siren and actuate the public address system.
- f. The officer will park the patrol vehicle so that it provides maximum protection and cover for him.
- g. At night, all lights will be focused on the interior of the suspect vehicle, including spotlights, to the disadvantage of the violator.
- h. The officer will exit the patrol vehicle quickly and assume a position of cover and/or concealment.
- i. The officer making the stop is in command.
- j. The officer will also give instructions to the cover officer, even if not needed, to assure the suspects that additional support is available.
- k. The cover officers will ensure there is adequate protection from traffic positioning their vehicles to ensure traffic does not enter officer's arcs of fire. Contact officers that will be handcuffing and searching suspects shall be armed with their handgun.
- l. The cover officers will not give additional commands as this would tend to confuse the suspects, but will make their presence known by responding to the commands given by the officer effecting the stop.
- m. Occupants will be removed individually from the vehicle with clear instructions. Each occupant will be brought back toward the patrol vehicle and placed in a prone or kneeling position. Support officers will then handcuff and pat down each occupant before placing them in a caged vehicle. Occupants should be quickly asked about additional occupants in the vehicle and any weapons present.
- n. Once each visible occupant has been removed, the primary officer should attempt to call out any hidden person. Officers shall then tactically clear the entire vehicle.
- o. Extreme caution will be exercised by officers not to get within each other's line of

fire.

- p. Arrestees will be searched and handcuffed prior to being transported.
4. In the event the vehicle's occupants refuse to exit the vehicle, the officers must make a series of decisions whether to treat the incident as a barricade or to tactically approach the vehicle to effect a detention. In making this determination, officers should consider the following:
    - a. The nature of the offense. If the suspect(s) have committed a crime involving the use, display, or implication of a weapon or are presently armed, officers should treat the incident as a barricade, contain the incident, and summon appropriate supporting resources. If the suspect is not believed to be armed, such as at the end of a pursuit where no weapon has been displayed, officers may elect to make a tactical approach to take the suspect into custody
    - b. Available resources. In deciding whether or not to make a tactical approach, officers should consider whether there are sufficient resources on scene to mitigate the risk of such an approach while balancing the need to maintain initiative and effect a detention. These considerations include whether there are sufficient cover officers present to support the contact officer as they attempt an extraction and whether there is specialized equipment present that could further mitigate risk including ballistic shields, K-9, and other less lethal tools. Officers who encounter a subject refusing to exit the vehicle when commanded should contact Stafford Dispatch and request additional resources and detailed information about the incident.
    - c. Other variables. Officers should also consider whether there are other variables present which may impact their decision to treat the incident as a barricade or attempt a tactical approach. These variables include whether there is a handicap or language barrier that prevents the individual from complying, the number of occupants of the vehicle, the extent to which officers can observe the suspects in the vehicle utilizing available cover and concealment, and the surroundings and backdrop of the stop among others.

#### F. Persons Charged with Revoked/Suspended Operator's License

1. The Virginia Uniform Traffic Summons (UTS) may be issued when an officer has stopped a vehicle and identified the driver as driving with a revoked or suspended operator's license (**Virginia Code 46.2-301**).

#### G. Speed Enforcement

Procedures for the enforcement of laws applying to speed will vary in accordance with the type of equipment used.

1. Pacing: The officer should follow the vehicle being paced at a constant interval for an adequate distance, normally one half to one mile, to obtain a reading on the speedometer indicating a speed exceeding that posted. All speedometers must be calibrated at least every six months and calibration filed with the Clerk of the General District Court.

2. Radar: The following guidelines are established for the use of RADAR (Radio Detection and Ranging), which will always be operated in compliance with manufacturers' instructions. All Police Department radar units meet current NHTSA standards. Generally, the following procedures are applicable to operation of radar units:
  - a. The radar unit must be properly installed in the vehicle and connected to the appropriate power supply.
  - b. The effective range of the particular radar unit must be thoroughly understood by the operator, so visual observations can support the speed meter readings.
  - c. The radar unit's accuracy will be checked to ensure the unit is functioning properly for checking speeds. The operator must follow the manufacturer's recommended specific methods of checking the accuracy without exception. Any problems with the operation of radar units or apparent malfunction should be promptly reported to the Patrol Sergeant or Deputy Chief immediately.
  - d. The officer must establish the following elements in court when radar speed charges are placed:
    - i. The time, place and location of the vehicle that was checked, the identity of the operator and vehicle, the speed of the vehicle, and the visual and radar speed check.
    - ii. Officer qualifications and training in use of radar and that the officer was in uniform and displaying his badge of authority.
    - iii. The radar unit was operated properly.
    - iv. The unit was tested for accuracy prior to use and after use by an approved method.
    - v. Speed limit in the zone in which officer was operating and where such signs were posted.
  - e. Radar training is given to all officers assigned a radar. Officers, in court testimony, should be able to cite/display training received.
  - f. Radar tuning forks must be checked for calibration every six (6) months and copies of the calibration must be on file with the Clerk of the General District Court. If the tuning forks are out of the calibration date, the tuning forks are not to be utilized for checking the accuracy of the radar unit until they are properly calibrated.
  - g. The Deputy Chief is responsible for ensuring that radar units receive proper care and upkeep, all required maintenance and calibration of radar tuning forks is performed, records kept, and that appropriate certificates are on file with the Clerk of the General District Court and the Police Department.
3. LIDAR: The following guidelines are established for the use of LIDAR (Light Detection and Ranging):

- a. Operators must be trained and certified by a DCJS certified instructor.
  - b. LIDAR must be checked for calibration every six (6) months and copies of the calibration must be on file with the Clerk of the General District Court. If the LIDAR unit is out of the calibration date, the LIDAR unit shall not be utilized until it is properly calibrated.
4. Alcohol Counter Measures Program
- a. The arrest of an individual for driving under the influence differs significantly from other traffic law violations. Any person who operates a motor vehicle while under the influence of alcohol or other self-administered intoxicants or drugs poses an unpredictable hazard to law-abiding motorists. Each officer of the Aquia Harbour Police Department will make an intensified effort to remove this type of driver from the highway. The Police Department has established a proactive alcohol enforcement program with a goal of reducing accidents involving alcohol.
5. Speeding Counter Measures
6. Speeding is one of the leading causes of motor vehicle crashes. Speed greatly reduces a motorist's ability to react and avoid an emergency situation. It also greatly increases the severity of a crash. Speed counter measures are required to reduce crashes and improve the quality of life for those that live in Aquia Harbour. Speed studies, crash data, and citizen concerns will be used to analyze problems and direct resources.
- a. Speeding Counter Measure Resources
    - i. Directed patrols;
    - ii. Speed displays;
    - iii. Unmanned vehicles;
    - iv. Corridor Enforcement;
    - v. Enhanced fine zones;
  - b. Awareness Tools
    - i. Media releases;
    - ii. Signs and billboards;
    - iii. Safety presentations;

#### H. DUI Enforcement Procedures

1. General: Driving under the influence has been interpreted by various courts to mean the ability to operate a motor vehicle is reduced or impaired by the consumption of alcoholic beverages or other drugs. It does not imply that the operator of a motor vehicle be in a state of alcoholic or drug-induced stupor or be entirely incapable of exercising physical control of vehicle. Driving under the influence of intoxicants is an

offense generally associated with leisure-time activity. Consequently, most arrests are made during evening hours or in the early morning hours after establishments serving alcohol close or social gatherings end. Although intoxicated drivers may be observed any day of the week, weekends and holidays reflect an increase of offenses and arrests.

2. Laws: Each officer will be familiar with state laws (**18.2-266, 18.2-269**) and county ordinances that relate to driving under the influence.

It is unlawful for any person to drive or operate any motor vehicle, engine, or train while under the influence of alcohol or while under the influence of any narcotic drug of any nature. The term motor vehicle includes pedal bicycles with helper motors (Mopeds), while operated on the public highways (§§ **18.2-268.1 to -268.12**).

3. Locating and Stopping

- a. As soon as an officer suspects a driver of being under the influence, observations should be noted for future reference. The following is not inclusive:
  - i. Sitting through a green light;
  - ii. Weaving;
  - iii. Very slow speed;
  - iv. Excessive speed;
  - v. Disregard for stop signals or signs.
- b. When you have observed a driver, whose actions are similar to the above or are not consistent with sound driving practices, an immediate stop should be made.
- c. Be alert and use extreme caution when stopping a suspected intoxicated driver. Keep in mind that alcohol or drugs affect judgment and often result in erratic behavior.
- d. Follow established procedures for stopping traffic violators.

4. Officer – Driver Contact

- a. Officers will be polite and businesslike, remaining aware that the driver's judgment, self-restraint, and self-confidence are the first faculties to be distorted by alcohol, creating the setting for lack of cooperation, belligerency, and even physical contact. Do not allow yourself to be drawn into an argument.
- b. Get the violator out of the vehicle and to a safe location, carefully observing all actions and statements.
- c. Obtain the person's operator's license or other identification, if you have not previously done so.
- d. Suspected drivers will be requested to perform the following preliminary tests:

- i. NHTSA DUI Tests shall be used: Horizontal Gaze Nystagmus (HGN), One Leg Stand, and the 9 Step Walk and Turn.
  - ii. Additional Field Sobriety Tests can be used at the officer's discretion.
- e. Alcosensor/alcolyser tests indicate amount/degree of alcohol present in the blood. Driver must be advised he has the option of taking this test and that the results cannot be used against him in court.
- f. The test results and driving behavior should be collectively weighed in the decision to make an arrest; however, the suspect driver may refuse these tests. If so, the officer may arrest on the basis of observations of driving behavior and suspects physical actions. The suspect driver whose dexterity performance is unacceptable, yet chemical test reveals no alcohol consumption, should be carefully observed for signs indicating drug usage or abuse. Officers may also arrest in this case on the basis of observations of driving behavior and dexterity alone.

## 5. Processing DUI

Provisions and procedures outlined in the **Code of Virginia §18.2-266 through §18.2-273** should be applied without regard to age to any suspected intoxicated driver.

- a. Every driver arrested for driving under the influence will be advised of the law requiring a blood or breath test to be taken and the penalty for refusal. (Implied Consent Law)
  - i. Breath Test

If the violator submits to the breath test for intoxication, it will be administered by a qualified breathalyzer operator. Normally, the test will be conducted at the Sheriff's Office.
  - ii. Blood Test
    - (1) The arresting officer will make contact with a Stafford County Sheriff's Office Sergeant to ascertain whether the Sheriff's Office is able to assist with a blood draw.
    - (2) The arresting officer is responsible for mailing the blood samples to the address listed on the box. It is necessary for you to print the return address on the box.
- b. If a violator does not submit to the breath test or blood test after having been advised of the law, the officer will read and complete State Form DC-233 "Declaration of Refusal". The completed form will be presented to the magistrate and attached to the arrest warrant and traffic summons and forwarded to District Court.
- c. An Incident Based Report will be completed for all DUI Offenses. Officers shall use the Motor Vehicle Operator Intoxication Report Template for the narrative.

## I. Special Traffic Problems

1. Identification and referral of driver recommended or re-examination to the Division of Motor Vehicles: During routine traffic law enforcement activities, officers frequently encounter persons who they suspect of being incompetent, physically or mentally disabled, or having other conditions that might prevent the person from exercising reasonable and ordinary care over a motor vehicle. In all such cases, in addition to the enforcement action by the officer, the officers will notify the Virginia Division of Motor Vehicles in writing of these findings or suspicions, giving the individual violator's full name, date of birth, operator license number and a brief description of the disability noted.

## J. Virginia Uniform Traffic Summons: (UTS)

1. The Virginia Uniform Traffic Summons (UTS) will be completed for all violations of traffic laws charged by members of the Police Department. The UTS:
  - a. Provides a uniform method of submitting information to the courts.
  - b. Provides an orderly method of collecting and compiling statistical information concerning this office's enforcement activities.
  - c. Serves as a record for the officer concerning arrests made.

## K. Non-Moving Vehicle Emergency Equipment Use: (On/Off Roadway)

When an officer parks a Police Department vehicle, and/or conducting a motorist assist, on the roadway or on the shoulder, the emergency lights will be used to warn the public. If the officer parks a Police Department vehicle, or conducts a motorist assist, off the roadway, out of traffic, and it is deemed that no emergency equipment is necessary, it may not be required. Any time a Police Department's vehicle is parked, or a motorist assist is conducted, the officer shall make all possible efforts to avoid being in traffic or on the roadway.

## L. Traffic Stops – Mandatory Reporting

1. Pursuant to Virginia Code 52-30.2 officers, based on their observation or information provided by the driver, are required to gather and submit the following information:
  - a. The race, ethnicity, age, and gender of the person stopped;
  - b. The reason for the stop (traffic violation, equipment violation, calls for service, terry stop, checkpoint, other non-consensual stop not listed above);
  - c. The location of the stop;
  - d. What action was taken against the driver of the stop (result). If multiple actions were taken, the most significant should be documented (Ex: The driver was stopped and given a warning for an equipment violation, but the driver was cited for driving without insurance would be reported as citation in the result field);
  - e. The type and specific violation of the most serious violation warned, cited or

arrested for during the stop. In cases where a warning is issued for the most significant violation, these fields should reflect the charge for which enforcement action was taken (Ex: Driver stopped for reckless and given a warning but cited under the speeding code section should be entered as a citation for speed not a warning for reckless);

- f. Whether the vehicle or any person was searched;
- g. The submission of the above information will be made electronically using the appropriate electronic form designed for the purpose.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 04-13 TRAFFIC CONTROL**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The Aquia Harbour Police Department performs traffic functions such as traffic control, parking assistance, identifying and reporting road hazards, checking abandoned and or disabled vehicles, and providing traffic safety information and recommendations to the Aquia Harbour Property Owners Association. The general public relies upon the Police Department for assistance and advice when faced with the many routine and emergency traffic situations, which can and do develop in an urban society. Often there is no other private or public agency available to provide such services. Traffic control and service are examples of such cases. Traffic control and services aim to ensure the safe and efficient movement of vehicles and pedestrians within the Aquia Harbour community.

**II. PURPOSE**

The purpose of this policy is to establish uniform procedures for the provision of traffic direction and control, traffic engineering, and ancillary traffic services.

**III. PROCEDURES**

**A. Traffic Control Equipment**

1. Officers shall have immediately available personal equipment for directing traffic to include the following:
  - a. The purpose of this policy is to establish uniform procedures for the provision of traffic direction and control, traffic engineering, and ancillary traffic services.
  - b. Reflective vest: Officers directing traffic shall always wear a reflective vest.
  - c. Flashlight: Officers shall attach the illumination cone to the flashlight when directing traffic during hours of darkness and any other circumstance of limited visibility.
2. Each patrol vehicle shall include the following equipment:
  - a. Flares: Officers shall use flares during hours of darkness or inclement weather. Officers may use them at any other appropriate time. During hours of daylight, cones may be more visible than flares. Electronic road flares are also available.
  - b. Handheld Wand Glo-light.

3. Aquia Harbour Property Association Roads and Grounds have temporary barricades, cones, and non-lighted signs. A minimal amount of these items is also maintained in storage at the Police Department.

#### B. Methods of Manual Traffic Direction:

1. When an officer is directing traffic, people using the highway should know he is there for that purpose and the officer shall utilize standardized, appropriate gestures and audible signals to stop, start, and turn traffic.
2. To indicate that the officer is present for the purpose of directing traffic, he should:
  - a. Turn the signal light (if there is one) to flashing mode.
  - b. Position himself so that he can be seen clearly by all, usually in the center of the intersection or street while wearing the issued traffic safety vest.
  - c. Stand straight with weight equally distributed on both feet.
  - d. Allow hands and arms to hang easily at his sides except when gesturing.
  - e. Stand facing or with his back to traffic, which he has stopped, and with his sides to traffic he has directed to move.
3. How to Stop Oncoming Traffic
  - a. To stop traffic, the officer should first extend his arm and hand toward and look directly at the person to be stopped until that person is aware, or it can be reasonably assumed that he is aware, of the officer's gesture.
  - b. The pointing hand is raised at the wrist so that its palm is toward the person to be stopped, and the palm is held in this position until the person is observed to stop. To stop traffic from both directions on a two-way street, the procedure is then repeated for traffic coming from the other direction while continuing to maintain the raised arm and palm toward the traffic previously stopped.
4. How to Start Traffic
  - a. The officer should first stand with shoulder and side toward the traffic to be started, extend his arm and index finger toward and look directly at the person to be started until that person is aware, or it can be reasonably assumed that he is aware, of the officer's gesture.
  - b. With palm up, the pointing arm is swung from the elbow only, through a vertical semicircle until the hand is adjacent to the chin. If necessary, this gesture is repeated until traffic begins to move. To start traffic from both directions on a two-way street, the procedure is then repeated for traffic coming from the other direction.
5. Right Turn Movement

When directing a right turn becomes necessary, the officer should proceed as follows:

- a. If the driver is approaching from the officer's right side, his extended right arm and index finger and gaze, are first directed toward the driver followed by swinging the extended arm and index finger in the direction of the driver's intended turn.
- b. If the driver is approaching from the officer's left side, the same procedure may be followed utilizing the left arm extended or the extended left forearm may be raised to a vertical position from the elbow while closing the fingers so that the remaining extended thumb points in the direction of the driver's intended turn.

## 6. Left Turn Movements

- a. Left turning drivers should not be directed to affect their movement while the officer is also directing oncoming traffic to proceed. Therefore, the officer should either direct opposing vehicles to start with, avoiding left turn gestures directed at turning drivers, which will lead them to complete their turn only when there is a gap in the oncoming traffic, or to stop or hold oncoming drivers, after which the left turning driver can be directed into his turn. The officer's right side and arm should be toward the oncoming traffic, and the left side and arm should be toward the left turning driver. After stopping oncoming traffic by using the right arm and hand, the right hand should remain in the halt position, then the extended left arm and index finger and officer's gaze is directed toward the driver who intends to affect the left turn. When the left-turning driver's attention has been gained, the extended left arm and index finger are swung to point the direction the driver intends to go.
- b. Street width permitting, in order to clear the lane occupied by a driver who intends to make a left turn, but cannot because of oncoming traffic, he can be directed into the intersection and stopped adjacent to the officer position until the left turn can be safely completed. The driver should be directed into the intersection by pointing toward him with the extended arm and index finger, which is then swung to point at the position at which the officer wishes the driver to stop and wait for clearing traffic. In the alternative, the driver may be directed to move with one arm and hand gesture while the other arm and hand are utilized to point to the position at which the driver is to stop. After the driver is positioned within the intersection, the officer may either halt oncoming traffic and direct the completion of the turn or permit the driver to affect the turn during a natural break in the oncoming traffic.

## C. Signaling Aids

1. The voice is seldom used in directing traffic. Arm gestures and the whistle are usually sufficient. There are numerous reasons why verbal commands are not used. Verbal orders are not easy to give or understand and often lead to misinterpretations, which are dangerous. An order, which is shouted, can antagonize the motorist. Occasionally a driver or pedestrian will not understand the officer's directions. When this happens, the officer should move reasonably close to the person and politely and briefly explain his directions. No officer shall exhibit loss of temper by shouting or otherwise indicate antagonism toward those who do not understand or who do not wish to obey the officer's directions.

## 2. Use of flashlight with illuminated cone or baton

- a. To stop a driver with the baton, the officer should face the oncoming traffic, hold the baton in the right hand, bend the right elbow, hold the baton vertically, and then swing the baton from left to right through an arc of approximately 45 degrees.
  - b. The GO and TURN direction are the same gestures as those previously described except that the baton acts as an extension of the hand and index fingers. Signals and directions given with the aid of the baton should be exaggerated and often need to be repeated because of the poor visibility existing. The baton light should be turned off when it is not being actively utilized to give directions.
3. A flashlight alone can also be used to halt traffic, but less effectively and safely than with cone attachment. To stop traffic slowly, swing the beam of the light across the path of oncoming traffic. The beam from the flashlight strikes the pavement as an elongated spot of light. After the driver has stopped, arm signals may be given in the usual manner, the vehicle's headlight proving illumination.

## D. Special Event Traffic Control

For any other special event, the Community Engagement Liaison and/or Deputy Chief shall ensure the preparation/implementation of a special traffic plan which addresses ingress and egress of vehicles and pedestrians, provisions for parking, spectator control, public transportation, assignment of point control duties and relief's, alternate traffic routing, temporary traffic controls and parking prohibitions, emergency vehicle access, and appropriate media coverage.

## E. Traffic Control at Fire Scenes

Officer responding to the scene of a fire call will ensure observance of the following rules with regard to traffic control:

1. Only authorized vehicles, (Emergency vehicles), will be allowed to drive into the area where fire apparatus is parked and operated.
2. No vehicles will be allowed to cross fire hoses without the approval of the Fire Chief or his designee.
3. In cases of fires at facilities, no vehicles, including those of volunteer firemen, will be allowed on the grounds.
4. The exception to the rules above will be lifesaving vehicles on actual calls for service.
5. Vehicles, which are parked, which interfere with fire operations may be towed as needed.

## F. Traffic Control During Adverse Road and Weather Conditions

1. Patrol officers shall notify the supervisor or Deputy Chief of adverse road conditions that may affect the motoring public.

2. The Chief of Police or his designee will be responsible for notifying the General Manager of adverse road conditions and/or closures.
3. Patrol officers may close a street if, in their opinion, the surface conditions and terrain are unusually hazardous. They shall make proper notifications for assistance in alleviating the problem.
4. In the event that a roadway is closed for adverse road and weather conditions, Stafford Dispatch shall be made aware for dissemination to any potential responding emergency vehicles.

**AQUIA HARBOUR POLICE DEPARTMENT**  
**POLICIES AND PROCEDURES**

**Policy: 04-14 TRAFFIC ACCIDENT INVESTIGATION**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

## **I. POLICY**

The investigation of traffic accidents is necessary to determine traffic law violations, to protect the rights of the individuals involved, to assist in traffic education, and to obtain engineering data.

The Aquia Harbour Police Department has, as one of its goals and objectives, the reduction of motor vehicle accidents. To accomplish this, the department performs a variety of traffic accident investigation functions including providing emergency services to the injured, protecting the accident scene, conducting accident investigations and follow-ups, preparing reports and taking proper enforcement action relative to incidents. The purpose of accident investigation is to properly determine the causative factors involved in an automobile crash and utilize these factors to develop enforcement that will reduce the incidence of accidents. Accident reports taken could be utilized by the Division of Motor Vehicles, by the County of Stafford, and by the Aquia Harbour Property Owners Association to study the frequency of crashes at given location and time, the causes, the conditions that exist at the time, etc. Those reports could also be used to develop traffic enforcement programs, engineering studies, and to promote street and highway safety.

## **II. PURPOSE**

The purpose of this order is to establish guidelines for the proper handling of traffic accidents and for the collection and utilization of data that will reduce the probability of a citizen being involved in an automobile accident that will result in property damage, injury, or death.

## **III. PROCEDURES – GENERAL**

### **A. Accident report and investigation**

1. **Virginia Code** requirements concerning the reporting of traffic accidents include:
  - a. **§ 46.2-894:** The driver of any vehicle involved in an accident resulting in death or injury shall immediately notify police.
  - b. **§ 46.2-373:** Police officers who investigate an accident for which a report must be made, either at the time of and at the scene of the accident, or thereafter and elsewhere, by interviewing participants or witnesses, shall within 24 hours after completing the investigation forward a written report of the accident.
2. The terminology used in the above laws requires "reports of accidents." For our purposes, a report is made by an officer who has investigated an accident at the scene or

elsewhere, the length, duration, and depth of investigation effort being proportionate to the seriousness of harm done as a result of the accident.

3. An officer may be assigned, respond to, and prepare a report of accident involving any of the following:
  - a. Death or injury
  - b. Total property damage in excess of \$1500.00
  - c. Hit and Run
  - d. Impairment due to alcohol/drugs
  - e. Hazardous materials
4. While the roadways of Aquia Harbour Property are considered to be private roadways; officers who are dispatched to respond to one of the above-mentioned accidents shall prepare a Harbour Report to document the accident investigation. Accidents involving death or serious injury shall be turned over to Stafford County Sheriff's Office for investigation.
5. Whenever an accident occurs involving association property, vehicles, equipment, or facilities. Officers shall contact the supervisor on duty or on call and provide details of the accident. The supervisor will determine if a supervisor response is necessary. The officer shall document the accident in a Harbour Report.
6. Officers shall also be assigned to respond to any accident involving disturbances between drivers / passengers or which creates major traffic congestion because of the accident or where vehicles are damaged to the extent that towing is required. Patrol vehicles may be assigned to any other accident, not listed above, to assist people involved with information exchange. Time permitting, officers may investigate and report these accidents as supervisors direct.
7. Officers should also respond to any accident involving major traffic congestion because of the accident where vehicles are damaged to the extent that towing is required. Officers assigned to any other accident, not listed above, to assist people involved with information exchange, and/or to:
  - a. Administer emergency medical care
  - b. Summons additional help as required
  - c. Protect the accident scene
  - d. Preserve short-lived evidence (broken parts, skid marks, etc.)
  - e. Establish a safe traffic pattern around the scene
  - f. Locate witnesses and recording accident information
  - g. Expedite removal from roadways of vehicles, persons, and debris

8. The officer assigned to an accident shall have the responsibility and authority to request assistance from additional officers/deputies as needed. He or she becomes the primary investigating officer in charge at the scene unless a supervisor deems it more appropriate to assign another officer these responsibilities.

#### **IV. PROCEDURES – ACCIDENT SCENE**

- A. Upon the receipt of a report of a motor vehicle accident that requires the services of an officer, the officer assigned shall proceed quickly and safely to the scene. The patrol vehicle should not be parked at the scene in a manner that will endanger pedestrians, motorists, or citizens. The officer should consider using the patrol vehicle as a shield to protect the scene as well as him/her.
- B. The arriving officer will give a scene size-up to Stafford Dispatch. The information provided should cover issues that were not previously known or different from what was originally reported. These issues include the following:
  1. Location (exact incident location)
  2. Vehicles (number and type of vehicles involved)
  3. Injured Persons (number and extent of injuries, and need for extrication)
  4. On Scene Conditions (any conditions present that may affect the safety of responders)
  5. Hazardous Materials (presence or potential presence at the scene)
  6. Traffic Conditions (traffic queue length, detour/alternative route needs, etc.)
  7. Towing and Recovery (accurate, detailed vehicle information)
  8. Additional Resources Needed (crash reconstruction, VDOT, Stafford, etc.)
- C. Accident Scene Information Collection
  1. At the scene of the accident, the investigating officer must gather information concerning the accident for subsequent use in completing necessary report forms. Information to be collected at the scene may include, but is not limited:
    - a. Interviewing principals and witnesses and securing necessary identity/address information
    - b. Examining/recording vehicle damage
    - c. Examining/recording effects of the accident on the roadway or off the roadway on other property, structures, etc.
    - d. Taking measurements as appropriate
    - e. Taking photographs as appropriate
    - f. Collecting and processing evidence

- g. Exchanging information among principals

#### D. Accident Investigation follow-up Activities:

1. Follow-up activities, which may be necessary to include:
  - a. Collecting scene data
  - b. Obtaining / recording formal statements from witnesses
  - c. Reconstruction of accidents
  - d. Submitting materials for evidence for laboratory examination
  - e. Preparing accident and / or offense reports to support criminal charges arising from the accident.
2. In a particularly serious accident involving severe injuries, fatalities, multiple vehicles, etc. it may be necessary to summon expert or technical assistance from the accident investigation unit, crime scene technicians, or other specialists. Such expert assistance should be requested through a supervisor and/or the Deputy Chief.
3. Enforcement action should be taken whenever believed appropriate by the investigating officer, when that officer has detected a violation of a traffic law or ordinance and when evidence exists to satisfy all the elements of that violation.
  - a. At the scene of the accident, the officer may take immediate enforcement action and issue a Virginia Uniform Traffic Summons.
  - b. If driver is transported to the hospital prior to arrival of officer, and officer, later at the hospital, concludes DUI, arrest warrant should be obtained.
  - c. On other traffic related investigations, when the officer leaves the scene of the offense, follows up and later identifies an offender or offense, an arrest warrant should be obtained.

#### E. Accident Report

1. Given the roads of Aquia Harbour Property Association are considered private roadways; a State Form FR300 is not necessary. Officers shall respond to the accident scene and complete driver information exchanges with each of the drivers.
2. In the event that an accident of serious nature or should the officer deem necessary, the officer shall complete a Harbour Report documenting the accident, their investigation, findings, and enforcement actions taken if any.

<b>AQUIA HARBOUR POLICE DEPARTMENT</b> <b>POLICIES AND PROCEDURES</b>	
<b>Policy: 04-15 TOWING, STORAGE, AND IMPOUNDING VEHICLES</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  Chief of Police

## I. POLICY

It is essential that the Aquia Harbour Police Department procedures be clearly defined in all possible cases. This policy sets forth procedures for towing or impounding vehicles and creates a record of such tows.

Officers must understand when the towing and storage of vehicles is appropriate and legal. Abandoned vehicles constitute a public nuisance, a hazard to traffic, and citizens view their removal as an essential police service. Likewise, vehicles involved in accidents or crimes may require towing and inventorying for evidentiary purposes. In either case, a motor vehicle is an important piece of personal property that must be managed and supervised if it enters police custody.

## II. PURPOSE

The purpose of this policy is to establish policies and procedures for the towing and storage of vehicles by the Aquia Harbour Police Department.

## III. PROCEDURES

### A. General

1. For procedural purposes, the following definitions are applicable:
  - a. Owner: For this order the vehicle owner will be the person(s) with whom the vehicle is registered.
  - b. Driver: For this order, the driver shall be the person who is in control of and / or operating the motor vehicle. They are presumed to be authorized agents if the driver is deemed to be in legal possession of the vehicle.
  - c. Towed Vehicle: A vehicle, which the officer causes to be removed from the scene that is not yet impounded and may be released at the discretion of the tow truck storage facility.
  - d. Impounded Vehicle: A vehicle which is being held in custody by virtue of a police order, and which requires permission of the impounding authority to release.
  - e. Stored Vehicle: A vehicle that is taken into protective custody to safeguard the property of a person that has been arrested, incapacitated, or otherwise unable to

protect the vehicle from theft or vandalism.

- f. Inventory Search: A complete inspection of a seized or impounded vehicle to include the trunk, passenger compartment, glove box and engine compartment to document valuables.
- g. Forfeiture: For the purposes of this policy, forfeiture shall be defined as those situations when Police Department personnel tow a vehicle with the intent of filing the appropriate legal process to petition the court to have ownership of the vehicle forfeited. This will only apply in situations where the vehicle has been used in substantial connection with, or is the proceeds thereof, certain crimes as defined in the Code of Virginia.
- h. Seizure: For the purposes of this policy, a seizure is defined as those situations in which a vehicle may have been used in a crime, or contain evidence thereof, and the vehicle is towed and held to allow law enforcement to complete necessary actions (search warrants, evidence processing, etc.). A seizure is temporary, meaning the vehicle will be released to the owner upon completion of a valid law enforcement purpose.

## B. Towing Situations

1. Accident: Any vehicle involved in an accident shall be removed to the shoulder of the road or elsewhere as soon as possible after necessary accident investigation information has been obtained. Vehicles shall be removed from the shoulder without unnecessary delay.

Vehicles may be pushed, at no expense to owner, to the shoulder of the road or other legal parking spot, which does not obstruct or impede vehicle travel on the roadway. Normally all vehicles should be removed. If left near the scene, it may cause future traffic problems.

If the owner is not present, the vehicle shall be removed to a place of storage for safekeeping at the owner's expense.

2. Emergency Situation: Any vehicle found illegally parked, in the vicinity of a fire, traffic or airplane accident or area of emergency, which creates a traffic hazard or interferes with the necessary work of the Police Department, Sheriff, Fire or other rescue workers may be ordered towed and stored, at the expense of the owner, by an officer. Vehicles being used by radio, TV, and press are exempt unless they obstruct Police Department, Sheriff, Fire or rescue operations. This is determined by the advice and concerns of the Chief of Police.
3. Impeding/Danger to Traffic: No vehicle shall be stopped in such a manner as to impede or render dangerous the use of the highway of others, except in cases of mechanical breakdown or accident. If such disabled vehicle is not promptly removed and creates a traffic hazard the officer may order the vehicle towed at the expense of the owner a place of repair or storage.
4. State/County/Municipal Vehicles: Paragraphs above shall not apply to any vehicle owned or controlled by the state or local unit of government while actually engaged in

construction or highway maintenance.

5. Blocking Driveway or Parking Area or Abandoned: Any officer discovering or having report of any motor vehicle, trailer, or other vehicle blocking a driveway or parking area abandoned, or obstructing or interfering with the movement on any driveway or parking area without the landowner's permission may order the vehicle towed and stored at the expense of the owner of the vehicle.
6. Unattended Traffic Hazard/Violation of Law abandoned: Officers may tow and store any motor vehicle found on the public street or grounds unattended that constitutes a traffic hazard.
7. Removal from Private Property: Property owners, etc., may act immediately to have vehicles towed which are abandoned, occupying a lot, area, space, building, or part thereof without their permission under the Code of Virginia/County Code which requires them to order the vehicle towed and notify simultaneously a law enforcement officer.
8. Vehicle impounded pursuant to **State Code 46.2-301.1**.

**Virginia Code 46.2-301.1** directs law enforcement officers to impound motor vehicles for either 3 or 30 days when the operator, regardless of ownership, has been found to be driving in violation of specific codes. These include:

- a. When the driver's license, learner's permit or privilege to drive a motor vehicle has been suspended or revoked for a violation of **§18.2-51.4** or driving while intoxicated in violation of **§18.2-266, 46.2-341.24** or a substantially similar ordinance or law in any other jurisdiction (**30-day impoundment**);
- b. When the driver's license has been administratively suspended pursuant to **Virginia Code §46.2-391.2 (30-day impoundment)**;
- c. When the driver's license, learner's permit or privilege to drive a motor vehicle has been suspended or revoked for unreasonable refusal of tests in violation of **§18.2-268.3, 46.2-341.26:3** or a substantially similar ordinance or law in any other jurisdiction (**30-day impoundment**) or;
- d. Without an operator's license in violation of **§46.2-300** after having been previously convicted of such or substantially similar offense (**maximum 3-day impoundment**).

When impounding a vehicle for one of the four aforementioned items the following actions must be adhered to:

- i. When a vehicle is impounded for a violation of the provisions of **46.2-301.1**, only wreckers on the Stafford County wrecker rotation list shall be used.
- ii. For 3-day impoundments deputies must notate on the form the date and time the vehicle is eligible for release.
- iii. Driver and Owner must receive copies of the completed tow form. If the owner is not given a copy by the officer, it shall be turned in with the

agency copy before the end of shift. Records personnel will ensure a copy is mailed to the registered owner.

- iv. Court copy must be given to the magistrate prior to end of shift.
- v. Rented and vehicles registered as a lease may be towed, if necessary, but shall not be held for 3- or 30-day impoundments.
- vi. If the operator is less than 18 years of age, the vehicle may be towed but shall not be held for 3 or 30 days.
- vii. If the operator's license is not valid simply because it has expired within the past 12 months the vehicle may be towed but shall not be held for the 3 days impound.
- viii. If, during the 3-day impoundment period the driver obtains a valid license, and contacts this agency for release, the tow companies shall be contacted to release the vehicle after payment of fees.

#### C. Action(s)

- 1. Alternatives: Prior to towing a vehicle subject to this order, the driver shall be afforded a reasonable opportunity, predicated on the circumstances, to provide for the removal of the vehicle within a reasonable length of time. The alternatives shall not be afforded to those found to be violating the provisions of **46.2-301.1**. Various alternatives are available to the driver who has not been arrested or is not in violation of the provisions of **46.2-301.1**:
  - a. Release: The vehicle may be released to a person, designated by the driver, who possesses a valid driver's license who may, if mentally and physically capable, take possession and move the vehicle.
  - b. Park: The vehicle may be parked and locked, if lawful and not a hazard, and later removed within a reasonable length of time. Permission from a property owner or responsible agent must be obtained before a vehicle may be left on private property.
  - c. Rented or leased vehicles: If the arresting law-enforcement officer discovers that the vehicle was being rented or leased from a vehicle renting or leasing company, the officer will not impound the vehicle. The vehicle may still be towed if necessary. The officer shall ensure the company is notified of how to retrieve the vehicle. This can be accomplished by contacting the company directly and/or ensuring a copy is mailed by the records section to the registered owner.

D. Liability: Neither the Aquia Harbour Property Owners Association, Stafford County, nor the individual officer shall be held liable for any damage to, theft of, or theft from a vehicle when the owner/driver has elected not to move the vehicle. The officer, as an involuntary bailee, owes only the same care that the owner/driver does for the security of the property.

E. Law Enforcement Requested Towing and Storage: The officer requesting the wrecker service will be guided by the Stafford County Tow Policy. At the scene, the requesting officer will

complete the Tow Form when a law enforcement request is made, unless the driver or owner remains with the vehicle as it is turned over to the tow company. Tow forms shall be completed in all cases of 3- or 30-day impoundment made pursuant to **46.2-301.1**.

1. All completed forms shall be distributed as follows:
  - a. White, Original to Records
  - b. Green – Court Copy in cases of 3 or 30 impoundments this copy shall be delivered to the magistrate by end of the shift.
  - c. Blue – Driver Copy
  - d. Pink, Owner Copy – when the owner’s copy is not physically provided to the registered owner the copy must be turned in along with the agency copy to records.
  - e. Yellow – Tow Company Copy
2. For information on how wreckers are selected, zones created, investigation of complaints, business operations and the application process, refer to County Code Law Enforcement Requested Towing, section 15-147.

#### F. Vehicle Inventory

1. When a vehicle is towed or impounded, the officer shall make a complete inventory of the contents of the vehicle. Items observed in the vehicle shall be inventoried and documented on the Sheriff’s Office Tow Form and distributed as indicated in E. above. This is necessary to:
  - a. Determine if there is any personal property in the vehicle that needs to be protected from loss or damage while the car is stored.
  - b. Protect the officer and the Police Department from claims that the officer failed to protect such property that was in the vehicle.
  - c. Protect the officer and Police Department against false claims for the loss of property that was not really in the vehicle at all.
  - d. Protect the public, Police Department, Sheriff’s Office and tow company personnel against injury or damage due to toxic, explosive, or flammable substances that may be contained in the vehicle.

The only exception to the required inventory of towed vehicles is when the operator has requested the tow (i.e. disabled vehicles, etc.) In such events, the operator shall maintain responsibility for the vehicle’s contents.

- e. Officers may, at their discretion, take custody of items which they believe to be valuable and place into Evidence. Officers shall indicate on the evidence form

that the items are for safe keeping only and may be released to the owner. These items will be for safekeeping only.

2. The scope of the inventory shall include the interior of the vehicle and areas which can be readily entered without the use of force. The glove compartment, console, trunk, and other storage areas (inside or outside of the vehicle) are within the scope of the inventory if unlocked or entry can be made with the keys to the vehicle.
3. The inventory shall include the opening of closed containers (the contents of which cannot be ascertained from examining the containers' exteriors)
  - a. Items of this nature may be briefcases, suitcases, boxes, etc.
4. The inventory will be conducted in a manner to avoid any damage to the vehicle or its contents.
5. Items of personal nature, (i.e. wallets, cell phones or currency in plain view) should be collected during the vehicle search and returned to the owner if released or to the appropriate official (i.e. Jail Officer, designee if present when requested by owner).
6. The officer will note on the Motor Vehicle Storage form any property found in the vehicle during the inventory.
7. Members will not conduct an inventory of those vehicles that are left parked on the side of the road, in a parking lot, or are otherwise not towed or taken into custody of the Department.
8. Whenever the operator or passenger(s) involved in an accident are unable to do so (due to injuries, etc.), the investigating officer will secure their vehicles and/or property for them.

#### G. Use of Wrecker Rotation List:

1. If possible, the citizen will first be given the option of asking for a wrecker of their choice. If the citizen has no preference, the officer will identify the tow zone, request the next wrecker and advise Stafford Dispatch if special equipment is needed.
2. The Stafford dispatcher, using the wrecker list in the Computer Aided Dispatch System (CAD), will call the wrecker service whose name is next on the list within the selected zone. The Stafford dispatcher shall log the wrecker's dispatch and arrival time in CAD.

#### H. Seizures

1. When a situation arises in which it becomes necessary for a vehicle to be seized pending further valid law enforcement activity, the officer, after obtaining supervisory permission, will contact a Stafford Sheriff Supervisor for assistance.
2. Police Department personnel will remain with the vehicle until the arrival of the designated wrecker service.
3. The vehicle will be towed to the Humphrey Building for processing. An officer will stay with the vehicle until the designated wrecker service arrives at the County Garage

or the Humphrey Building and the vehicle is unloaded to ensure the vehicle is secured.

4. The keys for the seized vehicle shall be placed into evidence under the appropriate case number. If no keys are available, the Case Officer/Detective shall note the same in the report as well as on the tow sheet.
5. It will be the responsibility of the Case Officer/Detective to notify the Administrative Services Commander of the occurrence and purpose of the seizure.
6. It will be the responsibility of the Case Officer/Detective to track the seized vehicle through to disposition. Authorization for the release of such vehicle must come from the Case Officer/Detective after completion of the investigation and, if necessary, consultation with the Commonwealth's Attorney.
7. The vehicle owner must pay all towing charges before releasing the vehicle. The Administrative Services Commander or designee can advise of the towing charges.
8. After 6 and 7 above have been met, the vehicle will be released.
9. Upon notification of the release, if the owner of the vehicle does not respond within five (5) days to regain possession of the vehicle, the Case Officer/Detective will contact the designated contracted wrecker service who towed the vehicle originally. The contracted wrecker service will take possession of the vehicle, and the owner will then need to coordinate with the wrecker service to retrieve their vehicle and pay any associated costs, to include the initial tow fee.
10. If the owner of the vehicle is not involved in the crime, or it is later determined that the vehicle seized is not involved in the crime, the owner of the vehicle cannot be held responsible for the towing fees.
11. The Case Officer/Detective shall complete a supplemental report detailing the seizure of all vehicles. The Case Officer/Detective will document this so that when an arrest is made, restitution can be applied for through the courts to recover unpaid tow fees.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 05-01 UNUSUAL OCCURRENCES**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:** *Bryan Cameron*  
Chief of Police

**I. POLICY**

Unusual occurrences include emergencies resulting from natural or man-made disasters or civil disturbances such as riots, disorders, violence, or labor disputes. The Police Department response to these unusual occurrences may involve barricade/hostage situations, bomb threats and disposal plans, active shooter situations, search and rescue missions for endangered/missing persons, or civil defense. While these occurrences are uncommon, the department must not only deploy personnel in the field but must coordinate the responses of other law enforcement agencies, public health officials, and fire and rescue authorities. Department personnel must act quickly, decisively, and knowledgeably to mitigate disorder or disaster by restoring order and control, and by protecting lives and property. The many variables involved prevent precise development of plans for specific situations; however, basic planning can help guide officers.

**II. PURPOSE**

To establish guidelines for planning and deploying personnel during an unusual occurrence.

**III. DEFINITIONS**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**IV. PROCEDURES**

[REDACTED]

[REDACTED]

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**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 05-02 PROJECT LIFESAVER**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

Personnel assigned and trained in the use of the Receiver will be responsible for responding when activated to help search and locate clients of the Stafford County Sheriff's Office Project Lifesaver Program, within Aquia Harbour Property Association. In addition, they will assist with routine monthly maintenance checks of transmitters that have been issued to clients of the Stafford County Sheriff's Office Project Lifesaver Program.

**II. PURPOSE**

The purpose of this general order is to establish guidelines for Aquia Harbour Police Department personnel, who are responsible for assisting citizens with placement into the program, monitoring and locating clients that wander from their homes. Project Lifesaver will provide relief to the families and caregivers from the constant fear of not being able to quickly locate their loved ones should they wander from their homes. This will be done by distributing electronic bracelets to a client with a history or potential of wandering. Each designated client will be assigned a unique frequency that may be located by search and rescue personnel by the use of receivers.

**III. DEFINITION**

- A. Alzheimer's disease: A progressive neurological disorder characterized by memory loss, cognitive dysfunction, personality changes and global functional decline.
- B. Autism: A mental disorder originating in infancy that is characterized by self-absorption, inability to interact socially, repetitive behavior and language dysfunction.
- C. Caregiver: Person(s) responsible for the temporary or permanent care of a person with a debilitating disease that affects their meaningful ability to function safely on a day-to-day basis.
- D. Cognitive Disorder: Mental health disorders that primarily affect learning, memory, perception, and problem solving, and include amnesia, dementia, and delirium.
- E. Authorized Family member: Person(s) related by birth, blood, marriage, or through court order to the person in need of care.
- F. Client: Any citizen of Stafford County that has the potential or history of wandering from their place of residence.

#### IV. PROCEDURE

This program will be administered through the Stafford County Sheriff's Office Crime Prevention Unit. All Police Department personnel should be familiar with the program and basic information on how it works. However, Project Lifesaver trained personnel should be the only personnel to speak with families or caregivers in reference to the specifics of this program.

- A. Project Lifesaver trained personnel will meet with the authorized family member or caregiver of a potential client and discuss the Stafford Sheriff's Office Project Lifesaver Program. If possible, the interview should occur where the potential client resides. At the meeting a client biography will be filled out. Attached to the biography will be a digital photograph of the prospective client. The authorized family member or caregiver is advised of program requirements. Once the information is collected, the client biography needs to be forwarded to the Sheriff or the Crime Prevention Unit.
- B. The authorized family member or caregiver will be notified whether the prospective client is accepted or declined by the Stafford County Sheriff's Office. If the client is denied they will be notified as to why.
- C. Project Lifesaver trained personnel will meet with the authorized family member or caregiver and have them fill out a contract. Once the contract is signed, the authorized family member or caregiver is giving permission for the client to be fitted for a transmitter by the Stafford Sheriff's Office Project Lifesaver Program. The client will be fitted with the transmitter on the body part that causes them the least amount of discomfort. The authorized family member or caregiver will be given a transmitter tester and instructed on how to use it.
- D. There is a one-time fee for the placement of the tracking bracelet on the client. Afterwards, an annual fee of \$25.00 will be paid to the Stafford Sheriff's Office Project Lifesaver Program while the client is active in the program. The fee is for the replacement of the battery and monthly maintenance. The authorized family member or caregiver needs to know that this is a non-profit organization. The inability for a client to donate does not exclude their participation in the program. Donated funds, if available, can be used to purchase the equipment and cover the annual fee.
- E. When the authorized family member or caregiver requests to have the person released from the program, a member of the Stafford Sheriff's Office Project Lifesaver Program will remove the transmitter from the client, retrieve all equipment, and have the authorized family member or caregiver sign the termination statement. The authorized family member or caregiver will be responsible for all equipment that is damaged or lost. At the discretion of the Sheriff, the cost of the damage could be waived. The agreement may be terminated at any time at the discretion of either party. There is no obligation for the client to stay in the program if the authorized family member or caregiver wants the client out of the program. There will be no penalty as long as the equipment is returned.
- F. After a client is accepted to the Stafford Sheriff's Office Project Lifesaver Program, their address will be flagged and caution notes will be placed into Stafford Sheriff's Office CAD. The flag will show that a member of that house participates in Project Lifesaver and the notes will display their individual search frequency. A roster of these addresses will also be kept within the Police Department and Police Dispatch.

G. Trained personnel will complete monthly maintenance checks on all transmitters of clients that belong to the Stafford Sheriff's Office Project Lifesaver Program. The maintenance shall minimally include:

1. Batteries will be replaced in each transmitter every 60 days from the date installed;
2. Client's wristbands will be adjusted and/or replaced during the maintenance;
3. Inspection and test of transmitter;
4. Receivers will be checked monthly to insure they are functioning properly and that the batteries are charged;
5. All monthly maintenance of equipment will be logged;
6. The receivers and equipment bags will be kept at the Sheriff's Office so they can be deployed to personnel in the field;
7. There will be an electronic file maintained on each client along with a photo. The file shall contain a poster in the event the client goes missing.

H. Once alerted to a missing Stafford Sheriff's Office Project Lifesaver Program client, the following will be implemented:

1. A call for a missing Project Lifesaver client is a priority one call. Once alerted to a missing client, resources should be activated immediately.
2. If AHPD dispatch receives a call for missing Project Lifesaver client, the dispatcher shall note the address of incident and transfer the call immediately to Stafford County dispatch. The AHPD dispatcher shall immediately dispatch an officer to the address of incident and advise the caller has been transferred to Stafford dispatch for further reporting information.
  - a. Stafford dispatch will dispatch further field units immediately;
  - b. Stafford dispatch will broadcast by radio lookout information for the missing individual
3. Initial responding officer responsibilities
  - a. Upon dispatch to a missing Project Lifesaver client, the officer shall respond to the incident location code one. If the officer does not already have the Project Lifesaver equipment in their vehicle, they are responsible for responding code one to the police department to pick up equipment prior to responding to the incident scene.
  - b. Upon arrival on scene, the officer shall locate the reporting party and determine the following information:
    - a. Point of last seen
    - b. Missing client's identifying information to include but not limited to:


- i. Clothing description
      - ii. Height
      - iii. Weight
      - iv. Hair color
    - c. Time elapsed since last seen
  - c. Update Stafford dispatch and responding units on updated information of point last seen and missing client's identifying information.
  - d. Once there is a secondary officer on scene, if the missing client is missing from a home or building; a search of the residence or building should be conducted to ensure the missing client is not been overlooked.
  - e. The Project Lifesaver trained personnel will respond to the PLS (point last seen) and establish an electronic search. The PLS needs to be protected and marked for a quick start of a search. Unless other information is received, most project lifesaver searches will begin at the point last seen and work outward at 360 degrees until the client is located. The transmitters, based upon terrain, will only send a signal approximately one mile away using the handheld antenna. The mobile antenna will receive a signal  $\frac{1}{4}$  of a mile in all directions.
4. On-duty supervisor responsibilities
- a. Responding supervisor shall notify on call command members;
    - a. On call command members shall evaluate the incident and determine if additional manpower needs to be called in.
  - b. Establish a command post/assembly area.
  - c. The on-duty supervisor shall maintain control of the incident until relieved by a higher authority.
  - d. Advise Stafford dispatch of the need for Search and Rescue team if applicable.
5. An IBR report will be completed by the primary unit on scene. Trained personnel will complete a supplement IBR report and Project Lifesaver after action report.

## **V. TRAINING REQUIREMENTS**

- A. Any member of the Police Department that wants to become a certified Project Lifesaver member needs to attend a 16-hour class. The 16-hour class will cover classroom and practical exercises.

B. Any certified operator of the receiver must demonstrate proficiency with the equipment every 12 months following the procedure set forth below:

1. Participate in two actual searches as an operator of the receiver, or
2. Successfully complete two scenario searches as an operator of the receiver;
3. Each search must cover a minimum of  $\frac{1}{2}$  mile in distance.

<b>AQUIA HARBOUR POLICE DEPARTMENT</b>	
<b>POLICIES AND PROCEDURES</b>	
<b>Policy: 05-03 RIDE ALONG PROGRAM</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES</b>	<b>APPROVED</b>   Chief of Police

**I. POLICY**

The **Ride-Along** program allows citizens to voluntarily accompany officers and to observe law- enforcement activities to better understand the problems of policing. The observer may request to ride in any area at any time or with a particular officer. If convenient to the department and conditions permit, permission may be granted. The department's community-oriented policing goals include a commitment to work with the community to solve neighborhood problems and to operate an open, accessible, accountable agency. The Ride-Along program is consistent with these goals. Safety of law-enforcement personnel shall be the primary concern.

**II. PURPOSE**

The purpose of this general order is to establish procedures for the Ride-Along program.

**III. PROCEDURES**

A. Ride-Along request

1. People wishing to ride with an officer shall pick up Ride-Along forms at the police department office located at the Police Department. The completed request form must be returned at least five working days before the desired Ride-Along date.
2. The Chief of Police or any supervisor may grant permission for citizens to ride with officers. A records check shall be performed on any applicant prior to granting permission.

B. Limitations

1. A person shall not ride unless approval has been granted and a supervisor has the properly completed waiver. Approval will be for one specific shift period unless the Chief grants special limitations or extensions.
2. Spouses of sworn personnel may participate in the Ride-Along program. If the chief approves, the spouse may accompany husband/wife for a limited period of time.

3. Normally, no more than one observer shall accompany an officer at a time.
4. Juveniles must be 16 years of age or older to ride and must have request and waiver forms signed by parents or guardians.
5. No one shall be allowed to observe law-enforcement activities relating to raids or ride with plain-clothes units without specific advance coordination and approval of the Chief.

C. Beginning tour

1. If no specific officer is requested by name by the observer, the on-duty supervisor shall appoint the host officer.
2. The observer should be appropriately dressed in either business attire or casual wear in good taste; if not, the on-duty supervisor may cancel Ride-Along approval.
3. The host officer shall instruct the observer on the following procedures:
  - a. Follow the officer's directions.
  - b. Appearance in court as a witness may be necessary.
  - c. The observer may end the ride whenever he or she wishes.
  - d. The officer may end the ride if safety circumstances dictate.
  - e. The observer must wear a seat belt and shoulder strap when riding in the vehicle.
  - f. Observers shall identify themselves, if asked, as an authorized citizen observer or Ride-Along.
  - g. Observers shall not be permitted to carry any flashlight, camera, radio of any type, tape recorder or player, binoculars unless authorized by the Chief.
  - h. Observers shall not carry weapons or restraining devices of any kind. Exceptions may be granted to law-enforcement personnel.
  - i. Observers shall smoke only at the officers' discretion during the Ride-Along.

D. Observer conduct

1. Observers shall at all times remain under the complete control of the assigned officer and shall comply with all directions and requests.
2. Observers shall not interfere with investigations in any way by conversing with victims, suspects, or witnesses, handling evidence or

equipment, or participating in any enforcement activity unless directed to do so by the host officer per *Virginia Code* § 18.2-463 (refusal to aid an officer in the execution of his office).

E. Arrests, transporting, booking

1. If the host officer feels that there are no hazards involved, the observer may accompany the officer while transporting or booking prisoners. If the officer believes a problem may arise, the observer should be temporarily transferred to another officer or returned to the point of origin.
2. Observers shall not be permitted to remain with prisoners in the absence of officers.

F. Ending tour

Upon completion of the ride, the officer will return the observer to the department and thank him (or her) for his (or her) interest. The officer will ask the observer to complete the observer's comment form. Completed observer forms shall be forwarded to the Chief for review, then filed.

G. Prohibited activities

At **no time** shall an officer, while accompanied by an observer, engage in a Code 3 response to any call for service or pursuit driving, respond to a crime-in-progress reportedly involving violence, or perform a felony vehicle stop until the officer deposits observers at a safe location.

<b>AQUIA HARBOUR POLICE DEPARTMENT</b> <b>POLICIES AND PROCEDURES</b>	
<b>Policy: 06-01 CRIME ANALYSIS</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b>  Chief of Police

## I. POLICY

Crime Analysis is a law enforcement function utilized by the Aquia Harbour Police Department whereby data relating to crime is collected, analyzed, and disseminated. Data pertaining to crime and criminal activities is primarily generated from records and reports within the department. The utilization of this data will assist in the prevention and the suppression of crime and aid in the apprehension of criminal offenders, both strategically and tactically.

## II. PURPOSE

The purpose of this policy is to explain how crime analysis stores, retrieves and analyzes valid and reliable data, and how it will aid line units with useful information that can benefit them in the development of daily operational and tactical plans. Staff units will be able to use this data for planning as it relates to such topics as crime trends, agency resource allocation, crime prevention, and other associated areas.

## III. PROCEDURES

### A. General

1. Crime analysis is a part-time activity conducted by the Chief of Police and their staff.
2. Crime Analysis should provide currently useful information to aid operational personnel in meeting their tactical crime control and prevention objectives by:
  - a. Identifying and analyzing methods of operation of individual criminals.
  - b. Providing crime pattern recognition
  - c. Providing analysis of data from field interrogation and arrests

### B. Collection of Data

1. Essential Crime Analysis data will be captured from a copy of the police offense and incident reports.
2. Known criminal offender data will be collected from arrest reports.
3. Field interview reports generated by both uniform and investigative personnel.

### C. Collation of Crime

1. Crime offense data will be collated and charted by crime type, time of shift, and geographical location.
2. Our computer systems can generate information that will help to identify similarities among different offenses and reveal patterns in the characteristics of current crime problems. Some of these printouts include:
  - a. Offense report file;
  - b. Known offender file;
  - c. Modus operandi factors file;
  - d. Suspect actions;
  - e. Field interview/observation file;
  - f. Property taken;
  - g. Suspect actions;
  - h. Method of entry;
  - i. Day, date, and time of occurrence;
  - j. Location;
  - k. Structure type;
  - l. Suspect's personal description;
  - m. Weather conditions;
  - n. Reporting areas.
3. Special attention will be given to any crime patterns or trend development information during the analysis of crime data. Specific crime factors to be included in the crime analysis function are:
  - a. Frequency by type or crime, geographic, and chronological factors.
  - b. Victim and target descriptions, physical evidence information.
  - c. Suspect, suspect vehicle, modus operandi information.

### D. Crime Data Analysis

1. Computer data will be analyzed by the Chief of Police and his staff on an as needed basis. Reports will be generated for dissemination.

2. The computer printouts and reports will include the total number of crimes that were reported to the Aquia Harbour Police Department during the requested time, including the following information:
  - a. Type of crime
  - b. Day, date, and time of occurrence
  - c. Number of crimes in each area
  - d. The physical description of suspects
  - e. Descriptions of suspects' vehicles
3. Supervisory staff will make recommendations to the Chief of Police concerning geographic or special allocation and deployment of police resources.

#### E. Dissemination of Crime Data

1. The Chief of Police or their designee will disseminate information in a timely fashion within the Police Department
2. The Chief of Police or their designee will disseminate information relevant to the operational and tactical plans of specific line units directly to the General Manager.
3. The Chief of Police or their designee will disseminate to the public appropriate crime information necessary to enhance public information and solicit community assistance and support when deemed necessary.
4. Information concerning police operational matters or investigative methods will be carefully controlled and not normally be disseminated.

#### F. Use of Crime Analysis Information

Crime Analysis information will be used by the Chief of Police and all Police Department Supervisors in the following ways:

1. Short range tactical planning of crime reduction techniques and strategies.
2. In the development of departmental plans for a response to operational problems.
3. In long range planning, particularly as it relates to predicting manpower and resource needs for multi-year periods.

#### G. Evaluation of data

1. For the Crime Analysis function to be effective, feedback from each of the officers will be essential. The utility and effectiveness of crime analysis can be evaluated by:
  - a. Seeing crime reduced in certain areas because of useful crime analytical information.

- b. An increase in arrests dealing with certain problems identified in the analysis process.
  - c. Having specific problem areas identified by analysis data gathered through the officers' incident reports.
2. Feedback relating to crime analysis data given out to each officer is an essential part of evaluating the analytical effort. Such feedback will provide the Chief of Police with information as to whether the crime analysis process, as currently employed, is efficient and whether its products are effective tools for combating the crimes selected by the department for analysis.
  3. Supervisors should solicit feedback from their officers on the analytical data provided to them and then discuss any comments at the regularly scheduled staff meetings.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 06-02 CRIME PREVENTION AND COMMUNITY ENGAGEMENT**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2025**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*

Chief of Police

## **I. POLICY**

Crime Prevention is the anticipation, recognition, and appraisal of crime risks and the initiation of action to remove or reduce such risks. Crime Prevention aims at creating in the minds of Aquia Harbour residents and business persons, an awareness of the roles they can individually and collectively play in the reduction and/or prevention of crime, and then encourage individual, group, school, neighborhood, and community follow-up and participate in activities to reduce/prevent crime.

The Police Department is committed to establishing close ties with and responding to the needs of the residents of Aquia Harbour. Community engagement and crime prevention plans and programs constitute an integral part of the department's activities. This agency will utilize crime analysis data to assist in the prevention and suppression of crime and to aid in the apprehension of criminal offenders. All employees of this department are charged with supporting and furthering these efforts.

## **II. PURPOSE**

The purpose of this policy is to affirm the commitment of the Aquia Harbour Police Department's Office to the prevention and suppression of crime, and to establish policies, goals, and objectives by which this commitment can be realized. This policy also sets forth the method in which community engagement and crime prevention can play an integral role in the department activities.

## **III. PROCEDURES**

### **A. General**

1. All law enforcement personnel, upon request and when appropriate, shall provide knowledgeable, instructive advice to the public concerning steps which can be taken to reduce the opportunity or lessen the loss from crime.
2. All law enforcement personnel should be aware of and where appropriate, offer their assistance to crime prevention activities taking place in the community.
3. No employee of the Aquia Harbour Police Department shall advise any person that the use of any crime prevention suggestion, materials or program will prevent that person, or any other person from becoming the victim of a crime, but will only lessen the probability of that person, organization, or group of becoming a victim of crime.
4. The department's crime prevention programs are based on planning and coordinating crime analysis and prevention activities in addition to the overall development and coordination of the department's community relations activities.

5. The Community Engagement Liaison is responsible for developing, implementing, and coordinating crime prevention and community engagement programs. The Community Engagement Liaison will serve as the community engagement liaison for the Aquia Harbour community clubs and civic organizations. The assignment of responsibility does not relieve other law enforcement personnel of being aware of and involved in crime prevention and community engagement procedures, policies, and activities.

#### B. Crime Prevention Program Priorities

1. Annually, a high percentage of crimes in Stafford County and Aquia Harbour Subdivision involves property-related crimes. A significant portion of this crime involves unsecured property, inadequately identified property, and inadequate provisions for security.
2. In targeting the prevention of property crime, programs will be emphasized as follows:
  - a. Security surveys of residents will be conducted by trained officers.
  - b. Public educational programs – presentation talks, visits, appearances, tours, media releases, crime prevention displays, etc. aimed at drug abuse, and other specific crime problems and their education, prevention, or elimination.
  - c. Stafford County further offers other crime prevention programs, which the Community Engagement Liaison will be able to utilize in the course of their duties as necessary.
3. Addressing the community's perception or misperceptions of crime, target programs will be determined based on the analysis of data collected from the department's Community Engagement Liaison and citizen requests, concerns, and needs.

#### C. Educational Programs

1. A variety of crime prevention and community relations educational programs are offered by the Aquia Harbour Police Department to community residents, clubs, and organizations. Included are programs on specific crime prevention problems such as burglary/vandalism prevention, fraud prevention, etc. Programs can be conducted at the Police Department or anywhere in Aquia Harbour property for all age groups and interests.

### **IV. COMMUNITY ENGAGEMENT LIAISON**

- A. Even though the delivery of crime prevention services is the responsibility of all personnel with the Aquia Harbour Police Department, there is, nevertheless, a need to have a formalized unit which directs, manages and coordinates crime prevention and community engagement activities and serves as a resource for the Aquia Harbour Police Department crime prevention efforts.
- B. The Community Engagement Liaison is a collateral function and, as such, will be designated as an additional duty by the Chief of Police. The Community Engagement Liaison will be a member of the agency who is selected according to their ability to analyze offenses, identify similarities, and to reach logical conclusions based on such information.

- C. The Community Engagement Liaison shall possess effective planning and communication skills and should be capable of motivating and directing others. Skills should include, but not limited to, effective writing, the ability to make oral presentations, program development, technical assistance, program evaluation, training, and planning and coordination.
- D. The Community Engagement Liaison shall be the point of contact for all events requesting law enforcement assistance within Aquia Harbour Property. The Community Engagement Liaison shall review all Special Event Request forms submitted to the Police Department and coordinate with the event's point of contact for law enforcement assistance.

## **V. CRIME PREVENTION GOALS**

- A. To minimize the occurrence of preventable crime while maximizing the role of the public in preventing crime.
  - 1. Objectives
    - a. To prevent crimes that occur where patterns and trends in crime occurrence can be identified, or from escalating after the arrival of officers on the scene of an incident.
    - b. To support the development of new and perpetuation of existing programs designed to prevent and control juvenile delinquency.
    - c. To support the development of new and perpetuation of existing programs designed to enhance the safety and security of residents.
    - d. To support the new and perpetuation of existing crime prevention programs including public information programs, community reporting of problems, etc.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 07-01 INVESTIGATIONS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*

Chief of Police

**I. POLICY**

The primary purposes of an investigation are to collect facts leading to the identification, arrest and conviction of an offender and to organize and present the facts for a successful prosecution. The single most important criterion which determines a successful investigation is the officer's obtaining and handling information supplied by a victim or a witness after the crime occurs. The office expects officers to treat investigations as a skill developed through training and experience, a skill that demands intelligence, logic, and discipline.

**II. PURPOSE**

To establish guidelines for the general conduct of preliminary and follow-up investigations.

**III. PROCEDURE – PRELIMINARY INVESTIGATIONS**

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**V. REPORT WRITING**

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**VI. SOURCES OF INFORMATION**

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**VII. RELATIONSHIP WITH COMMONWEALTH'S ATTORNEY**

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VIII. DISPOSITION OF CASES

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**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 07-02 INFORMANTS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:** *Bryan Cameron*  
Chief of Police

**I. POLICY**

The Police Department encourages the development and use of informants. Proper legal use on an informant can greatly assist the efforts of the officer in obtaining vital information that may be used in any investigation.

**II. PURPOSE**

The purpose of this policy is to set forth procedures to help members of the Police Department develop and effectively use informants and the information obtained.

**III. PROCEDURE**

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**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 07-03 SEARCH WARRANTS AND NIGHTTIME SEARCH WARRANTS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:** *Bryan Cameron*  
Chief of Police

**I. POLICY**

The Fourth Amendment to the United States Constitution guarantees every citizen the right to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures. Supreme Court decisions regarding search and seizure place the responsibility on law enforcement to ensure that citizens' Fourth Amendment rights are protected. Officers shall scrupulously observe constitutional guidelines when conducting searches and always remain mindful of their lawful purpose.

**II. PURPOSE**

The purpose of this policy is to establish guidelines and procedures which officers must follow when conducting searches and seizures.

**III. DEFINITIONS**

**A. Search Warrant**

A written order signed by a judicial authority, directing a police officer to search for specified personal (or business) property and bring it before the judicial officer.

**B. Curtilage**

Curtilage usually refers to the yard, garden, or piece of ground, which adjoins a private residence. While the term has no absolute definition that applies under all circumstances, the curtilage of a private residence, for instance, is determined by whether the area is enclosed; the nature and use of the area; the proximity of the area to the home; and any measures taken by the owner to protect the area from observation.

**IV. PROCEDURES – GENERAL**

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**V. PROCEDURES – OBTAINING A DAYTIME SEARCH WARRANT**

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**VI. PROCEDURES – HOW TO OBTAIN A NIGHTTIME SEARCH WARRANT FOR AN ABODE**

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**VII. PROCEDURES – EXECUTING A DAYTIME AND NIGHTTIME SEARCH WARRANT**

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**VIII. PROCEDURES – WRITTEN DOCUMENTATION OF THE SEARCH WARRANT PROCESS**

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**IX. PROCEDURES – SEARCHES OF PERSONS**

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**X. CONDUCTING OPERATIONS LEADING TO SEARCHES OR ARREST**

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<b>AQUIA HARBOUR POLICE DEPARTMENT</b> <b>POLICIES AND PROCEDURES</b>	
<b>Policy: 07-04 WITNESS IDENTIFICATION</b>	
<b>EFFECTIVE DATE: 09/03/2024</b>	<b>REVIEW DATE: 06/01/2026</b>
<b>AMENDS/SUPERSEDES:</b>	<b>APPROVED:</b> <i>Bryan Cameron</i> Chief of Police

## I. POLICY

It is essential that the Aquia Harbour Police Department procedures be clearly defined in all possible cases. This policy sets forth procedures for the identification of suspects in criminal investigations by witnesses or victims.

It is the policy of the Aquia Harbour Police Department to use witness identification of the suspected perpetrator of offenses to aid in criminal investigations. The witness identifications may be accomplished through live line-ups, photographic line-ups, and show-ups.

Standardization of these procedures is intended to maximize the reliability of identifications, minimize risk of unjust accusations of innocent persons, and establish evidence that is reliable and conforms to established legal procedure.

## II. PURPOSE

The purpose of this order is to establish policies and procedures for the preparation and presentation of photographic line-ups, in person line-ups, and show-ups.

## III. DEFINITIONS

- A. A line-up is any procedure in which a victim or witness to a crime or other incident is asked to identify a suspect from among a group of people, in order to determine or confirm the identity of the suspect. Such procedures involve either the actual viewing of people (live line-ups or show-ups) or the viewing of photographs (photo line-up).
- B. A photo line-up is an identification procedure in which an array of photographs, including a photograph of the suspected perpetrator of the offense, is displayed to an eyewitness in hard copy form for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator of the crime.
- C. A sequential line-up is a method of administering a photo line-up where the photographs are shown to the eyewitness one at a time, with the witness being instructed to take as much time as needed in making a decision about each photograph, ensuring that all photos will be shown, even if identification is made prior to viewing all of the photos in the line-up.
- D. A blind administrator is an individual who actually administers the line-up while having no knowledge of which person in the line-up is the actual suspect.
- E. A confidence statement is a statement in the eyewitness's own words articulating their level of confidence in the identification, taken at the time the identification is made.

- F. Fillers are non-suspect photographs or line-up members.
- G. The “folder shuffle method” is a procedure of administering a photo line-up in circumstances where a blind administrator cannot be used.
- H. A show-up is an identification procedure in which an eyewitness is presented with a single suspect for the purpose of determining if the suspect is the perpetrator of the offense.

#### IV. PROCEDURE

##### A. General

1. Officers shall strictly adhere to established procedures for conducting witness identifications in order to avoid the possibility of error or undue suggestiveness.
2. Officers shall receive initial and periodic refresher training on eyewitness identification efforts.
3. Prior to the administration of a line-up, eyewitnesses will be provided with a photo line-up admonition form.
4. Prior to arriving at the location of a show-up, eyewitnesses will be provided with a show-up admonition form.

##### B. Show-up Procedure

1. Show-ups should only be performed using a live suspect (no photographs) and should only be performed in exigent circumstances that require the immediate display of a suspect to an eyewitness.
2. A show-up should only be conducted within two (2) hours of the offense.
3. The eyewitness should be provided with the following instructions:
  - a. The perpetrator may or may not be the person presented to the eyewitness.
  - b. The eyewitness should not feel compelled to make an identification.
  - c. The investigation will continue regardless of whether an identification is made.
  - d. The officer should ask the eyewitness to state, in his/her own words, how certain they are of the identification they have made. This statement must be documented.
  - e. The eyewitness should not discuss the identification procedure with other eyewitnesses involved.
4. The identification should take place in a neutral, non-law enforcement location.
5. If there are multiple eyewitnesses, only one eyewitness at a time should participate in the show-up procedure, independent of the others.

6. Officers should photograph the suspect at the time of the show-up to preserve a record of the suspect's appearance at the time of the show-up.

### C. Photo Line-up Procedures

1. The officer in charge of the investigation should select an individual to serve as the blind administrator. The blind administrator must not know the true identity of the suspect to avoid making any inadvertent signs or body language that could unduly influence the identification procedure.
2. If the blind administrator method cannot be used (i.e. manpower issues, etc.), the folder shuffle method is an acceptable alternative. Documentation should be made as to why the blind administrator method was not used.
3. Only one suspect photograph may be used. If there are multiple suspects in the investigation, each suspect should be placed into an individual photo line-up.
4. A minimum of five fillers (non-suspects) should be used in each photo line-up, for a minimum total of six photographs. If presenting multiple line-ups for multiple suspects, different fillers should be used in each line-up.
5. Photographs should be of the same size and basic composition. Avoid mixing black and white and color photographs. No writing should be visible on any photograph.
6. Fillers should be consistent in appearance with the suspect, so the suspect does not unduly stand out. Complete uniformity is not necessary; however, the fillers should be reasonably similar in age, height, weight, race, and general appearance. Care should be taken to avoid using fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish between the two.
7. Blind Administrator Method procedures
  - a. Review the array to ensure the suspect does not unduly stand out.
  - b. Each photograph should be assigned a line-up identification number. This number is to be recorded on the back of the photograph. Care should be taken during the presentation of photographs to avoid the witness turning over the photo and observing the identification number.
  - c. Prior to the presentation of photographs, the eyewitness will be provided with the photo line-up admonition form.
  - d. The witness should be further instructed that:
    - i. Individual photographs will be viewed one at a time.
    - ii. The photos are in random order.
    - iii. Take as much time as needed in making a decision about each photograph.
    - iv. All photos will be shown, even if identification is made prior to viewing all photos.

- v. The administrator does not know who the perpetrator is.

#### 8. Folder Shuffle Method Procedures

- a. This method should only be used in the event that a blind administrator is not available.
- b. One suspect photo and five fillers will be used in conjunction with ten (10) empty folders.
- c. Affix filler photo #1 into a folder, and number that folder "1"
- d. Place the suspect photo and four remaining filler photos into individual folders.
- e. Adding the four empty folders, shuffle these nine folders thoroughly before numbering them 2-10.
- f. If done correctly, the administrator will now NOT know which numbered folder contains the suspect photo.
- g. In addition to the instructions provided above, the witness should be instructed that the administrator does not know which folder contains the suspect photo, and that some folders may not contain a photo.
- h. Each folder is given to the witness individually. Care should be taken to record the order in which the folders were presented for later documentation.
- i. If the witness requests to view a photo or the sequence again, they may be shown a second time, however, the entire sequence must be shown.
- j. If a witness makes an identification, obtain a confidence statement from the witness. This statement must be documented in its entirety, in the witness's own words.

#### 9. Documentation

- a. When conducting an identification procedure, the person administering the line-up shall preserve the outcome of the procedure by documenting it in its entirety. The procedure will be documented in the IBR report and any other materials (photos, etc.) shall be maintained in the case file.
- b. This documentation should include, at a minimum, all identification and non-identification results, the line-up procedures used, all photographs and the sources, the date & time of the presentation, any persons present during the administration, the order of the line-up presentation, and the confidence statement.

#### D. Live Line-up Procedures

1. Live line-ups will be conducted similarly to photo line-ups, in that only one suspect will be used and a minimum of five fillers will be used.
2. Fillers should be consistent in appearance with the suspect so that the suspect does not unduly stand out. Complete uniformity is not necessary; however, the fillers should be reasonably similar in age, height, weight, race, and general appearance.
3. The accused may take any position in the line-up that they prefer, and may change positions prior to the presentation of the line-up to a new witness.
4. Only one witness at a time should view a live-line up.
5. The witness should be instructed that:
  - a. The individuals will be viewed one at a time.
  - b. The individuals are in a random order.
  - c. Take as much time as needed in making a decision about each individual.
  - d. All persons will be shown, even if identification is made prior to viewing all persons.
  - e. The administrator does not know who the perpetrator is.
6. A group photo should be taken of all of the participants in a live line-up. This photo is not shown to the witness but is preserved with the case file to illustrate size differences among the line-up participants.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 07-05 MANDATORY CID NOTIFICATIONS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

This policy is issued for the purpose of establishing guidelines for the notification of the Stafford County Sheriff's Office Criminal Investigations Division (CID) in order to ensure the proper response of criminal investigative resources.

**II. PURPOSE**

In accordance with the Memorandum of Understanding with the Stafford County Sheriff's Office certain incidents shall be the responsibility of the Sheriff, his/her designee, or the Sheriff's Office to investigate. It is the policy of the Aquia Harbour Police Department that all incidents involving high profile cases such as murder, rape, robbery, etc. shall be investigated by members of the Stafford County Sheriff's Office Criminal Investigations Divisions. The on-duty patrol officer shall brief a Stafford County supervisor, who will in turn notify CID.

**III. OPERATIONAL GUIDELINES**

A. CID will be notified on the following cases:

1. Unattended Deaths
2. Murder
3. Suicide
4. Rape (if less than 120 hours)
5. Kidnapping / Abduction
6. Robbery
7. Home Invasions
8. Child Sexual Abuse
9. Felony Child Neglect
10. Sexual Offenses Involving Force (if less than 120 hours)
11. Endangered Missing Persons of Any Age

12. Runaways Under the Age of 13
13. Felonious Assaults Involving Weapons
14. Nighttime Occupied Dwelling Burglaries
15. Any Burglary Involving the Estimated Theft of Property in Excess of \$20,000
16. Arrests for Felony Possession of Controlled Substances with the Intent to Distribute
17. Any Overdose Case
18. Bomb Threats

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 08-01 USE OF FORCE**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

## **I. POLICY**

Officers are confronted daily with situations requiring the use of force to affect an arrest or ensure public or officer's safety. The degree of force used depends on what the officer perceives as reasonable and necessary under the circumstances. Further, an officer may resort to more rigorous use of force to overcome increasing resistance or increasingly dangerous threats to public or officer safety. Aquia Harbour officers shall only employ that amount of force necessary to accomplish a legal purpose. When any use of force is applied it shall be reported to the officer's immediate supervisor or on-call admin. Incidents involving mild or passive resistance to handcuffing or escorting do not have to be reported, unless there has been an allegation of misconduct. All uses of force shall be reviewed by the Chief of Police or their designee, and the disposition shall be recorded. All uses of force will be documented in a Stafford County Incident Based Report.

The application of deadly force requires that the officers' objective is to stop or incapacitate the suspect, and no other choice presents itself. The objective in the use of any force of any type is to overcome the suspect's unlawful resistance to an officer's lawful purpose. The application of this policy requires that officers do not unreasonably or unnecessarily endanger themselves or the public. When it is objectively reasonable that a subject is fully in law enforcement's control, then the force must terminate.

Officers must make every attempt to comply with the Force Continuum, however, it is noted that the Force Continuum is dynamic and fluid, depending upon a variety of factors present during the encounter. All sworn personnel shall receive annual training in the Use of Force.

## **II. PURPOSE**

This policy establishes guidelines governing the use of force, its limitations, and clearly describes prohibited activities.

## **III. DEFINITIONS**

- A. **Deadly force:** Any force applied in any manner, by any means, that could reasonably be expected to cause serious bodily injury or death.
- B. **Serious Bodily Injury:** Bodily injury that creates a substantial risk of death or is likely to cause serious permanent disfigurement.
- C. **Non-deadly force:** Force employed which is neither likely, nor intended, to cause death or serious bodily injury.

- D. Objective Reasonable Belief: Facts or circumstances that the officer knows, or should know, are such as to cause a reasonable and prudent officer of similar training and experience to act or think in a similar way under similar circumstances. Note: objective reasonableness is defined by the U.S. Supreme Court in *Graham v. Conner*, 490 U.S. 386, 104 L.Ed.2d 443, 109 S. Ct. 1865 (1989).

Legal Considerations:

1. The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer of similar training and experience.
  2. Reasonable analysis as defined by the courts contemplates careful consideration of the facts and circumstances of the incident, including;
    - a. The severity of the crime at issue.
    - b. Whether the suspect poses an immediate threat to the safety of officer(s) or others, and
    - c. Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.
  3. In addition, regarding the use of deadly force by law enforcement, Virginia Code 19.2-83.5 also requires the following additional factors to be considered when assessing the totality of the circumstances:
    - a. The amount of time available to the law enforcement officer to make a decision.
    - b. Whether the suspect possessed or appeared to possess a deadly weapon and refused to comply with law enforcement's orders to surrender an object believed to be a deadly weapon prior to the use of deadly force.
    - c. Whether the law enforcement officer engaged in de-escalation measures prior to the use of deadly force including taking cover, waiting for backup, trying to calm the subject prior to the use of deadly force or using non-deadly force prior to the use of deadly force.
    - d. Whether any conduct by the law enforcement officer prior to the use of deadly force increased the risk of a confrontation resulting in deadly force being used.
  4. In *Graham v. Conner*, the Supreme Court stipulated that all uses of force would be scrutinized through the eyes of a reasonably objective officer of similar training and experience confronted with the same facts and circumstances; the court said that uses of force should not be judged using "20/20 hindsight".
  5. The officer must have acted properly under the established federal, state and local law at the time.
- E. Firearms: A small arms weapon such as a rifle, shotgun or pistol, from which a projectile is fired by gunpowder.

- F. Excessive force: Any force that is objectively unreasonable given the totality of the circumstances, including the severity of the crime at issue, whether the suspect poses and immediate threat to the safety of the officers or others, and whether the suspect is actively resisting arrest or attempting to evade arrest by flight. As long as the officer is acting within the "legal boundaries" established by court precedent, he/she has the "privilege" to legally use force for personal defense, defense of another or to affect a lawful arrest/prevent escape. However, if the officer exceeds these boundaries, the courts may well consider the force used to be excessive. Force is excessive when its application is inappropriate to the circumstances. Each use of force must be evaluated on the unique facts and circumstances of the situation at hand. A good rule of thumb is "excessive force begins when the suspect resistance ends."
- G. Kinetic impact munitions: Includes impact rounds and baton rounds, such as rubber batons, bean bag rounds, foam baton rounds, and plastic, wax, wood, or rubber-coated projectiles.
- H. Force Continuum Levels:
1. Presence: The officer is present, identifying himself by displaying their badge of authority or other identification and exhibiting command presence.
  2. Dialogue/verbal direction: Officer verbally directs or commands a person to engage in, or refrain from a specific action or non-action, utilizing clear concise language.
  3. Physical Control: This is a level of control employed by officers when faced with resistance. Officers can utilize bodily force to gain control of a person such as physical manipulation utilizing approved arrest techniques or OC (Oleoresin Capsicum) Spray.
  4. Intermediate Force: This is a level of control such as an asp baton or a Conductive Electrical Weapon (CEW) employed by officers when faced with an active fighter, a suspect threatening to be an active fighter, or a suspect that poses an immediate threat to the safety of the officer or others.
  5. Deadly Force: Any force applied in any manner, by any means, that could reasonably be expected to cause serious bodily injury or death.
- I. Neck restraint: Means the use of any body part or object to attempt to control or disable a person by applying pressure against the neck, including the trachea or carotid artery, with the purpose, intent, or effect of controlling or restricting the person's movement or restricting the person's blood flow or breathing, including chokeholds, carotid restraints, and lateral vascular neck restraints.
- J. De-escalation: the use of strategies and techniques to decrease the intensity of a situation, improve decision making, and improve communications with the ultimate goal of increasing the chance of voluntary compliance on the part of an individual contacted by law enforcement.

#### **IV. USE OF FORCE: TACTICAL CONSIDERATIONS**

##### **A. De-escalation**

1. The Aquia Harbour Police Department's ultimate objective in any incident is to accomplish its lawful purpose in the safest manner possible while protecting hostages, innocent citizens, officers, suspects, and property.

2. Officers are regularly forced to make split-second judgements during incidents that are tense, uncertain, and rapidly unfolding regarding the use of force. Some of these incidents require officers to act immediately and decisively to protect the public and themselves, while other circumstances may allow for a more deliberate and measured approach. It would be impractical, dangerous, and counter to the Police Department's mission, to require officers to attempt de-escalation tactics prior to using force in all circumstances.
3. De-escalation involves the use of time, distance, and shielding to allow officers to attempt verbal communication with a suspect(s), engage in planning, and bring sufficient personnel and resources to bear, such as less lethal force options, in a manner that allows an individual the chance to voluntarily comply with law enforcement while ensuring the Police Department's ultimate objectives can be met should the individual elect not to comply with law enforcement.
4. For officers to consider engaging in the use of de-escalation techniques, several conditions should be met:
  - a. The individual being contacted by officers must not be engaged or about to be engaged in acts that pose an immediate danger to another person. If officers reasonably believe an individual is engaged or is about to be engaged in acts which pose an immediate danger to another person, they will act immediately to mitigate or eliminate the threat.
  - b. The individual being engaged must be responsive to communication with officers. In situations where the individual is unresponsive to communication, is non-compliant with the requests of officers, and officers have the legal right to detain the individual, officers may promptly effect that detention.
  - c. Officers must be able to communicate with the subject in relative safety using distance, shielding, and appropriate overwatch.
5. Officers are reminded there are times and circumstances where the prompt use of force can prevent situations from escalating to a point where higher levels of force would need to be employed. For example, acting immediately to prevent a noncompliant suspect from re-entering a vehicle utilizing physical control techniques may prevent that subject from accessing a weapon, initiating a vehicle pursuit, or engaging in other actions that pose an immediate danger to the public and officers and could demand the use of intermediate or deadly force to mitigate the threat.

## **V. NON-DEADLY FORCE**

This section relates to the use of non-deadly force through physical control, aerosol sprays, the baton, and the Conductive Electrical Weapon (CEW). It should be noted that although these devices or methods are considered "non-deadly" their use in some cases, may result in unintended death or serious bodily injury. Officers must be aware of the potential for such an event.

### **A. Chemical Control Options**

When in the Force Continuum, an officer may need to resort to the use of a chemical control option in an act of self-defense, defense of a third person, or to subdue a resistive person.

1. OC (Oleoresin Capsicum) is a low-level use of force option for officers encountering aggressively noncompliant subjects. When possible, OC should be deployed only after officers have properly identified themselves and have attempted dialogue or issued verbal commands.
2. Prior to employment of chemical agents, consideration should be given to the environment (indoors/outdoors), distance to the subject, the number of subjects and their proximity to innocent by-standers.
3. Post exposure first aid should be administered as soon as appropriate.

#### B. Physical Force (Arrest Control Tactics/Defensive Control Tactics)

Officers may employ needed and reasonable physical force (holding, pulling, pushing, throwing, or exerting greater strength to overcome resistance) in order to defend themselves or another person or to subdue a resisting subject.

#### C. Asp Baton

When confronted by an aggressive person who is actively or violently resisting arrest, attacking or threatening to attack, officers may utilize the ASP baton to overcome resistance to a lawful arrest, or to prevent attack or injury. The baton shall be used in a manner consistent with prescribed training.

- #### D. Conductive Electrical Weapon (CEW)
- The CEW is considered to be a less lethal force option (Level 4) on the Force Continuum. The CEWs use as a pain compliance tool against a resisting subject is prohibited by the Fourth Amendment, unless the officer can articulate an “immediate danger” apart from the fact of resistance alone.

#### E. Sudden in Custody Death Syndrome

Subjects in custody may be at risk of Sudden in Custody Death Syndrome if improperly restrained. Once they are under control, subjects should be placed in an upright sitting or standing position when possible. If the subject is resisting by kicking, officers should apply an approved restraint device to the subject's legs or feet. Officers shall never connect a subject's legs or feet to the subject's hands, as this has been attributed to positional restraint asphyxia. Once put in a vehicle, the subject should be placed in an upright sitting position or a reasonable variation with seat belt utilization to ensure proper positioning. Subjects exposed to chemical control options may be more at risk. Officers should continue to visually monitor the subject for any signs of medical stress and if identified, emergency response personnel should be summoned immediately.

## VI. DUTY TO INTERVENE

Officers have an affirmative duty to act if they observe another officer using force that is clearly beyond that which is objectively reasonable under the circumstances and shall safely intercede to prevent the use of excessive force. Officers shall promptly report any such incident to a supervisor.

The duty to intervene includes law enforcement officers from other agencies and not just officers from this agency.

Immediate medical attention will be given if needed.

A written report shall be completed as soon as possible. The supervisor who is initially contacted will supplement the report.

An administrative review of the intervention will be conducted and reviewed by the Chief or their designee.

There will be initial training for new officers and refresher training for all officers every year on their duty to intervene. The training may be included in the Use of Force review. There must be a distinction between the two.

## **VII. DEADLY FORCE**

Deadly Force is authorized when the officer has probable cause to believe that a suspect poses a threat of serious physical harm to the officer or others. Probable cause exists based on the particular circumstances confronting the officer at the time.

- A. In [Tennessee vs. Garner, 105 S. Ct. 1694 (1985)], the Supreme Court ruled that the use of deadly force to prevent the escape of a suspected criminal is unconstitutional if the suspect appears to be unarmed and does not present an imminent threat to the officer, fellow officers or members of the public.
- B. In effecting a lawful arrest for a felony or a misdemeanor, only that amount of force necessary to ensure safe custody or overcome resistance to arrest will be justified. If, in the course of his duties an officer is met with resistance to the extent that the officer reasonably fears that death or serious bodily harm will occur to himself or any other person, and there is no reasonable alternative, the use of deadly force to overcome such resistance is justified.
- C. In any case where a officer is justified in using deadly force, he shall not use deadly force recklessly.
- D. Shooting at a moving vehicle shall be avoided except under the most serious circumstances. The safety of residents, passers-by, or innocent bystanders is of paramount importance.
- E. In cases in which an officer discharges or attempts to discharge a firearm with the intent to employ deadly force and the incident is related to or is a result of the commission of a crime, the officer shall not be responsible for the investigation and subsequent arrest of the perpetrator. However, if an immediate on-scene arrest is necessary, the officer is responsible for making such arrest.
- F. When circumstances permit and when reasonably practical, officers should identify themselves as law enforcement officers and give verbal warning of their intent to use deadly force.

## **VIII. MEDICAL CARE**

- A. Any injured suspect, in law enforcement custody, should be seen by EMS or transported to a medical facility to be seen by medical staff, unless otherwise stated within this general order.

## **IX. DEADLY FORCE AGAINST ANIMALS**

### **A. Deadly Force Against Dangerous/Vicious Animals**

1. Use of deadly force against animals applies to situations where it is necessary to use a firearm to kill an animal when the animal is considered to be dangerous and/or vicious and presents a clear and present danger to a officer, animal control officer, the public or as described in **VA Code 3.2-65552**.
2. An officer or animal control officer may use deadly force against a dangerous and/or vicious animal without a supervisor's permission but must do so with the utmost caution to ensure the safety of others. At any time, deadly force is used against an animal without a supervisor's permission, the officer shall make a written report of the action.

### **B. Euthanizing Animals by Using Firearm**

1. Euthanizing animals by firearms will pertain to wildlife and certain livestock only. Prior to euthanizing, the officer shall advise SCSO dispatch via radio, of his intentions. Before euthanizing livestock, a licensed vet will be contacted to confirm the euthanasia is necessary and no owners were identified. Domestic animals such as dogs and cats will be euthanized by a licensed vet or by animal control officers only.
2. Potentially rabid animals that are to be euthanized by firearm and tested for rabies shall be shot in vital areas (heart or lungs) in order to preserve the brain matter for testing. In the event an officer believes an animal to be rabid, they shall notify SCSO animal control to respond.

## **X. INVESTIGATION OF THE USE OF FORCE**

### **A. Investigation of the use of non-deadly force**

1. The officer involved shall, when safe:
  - a. Provide emergency first aid as needed
  - b. Notify an on-duty supervisor or on-call admin
  - c. Complete a SCSO incident-based report
  - d. Complete the use of force report form
  - e. Take photographs of the scene and persons involved as appropriate.
  - f. Submit a memorandum to the Chief of Police by the end of their shift describing the incident and facts substantiating the use of force, any medical aid rendered and attach any photographs. This memorandum is in addition to any other report.
2. The on-duty supervisor or on-call admin shall:
  - a. Respond to the scene as necessary

- b. Take photographs necessary for the investigation
- c. Interview the suspect(s) and/or witnesses as needed
- d. Notify the chain of command as necessary

## B. Investigation of the use of deadly force

The procedures below apply to all situations in which deadly force is utilized, to include when an officer intentionally discharges a firearm for the purpose of employing deadly force against a human being.

### 1. Officer and Supervisor Responsibilities

- a. Whenever an officer discharges or attempts to discharge a firearm directed at another individual (the individual does not need to be struck by the projectile), the officer, when safe, shall immediately:
  - (1) Determine the physical condition of any injured person and render first aid.
  - (2) Request necessary emergency medical aid.
  - (3) Notify SCSO dispatch of the incident and start additional resources.
  - (4) Notify the on-duty supervisor or on-call admin of the incident and location.
- b. The officer will remain at the scene (unless injured) until the arrival of the appropriate supervisor. However, if the circumstances are such that the continued presence of the officer at the scene might cause a more hazardous situation to develop (violent crowd), the ranking supervisor at the scene shall have the discretion to instruct the officer to respond to another more appropriate location.
- c. The on duty or on call supervisor shall proceed to the incident location.
- d. The on duty or on call supervisor shall be responsible for the initial incident report.
- e. The on-scene supervisor shall facilitate the securing of all weapons used in the Critical Incident in their original state (loaded, magazine in place, etc.).
- f. The officer shall not discuss the case with anyone except;
  - (1) Assigned Aquia Harbour Police Department Personnel
  - (2) Assigned Stafford County Sheriff's Office Personnel
  - (3) The Commonwealth Attorney

- (4) Officer's Attorney
  - (5) Officer's chosen clergy
  - (6) Officer's immediate family, and
  - (7) Officer's mental health counselor
- g. The officer involved will submit all the information related to the incident to the on duty or on-call supervisor prior to going off duty. In the event the officer is physically or mentally unable to do so, they shall submit all information related to the incident as soon as their condition will allow.
- h. The on duty or on-call supervisor shall notify the Chief of Police.
- i. An initial investigation report and a separate administration investigation report will be submitted to the Chief of Police within 48 hours of the incident.
- (1) The initial phase of an investigation into a law enforcement shooting is to establish the legality (both in law and in policy) of the shooting incident. The investigation shall be conducted in close coordination with the Stafford County Sheriff's Office and Commonwealth's Attorney Office.
  - (2) All Officer involved shootings shall be investigated as both a criminal matter and an administrative investigation.
    - (a) The on duty or on call supervisor will be responsible for the initial incident-based report.
      - (i) Will be assigned as the primary investigator to the investigation.
      - (ii) Shall ensure the Commonwealth Attorneys are briefed concerning the facts of the case and request a decision regarding criminal liability.
    - (b) The Deputy Chief will conduct an administrative investigation of all deadly force incidents.
      - (i) A separate and distinct phase of the investigation will be conducted by the Deputy Chief to determine whether the use of deadly force was within policy.
      - (ii) The Deputy Chief will prepare their own detailed report of findings for the Chief.
- j. Upon the initial incident-based report and administrative report, the Chief of Police shall review the incident and take appropriate actions.
- (1) If an officer is seriously injured or killed, the Chief or their designee will arrange for notification of the officer's family.

(2) The Chief or in their absence the Deputy Chief will notify the AHPOA General Manager.

- C. Any officer involved in the use of force resulting in death or a shooting resulting in injury shall be:
1. Removed from active patrol or investigative duties, placed on administrative leave or assigned to light duties; with full pay and benefits pending the resolution of the departmental investigation.
  2. Required to be interviewed or counseled by a psychologist by the department at no expense to the officer, prior to returning to duty.
    - a. Psychological follow up of post shooting trauma will normally be directed by the Chief of Police or their designee whenever deemed appropriate. During an internal investigation, the department shall do all within its power to avoid placement of stigma on the officer who discharges a firearm in the performance of duty.
  3. Required to surrender their weapon to investigating officer for the duration of the department's investigation, to include accidental discharges. A replacement weapon will be issued when practical and when the officer is determined to be mentally and physically capable of carrying out their lawful duties as determined by the Chief of Police.

## **XI. NEGLIGENT DISCHARGE OF FIREARMS**

If an on-duty officer has a negligent discharge of a firearm that does not result in injury or death of any person, they should immediately notify the on duty or on call supervisor. The supervisor shall respond, secure the scene and contact the Chief of Police. The Chief of Police will then notify the Deputy Chief who will respond to investigate the incident. If the Deputy Chief is not available, the Chief or their designee shall investigate the case.

In the event of a negligent discharge which results in injury to the employee, the on duty or on call supervisor shall respond, secure the scene and contact the Chief of Police. The Chief will then notify the Deputy Chief, who will respond to investigate the incident. If the Deputy Chief is not available, the Chief or their designee shall investigate the case.

In the event the negligent discharge occurs while the officer is off duty, the officer shall contact the on duty or on call supervisor immediately. The supervisor shall respond to the scene and notify the Chief of Police. The Chief will then notify the Deputy Chief, who will respond to investigate the incident. If the Deputy Chief is not available, the Chief or their designee shall investigate the case.

It is imperative that every effort is made to determine if an injury occurred to anyone as a result of a negligent discharge. Should a negligent discharge occur outside of Stafford County and assistance is needed in determining this, law enforcement in that jurisdiction should be notified immediately to assist.

## **XII. PROHIBITED ACTS**

- A. The following acts associated with the Use of Force are **PROHIBITED**:
1. Firing into crowds is prohibited
  2. Warning shots are prohibited
  3. Shooting into a building or through doors when the person fired at is not clearly visible is prohibited. The exception to this is when officers are responding to gunfire from such a building or through such door.
  4. Using deadly force on a suspect when lesser force could be used is prohibited.
  5. Using deadly force when there is any substantial danger to innocent bystanders is prohibited.
  6. Shooting from a moving vehicle is prohibited.
  7. Boxing in is prohibited.
  8. Caravanning is prohibited.
  9. Roadblocks both stationary and rolling are prohibited.
  10. The willful discharge of a firearm by a law-enforcement officer into or at a moving vehicle is prohibited unless the discharge of a firearm is immediately necessary to protect the law enforcement officer or another person from death or serious bodily harm.
  11. No officer of the Aquia Harbour Police Department will be allowed to carry a weapon until the officer has been trained in, past DCJS qualification, and receives copies of the entire use of force policy.
  12. The use of a neck restraint by a law enforcement officer is prohibited unless the use of a neck restraint is immediately necessary to protect the law enforcement officer or another person from death or serious bodily injury.
  13. Choke holds are prohibited, except in situations when deadly force is authorized.

## **XIII. USE OF FORCE REVIEW BOARD**

The purpose of this board is to review all Use of Force that is used by the members of the Aquia Harbour Police Department. This review is to determine that the Use of Force is carried out within the Aquia Harbour Police Department's Policies and Procedures and to identify training needs.

- A. Composition of the Use of Force Board
1. The Chief of Police; and
  2. The Deputy Chief of Police; and
  3. A Patrol Sergeant
- B. Meetings
1. The board shall meet bi-annually on a schedule determined by the Chief.

### C. Report Review

1. The board shall review all Use of Force reports except those where deadly force was used resulting in someone being fatally or seriously injured.

### D. Findings

1. The board shall render a written report on its findings in summary form at the conclusion of each meeting. The findings shall be:
  - a. Force Justified; or
  - b. Referred for Investigation; or
  - c. Remedial Training; or
  - d. Policy Review

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 08-02 FIREARMS AND NON-LETHAL WEAPONS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*

Chief of Police

## I. POLICY

An officer's firearm is perhaps the most commonly perceived symbol of his or her authority and role. In fact, every contact with a citizen is an armed encounter because the officer always carries a loaded firearm. In the interest of public safety, the department sets high standards of performance for its personnel who use weapons. The department's policy ensures that members are properly trained not only in the use of appropriate firearms and the circumstances of their use, but also in their safety and maintenance. Supervisors and the department firearms instructor shall rigorously enforce departmental firearms standards.

All sworn personnel shall qualify annually with his or her issued firearms. All scores used by the department for the record shall be fired on an approved range under supervision of a certified firearms instructor. Firearms qualification is a combination of **skill** and discretion: When to shoot is as important as how to shoot. Officers shall review the use of force policy.

## II. PURPOSE

To establish policy and procedures governing the care and maintenance of issued weapons, the selection and use of holsters, off-duty weapons, firearms training, and qualification.

## III. PROCEDURES

### A. Issuance of weapons

1. The Chief of Police shall issue departmental weapons to authorized personnel.
2. Departmental firearms which become unserviceable or are no longer needed shall be returned to the Chief of Police for repair.
3. The only authorized sidearm for all sworn officers is the department issued Glock Model 45, 9mm. Unauthorized firearms shall not be carried on duty.
4. Prior to being authorized to carry a firearm, an officer shall be issued copies of and be trained in the guidelines set forth by Department Orders and Regulations relating to the use of firearms and use of force.

5. Prior to being authorized to carry any less lethal weapon, an officer shall be issued copies of and be trained in the guidelines set forth by Department Orders and Regulations relating to the use of less lethal weapons and use of force.

B. Security of weapons

Officers are responsible for the care, cleaning, and security of departmental weapons both on and off duty.

C. Departmental armorer and instructor responsibilities

1. The armorer inspects and maintains departmental issued weapons and associated equipment.
2. The armorer inspects all weapons being returned to the department to ensure they are clean and serviceable.
3. The armorer is responsible for the repair of all returned malfunctioning weapons.
4. The armorer maintains a record of all weapons and associated items maintenance.
5. The firearms instructor shall maintain a record of all firearms which have been inspected as safe by the armorer and with which officers have qualified. This record shall include the following:
  - a. Officer's name and identification number.
  - b. Make and model of weapon.
  - c. Serial number of weapons.
6. The firearms instructor shall be certified by the Department of Criminal Justice Services, attending in-service and recertification classes as required. The lead firearms instructor shall be the commanding officer during all range exercises.
7. The armorer shall be trained and certified by GLOCK.

D. Modification of weapons

1. Departmental weapons shall not be modified or altered without written approval of the chief of police.

E. Firearms inspections

1. The armorer shall thoroughly inspect each weapon during qualification on the range for operability,
2. The firearms instructor shall monthly inspect all approved firearms and special purpose weapons and equipment to ensure they are maintained in a clean and serviceable condition.

- a. Firearms inspections shall include sidearms, shotguns, authorized rifles, ammunition, pouches, and holsters.
- b. Ammunition shall be inspected to ensure that it is of departmental issue, of correct quantity, and in serviceable condition. Full Metal Jacket (FMJ), Wad Cutters, or homemade ammunition is not approved and will not be carried in departmental weapons on or off duty.
- c. Upon completion of inspections, the sergeant shall forward a memorandum to the chief of police/sheriff that documents the following information:
  - (1) The date of the inspection was held.
  - (2) The name of each officer was inspected.
  - (3) The findings of the inspection.
  - (4) Items inspected

F. Off-duty weapons

1. The department issued Glock Model 45, 9mm and secondary/backup or off duty qualified firearms and department issued ammunition are the only approved sidearm for off duty use.
  - a. Officers who are off duty and carry an authorized sidearm shall always carry their badge AND ID with them.
  - b. Officers **shall not** carry a sidearm when consuming alcoholic beverages or be prohibited by the owner or Code of Virginia. Officers must understand that some social situations make it inappropriate to carry off-duty weapons even when concealed.

#### IV. PROCEDURES - QUALIFICATION

A. Qualification rules

1. The firearms instructor shall be in charge at all times when officers are on the firing range for qualification.
2. Only weapons and ammunition issued by the department shall be used during qualifications.
3. No smoking, drinking, eating, or chewing tobacco shall be permitted in the firing lanes.
4. Officers waiting to shoot shall remain outside the immediate firing area (behind the 25-yard line).
5. Persons who are not participating officers shall not be allowed nearer the shooting area than

the parking lot, except by the approval of the firearms instructor.

6. Horseplay shall not be permitted on the firing range. Anyone engaged in horse play shall be asked to leave the range, and the firearms instructor shall write a report to the Chief of Police detailing the circumstances.
7. Every officer shall qualify, shooting a firearms course approved by the Virginia Department of Criminal Justice Services.
8. Officers shall not be permitted to attempt to shoot numerous times before actually qualifying. Officers who fail to qualify shall return their weapon to the instructor and be placed in remedial training as soon as practicable and shall be removed from patrol or investigative duties until the standards expressed herein are met. Officers who cannot qualify within fifteen days of the original qualification shall be subject to administrative termination.
9. The armorer or firearms instructor shall inspect **all** weapons before firing to (1) ascertain that weapons are safe and (2) ensure that weapons are properly maintained.

B. Safety

1. Before going to the shooting line, each officer shall wear approved protection for eyes and ears. Issued armored vest shall be worn during any shooting exercises.
2. All weapons and ammunition pouches/speed loaders shall be emptied within the firing range upon command and under supervision of the firearms instructor. The instructor shall instruct all shooters on range safety procedures before the qualification takes place.
3. Once weapons have been emptied, they shall remain in holsters until officers have taken positions on the firing line and the firearms instructor has given permission to "dry fire" or "load with ammunition."
4. Once a shooting phase has begun, weapons shall be kept pointed down range, and officers shall remain facing their targets. An officer shall raise his free hand to draw the instructor's attention if he or she misunderstands a command.
5. In case of a misfire, keep the weapon pointed down range for at least 10 seconds (in case of a delayed reaction) before removing a **magazine** and clearing the weapon, as appropriate. Never attempt to fire the next round without first having the firearms instructor check the weapon.
6. At no time shall anyone go beyond the firing line until it is safe, and then only when the firearms instructor gives the command.
7. Keep the trigger finger out of the trigger guard and away from the trigger until the weapon is pointed down range.

8. With the slide back, always check the weapon twice to make sure it is unloaded.

C. Non-lethal Weapons

1. Officers shall only carry impact or non-lethal weapons issued and authorized by the department.
2. **ASP** – an expandable straight metal baton which extends 21” or 26” issued by the department.
3. **Non-lethal Aerosol Spray (Oleoresin Capsicum)** – Only chemical weapon issued by the department. Biennial refresher training is required. See 2-6A.
4. **Tasers** – Electronic Control Device designated to disrupt neuro-motor control to allow an officer to gain control of resistive subject. Biennial training is required. See 2-6B.
5. Officers shall not carry unauthorized non-lethal weapons such as blackjacks, claws or lead filled gloves.

D. Standards for Training

1. Standards for firearm certification will include those standards promulgated by the Department of Criminal Justice Services(DCJS).
2. Use of Certified Instructors for Weapons Training: Only DCJS Certified or authorized instructors will conduct weapons training classes using DCJS approved lesson plans.

E. Classroom instruction

1. All sworn department personnel shall receive classroom familiarization with their firearms before obtaining permission from the firearms instructor to enter the firing range. Classroom training shall cover the mechanics of the weapon (stripping, lubricating, nomenclature, troubleshooting, and misfires), sound safety practices, and departmental policy governing the use of force. Tactical considerations shall be a part of this training, such as the use of verbal commands, shooting in various postures and positions, handling multiple suspects.

## V. DIRECTIVES

A. Discharge of Firearms on Duty

1. Firearms may be discharged in the performance of duty **ONLY** under the following circumstances: **Warning shots are not permitted.**
  - a. On an approved firing range
  - b. To kill a dangerous or sick animal
  - c. Defense of an officer's life

- d. Defense of another's life
- e. To effect arrest or prevent escape of an **ARMED felon who has committed murder, rape, armed robbery or kidnapping.**

## VI. REPORTING

- A. The supervisor shall be notified to respond to all use of force incidents where any use of force had been used above the level of verbal commands, excluding standing handcuffing. The supervisor will ensure that the officer completes a Use of Force Report prior to going off duty.
- B. In the event of injury or death to a person, the Chief, Deputy Chief, Sergeant and shall be immediately notified.
- C. In cases involving property damage, injury of death, the officer involved will, if possible, immediately secure the scene until a supervisor arrives and takes charge.
- D. The officer involved will be released from the scene as soon as possible and accompanied by another officer to a designated place. The officer shall file in writing a report regarding the incident.
- E. No officer shall discuss the incident with any civilian or other person unless so directed by a supervisor. NO information will be released to the public or news media without consent of the Chief of Police or in his absence the Deputy Chief.
- F. The officer's firearm used in the incident will be turned over to the investigating supervisor until the investigation is declared complete.
- G. The officer involved will, at the discretion of the Chief, be given administrative leave without loss of benefits pending the results of the investigation and/or be sent to a physician for consultation.
- H. Pending administrative review, any officer who has taken the life of another person will be removed from patrol duty assignments. This action protects both the officer's and the communities' interest until the situation is resolved.
- I. A follow-up will be done by the Chief with the officer and physician before returning to patrol duties.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 08-03 CONDUCTED ELECTRICAL WEAPONS**

**EFFECTIVE DATE: 09/03/2025**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The purpose of this policy is to provide sworn members of the Aquia Harbour Police Department guidance and direction regarding the use of Electro-Muscular Disruption Device

**II. PURPOSE**

The Aquia Harbour Police Department authorizes the use of Conducted Electrical Weapons (CEW) by officers certified by training. This policy is consistent with this agency's direction to use only that level of force necessary to control or otherwise subdue violent or potentially violent individuals. This device will offer the qualified sworn members an alternative to resolve an incident in a less than lethal manner, while at the same time protecting both officers and others from harm. The use of the device is intended to reduce the potential injury to the subject who may be violent or resisting violently.

**III. DEFINITIONS**

- A. **CEW:** A handheld Conducted Electrical Weapon manufactured to use high-voltage, low amperage charge of electricity to induce involuntary muscle contractions that causes temporary incapacitation of a subject.
- B. **NMI:** Neuro-Muscular Incapacitation, term used to describe the effects of the CEW, which affects both the sensory and motor nervous system.
- C. **Air Cartridge:** The replaceable cartridge of the CEW contains and fires the electrical probes. Air Cartridges come in various distance ranges. The Air Cartridge has two electrodes on the front allowing it to be used as a contact device (drive stun). When the Air Cartridge is removed the CEW can also be used as a drive stun device. The Air Cartridge has an expiration date and ejects 20-30 AFID identification tags when fired.
- D. **Drive Stun:** A secondary function of the CEW is to cause pain compliance by making direct contact with the body.
- E. **AFID:** Small identification tags ejected from the Air Cartridge when the CEW is fired. The AFID have the individual cartridge serial number printed on them allowing identification of which cartridge was fired.
- F. **Data Port:** Some CEW's are equipped with a computer data port located inside the grip of the CEW that allows data/evidence to be downloaded from the device. Each time the device is fired

it stores the time, date, duration, temperature, and battery status of each firing.

#### IV. PROCEDURE

A. CEW's shall be issued and deployed only by officers who have successfully completed the Aquia Harbour Police Department CEW training program. Officers shall undergo annual training to maintain their certification to operate this device.

#### B. Deployment

1. The CEW is considered to be a less lethal force option (Level 4) on the Force Continuum. Officers may elect to deploy the CEW in circumstances that meet the criteria outlined by the department's Use of Force Policy.

The CEWs use as a pain compliance tool against a resisting subject is prohibited by the Fourth Amendment unless the officer can articulate an "immediate danger" apart from the fact of resistance alone.

Strict prohibitions require that the CEW shall not be used in the following situations:

- a. As a punitive or coercive device.
  - b. On a handcuffed or secured prisoner, absent overtly aggressive behavior that cannot be reasonably dealt with in any other less intrusive fashion.
  - c. In proximity to flammable liquids, gases, blasting materials or any other highly combustible materials that may be ignited by the device.
2. Officers should, if possible, and time permits, obtain backup before using the CEW to control the subject.
    - a. Deploy personnel in such a manner that will enable them to use other appropriate means to subdue the subject if the CEW is ineffective.
  3. When feasible, every effort will be made by officers deploying the CEW, to inform other involved officers and the subject that the CEW is about to be utilized by saying "Taser, Taser, Taser".
  4. The device should be aimed at the preferred target areas (front or rear) of the intended target. The device should not be deliberately aimed at the face, neck or groin area.
  5. Upon firing the device, the officer shall only apply the number of cycles and duration necessary to accomplish a legal purpose.
  6. The subject should be secured as soon as safely possible following incapacitation.
  7. The device may also be used in certain circumstances in a "drive stun" mode. This involves making physical contact with the CEW and the subject's body until the subject is subdued.

#### C. Considerations Deploying the CEW

1. As in all response to aggression instances, certain individuals may be more susceptible

to injury. Officers should be aware of the greater potential for injury when using a CEW against:

- a. Obviously pregnant women
- b. Small children or frail persons
- c. Elderly or persons with apparent debilitating illness
- d. If the officer is warned or has knowledge that the person is equipped with a pacemaker or has known heart problems
- e. Persons in wheelchairs or in control of a vehicle
- f. If warned that the individual has a know neuromuscular disorder such as muscular sclerosis, muscular dystrophy, or epilepsy

#### D. Medical Treatment Guidelines

1. Officers will obtain appropriate medical treatment for suspects when necessary.
  - a. Officers may remove probes embedded in a subject's skin using appropriate technique provided the probes are not embedded in sensitive areas, i.e. genitals, breast tissue or any area above the collar bone.
  - b. Used probes and cartridges are considered a biohazard. Place the used cartridge and probes in a biohazard receptacle and tag as evidence.
2. The following persons shall be seen by EMS for examination following exposure to a CEW. Any person who:
  - a. Requests medical attention
  - b. Is hit in a sensitive area (e.g. face, head, female breasts, male groin)
  - c. From person whom officers have difficulty removing the probes. (Due to probe or barb separation)
  - d. Does not appear to recover properly after being hit
  - e. Has exhibited signs of extreme uncontrolled agitation or hyperactivity prior to CEW exposure.

### V. REPORTING AND EVIDENCE COLLECTION

#### A. Submission of Reports

1. All intentional and unintentional discharges of CEW will be reported to the on duty or on call supervisor who shall determine the nature of discharge and ascertain if injury occurred. Officers shall complete a thorough report for all deployments of the CEW.

B. Where the discharge was intentional, a "Use of Force" report consistent with the requirements set forth in the Use of Force Policy shall be completed.

#### C. Collection of Evidence

1. Collect expended cartridges, probes, and a limited number of AFID tags, and

subsequently submit these items to evidence in accordance with standard evidence submission procedures.

2. Take evidence photographs of the area of the suspect's body that were impacted by the TASER probes, as are appropriate and necessary.

## **VI. TRAINING**

- A. The Use of Force policy dictates the requirement for sworn members of the Police Department to qualify with any weapon or tactical device issued to them.
- B. Officers selected to carry and operate the CEW shall undergo a training program conducted by instructors certified by the manufacturer as instructors
- C. The Police Department will retain and maintain training records, certification records, and other materials pertinent to the training and recording of such training.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 08-04 Patrol Rifles**

**EFFECTIVE DATE: 12/15/2025**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:** *Bryan Cameron*  
Chief of Police

**I. POLICY**

It is the policy of this department that patrol rifles shall be carried, deployed, and utilized only by officers who have completed the required training and have been formally authorized. Patrol rifles will be stored and secured in accordance with department standards to prevent unauthorized access. Officers shall deploy a patrol rifle only when doing so is consistent with law, department policy, and the safety needs of the situation.

**II. PURPOSE**

The purpose of this policy is to establish standardized procedures for the authorization, training, storage, deployment, and use of patrol rifles by sworn personnel. The patrol rifle program enhances officer safety and provides officers with an effective tool for addressing situations where increased accuracy, range, or terminal performance is required.

**III. DEFINITIONS**

**A. Patrol Rifle**

A department-issued or department-approved semi-automatic shoulder-fired rifle chambered in a department-authorized caliber, intended for operational use by trained officers.

**B. Authorized Officer**

A sworn officer who has successfully completed the required patrol rifle training and qualification and has received written authorization from the Chief of Police or designee to carry and deploy a patrol rifle.

**C. Deployment**

Removing a patrol rifle from its secured storage location for potential or actual use during an incident, whether the rifle is ultimately fired.

**IV. AUTHORIZED CARRY AND STORAGE**

**A. Department Issued Rifles**

1. Patrol rifles may be issued to individual officers or assigned to patrol units based on department resources.

B. Vehicle Storage

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

C. Station Storage

[REDACTED]

[REDACTED]

**V. DEPLOYMENT GUIDELINES**

[REDACTED]

[REDACTED]

[REDACTED]

B. Safe Handling During Deployment

Officers shall not sling or carry a rifle in a manner that creates unnecessary alarm when other tactics or tools suffice.

C. Post-Incident Procedures

Following any significant incident in which a patrol rifle is deployed:

1. The rifle shall be inspected to ensure it is returned to “cruiser-ready” condition before storage.
2. If shots were fired, the rifle shall be treated as evidence as per department policy.

## **VI. TRAINING AND QUALIFICATIONS**

### **A. Initial Training**

To be authorized to carry a patrol rifle, officers must successfully complete department-approved patrol rifle training, which shall include:

1. Rifle safety and handling,
2. Rifle marksmanship fundamentals,
3. Loading/unloading procedures,
4. Zeroing procedures,
5. Use-of-force considerations,
6. Low-light and positional shooting,
7. Practical exercises and scenario-based training.

### **B. Annual Qualification**

Authorized officers shall:

1. Successfully qualify annually with their assigned patrol rifle on a DCJS- or department-approved qualification course.
2. Maintain proficiency standard of 90%.

Failure to qualify will result in immediate suspension of patrol rifle authorization until remedial training and successful requalification occur.

### **C. Documentation**

Training, qualifications, and authorizations shall be:

1. Documented by the Training coordinator,
2. Maintained in each officer's training file,
3. Reviewed annually by the Training coordinator or their designee.

## **VII. INSPECTION AND MAINTENANCE**

### **A. Officer Responsibilities**

Officers issued patrol rifles shall:

1. Inspect the rifle at the beginning of each shift,
2. Ensure the rifle is clean, serviceable, and compliant with policy,
3. Report malfunctions or damage immediately to a supervisor.

### **B. Department Inspections**

1. The Training coordinator or designated armorer shall conduct periodic inspections.
2. Rifles failing inspection will be removed from service until properly repaired.

## **VIII. RESTRICTIONS**

- A. Personally owned rifles are prohibited unless specifically authorized by the Chief of Police and meet all department standards.
- B. Unauthorized modifications, accessories, or ammunition are prohibited.
- C. Officers may not deploy a patrol rifle solely for show-of-force when lesser options are appropriate.

## **IX. REVIEW AND UPDATES**

This policy shall be reviewed annually by the Training coordinator and updated as necessary to reflect best practices, legal changes, and operational needs.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 09-01 ARRESTS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

Short of the application of force, an arrest is the most serious action an officer undertakes. An arrest can cause repercussions throughout a person's life, even if he or she is eventually found not guilty or never brought to trial. Officers shall accordingly exercise critical judgment in making arrests. Such judgment includes consideration for bystanders, the time, place, and location of offenses, and the use of force in making the arrests. Officers shall further consider alternatives to arrest consistent with carrying out their law enforcement mission.

**II. PURPOSE**

To define the authority of officers to arrest, and the mechanism for making arrests with and without a warrant.

**III. PROCEDURE – GENERAL**

A. Definition of arrest

1. An arrest constitutes a seizure of the person for Fourth Amendment purposes. Further, the Fourth Amendment requires probable cause to arrest before any arrest. The test, in interviews or stops of persons, for whether an arrest has occurred--or a seizure of the person--is whether a reasonable person under the circumstances would have felt free to leave.
  - a. **§ 19.2-249 of the Code** further provides that if an offense occurs at the town/county/city boundary, or within 300 yards of the boundary, officers in either jurisdiction may take enforcement action.
  - b. In accordance with the Virginia Code Section 9.1-101, in addition to the geographical boundaries of the Aquia Harbour Subdivision, the Sheriff grants the AHPD law enforcement authority on the specific properties contiguous to the Aquia Harbour Subdivision, generally known as the Aquia Town Center, Aquia Church, Aquia Creek, and Government Island.

**IV. ARREST WITH A WARRANT**

A. Who may issue

1. An arrest warrant may be issued by any judge, clerk of any circuit court, any general district court, juvenile court and domestic relations court, or any magistrate as provided

in § 19.2-71.

B. When it may issue; what to recite

1. § 19.2-72 provides that the person having authority to issue an arrest warrant shall first examine on oath any complainant or other witnesses and, if probable cause exists, issue the warrant.

C. What the warrant contains

1. A warrant commands the accused to appear before a magistrate. The warrant will give the name of the accused, or a description if his name is not known, describe the offense, and be signed by the officer authorized to issue warrants. The warrant contains the complaint, and the "complaint shall consist of sworn statements of a person or persons of fact relating to the commission of an alleged offense." The warrant must not be too general or leave too much discretion to the law enforcement officer to decide which suspect to arrest.

D. Issuance of a summons instead of warrant

1. Code § 19.2-73 provides for issuance of a summons instead of a warrant "where there is reason to believe that the person charged will appear in the courts having jurisdiction over the trial of the offense charged." Summonses impose the same requirements to appear at an appointed place and time as with a warrant.

E. Notice of issuance of warrants or summonses

1. Code § 19.2-73.1 provides that the law enforcement officer may notify citizens of pending warrants (in misdemeanor or class 5 or 6 felonies) or summonses and direct their appearance to a time and place for execution of such units. However, the issuing judicial officer may direct the execution of such process prior to any such notification.

F. Issuance and service of summons in place of warrants in misdemeanor cases Code § 19.2-74 provides

1. Whenever any person is detained by, or is in the custody of, an arresting officer for any violation committed in an officer's presence which violates any county, city, or town ordinance of any provision of this code punishable as a Class 1 or Class 2 misdemeanor or any other misdemeanor for which he may receive a jail sentence, except as otherwise provided in Title § 46.2, or § 18.2-266 of the Code of Virginia, or an arrest on a warrant charging an offense for which a summons may be issued, and when specifically authorized by the judicial officer issuing the warrant, the arresting officer shall take the name and address of such person and issue a summons or otherwise notify him in writing to appear at a time and place to be specified in such summons or notice. Upon the giving by such person of his written promise to appear at such a time and place, the officer shall forthwith release him from custody.
2. Whenever any person is detained by or is in the custody of an arresting officer for a violation of any county, city or town ordinance or of any provision of this code, punishable as a Class 3 or Class 4 misdemeanor or any other misdemeanor in which he cannot receive a jail sentence, except as otherwise provided in Title 46.2, or to the offense of public drunkenness as defined in § 18.2-388 of the Code of Virginia, the

arresting officer shall take the name and address of such person and issue a summons or otherwise notify him in writing to appear at a time and place to be specified in such summons or notice. Upon giving such person of his written promise to appear at such time and place, the officer shall forthwith release him from custody. However, if any such person refuses to discontinue the unlawful act, the officer may proceed according to the provisions of § 19.2-82.

3. Any person so summoned shall not be held in custody after the issuance of such summons for the purpose of complying with the requirements of **Chapter 23 (19.2-387 et, seq.)** of this title. Reports to the Central Criminal Records Exchange concerning such persons shall be made after a disposition of guilt is entered as provided for in § 19.2-390.
4. Any person refusing to give such a written promise to appear under the provisions of this section shall be taken immediately by the arresting officer or other law enforcement officer before a magistrate or other issuing authority having jurisdiction, who shall proceed according to provisions of § 19.2-82.
5. Any person who willfully violates his written promise to appear given in accordance with this section, shall be treated in accordance with the provisions of § 19.2-128, regardless of the disposition of, and in addition to, the charge upon which he was originally arrested.
6. Any person charged with committing any violation of § 18.2-407 of the Code of Virginia may be arrested and immediately brought before a magistrate who shall proceed as provided in § 19.2-82.

#### G. Copy of the process to be left with the accused

1. **Code § 19.2-75** - Except as provided in **Title 46.2**, any process issued against a person charged with a criminal offense shall be in duplicate and the officer serving such process shall leave a copy with the person charged.

#### H. Execution of Arrest Warrants

1. **Code § 19.2-76** provides that a warrant shall be executed by the arrest of the accused, and that an officer may execute within his jurisdiction a warrant or summons issued anywhere in the state.
2. **Code § 19.2-76** discusses the obligations of officers as follows:
  - a. An officer may execute within his jurisdiction a warrant, capias or summons issued anywhere in the Commonwealth. A warrant shall be executed by arrest of the accused, and a summons shall be executed by delivering a copy to the accused personally, or if the accused be a corporation, in the same manner as in a civil case. The officer executing a warrant shall endorse the date of execution thereon and make return thereof to a judicial official having authority to grant bail. The officer executing a summons shall endorse the date of execution thereon and make return thereof to the court to which the summons is returnable.
  - b. Whenever a person is arrested upon a warrant or capias in a county or city other than that in which the charge is to be tried, the law-enforcement officer or jail

officer making the arrest shall either (i) bring the accused forthwith before a judicial officer in the locality where the arrest was made or where the charge is to be tried or (ii) commit the accused to the custody of an officer from the county or city where the charge is to be tried who shall bring the accused forthwith before a judicial officer in the county or city in which the charge is to be tried. The judicial officer before whom the accused is brought shall immediately conduct a bail hearing and either admit the accused to bail or commit him to jail for transfer forthwith to the county or city where the charge is to be tried.

I. Escape, Flight and Pursuit; Arrest Anywhere in the State

1. **Code § 19.2-77** - Whenever a person in custody of an officer shall escape or whenever a person shall flee from an officer attempting to arrest him, such an officer, with or without a warrant, may pursue such a person anywhere in the state and, when in close pursuit, may arrest him wherever he is found. If the arrest is made in a county or corporation adjoining that from which the accused fled, the officer may forthwith return the accused before the proper official of the county or corporation from which he fled.
2. If the arrest is made beyond the foregoing limits, the officer shall proceed according to the provisions of **§ 19.2-76**, and if such arrest is made without a warrant, the officer shall procure a warrant from the magistrate of the county or corporation wherein the arrest was made, charging the accused with the offense committed in the county or corporation from which he fled.

J. Exemption of Such Witnesses from Arrest or Service of Process

1. **Code § 19.2-280** - If a person comes into this state in obedience to a summons directing him to attend and testify in this state he shall not while in this state pursuant to such summons be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this state under the summons.
2. If a person passes through this state while going to another state in obedience to a summons to attend and testify in that state or while returning therefrom, he shall not while so passing through this state be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this state under the summons.

K. Arrest of suspect inside dwelling

1. Sworn personnel executing arrest warrants shall not search a third-party residence for a suspect unless there is probable cause to believe the suspect is present on the premises. In addition, one of the following situations **MUST** exist:
  - a. An officer is in hot pursuit of a suspect.
  - b. Consent of the owner or person occupying the premises to be searched.
  - c. A justifiable fear of injury to people or property exists if the arrest is delayed.
  - d. Other exigent circumstances are present, i.e. those circumstances requiring immediate action.

**If one of the aforementioned situations does not exist, a search warrant shall be obtained.**

These criteria do not apply to a property wherein the person named in the warrant lives. The reason to believe the person named in the warrant is present on their own premises is sufficient reason to conduct the search.

Reason to believe in this instance would mean

Articulate facts and circumstances which, taken together with rational inferences there from, would cause an officer to reasonably suspect that the person named on the warrant is currently inside the dwelling in which they live. The fact alone that the address is listed on the warrant is not sufficient for a warrantless search.

#### L. Return of warrant

1. Upon executing the warrant, the arresting officer shall give the date of execution on it, then return it to the court, less copies given to the arrested person.

#### M. Arrest Without a Warrant

##### 1. Authority

As noted earlier, the search and seizure provision of the Fourth Amendment protects citizens from the arbitrary and oppressive interference by law enforcement officials with privacy. Further, officers must have probable cause that a crime has been committed, and that the person to be arrested has committed the crime.

- a. The Code permits a warrantless arrest of a person, but the person so arrested "shall be brought forthwith before a magistrate or other issuing authority having jurisdiction who shall proceed to examine the officer making the arrest under oath."

##### 2. When Warrantless Arrests May Be Made

An officer may make a warrantless arrest

- a. When a person commits a crime in the officer's presence (**Code § 19.2-81**).
- b. When the officer has "reasonable grounds or probable cause to suspect any person of having committed a felony not in his presence" (**Code § 19.2-81**).
- c. At the scene of any motor vehicle accident on any public roadway when, based upon personal investigation, the officer has "reasonable grounds to believe . . . that a crime has been committed by any person and there present"; to include motorboat or watercraft (**Code § 19.2-81**).
- d. At any hospital or medical facility to which any person involved in a motor vehicle accident has been transported, provided the officer has "reasonable grounds to believe, based upon personal investigation, including information obtained from eyewitnesses, that a crime has been committed by that person" (**§ 19.2-81**).

- e. In the apprehension of any person charged with the theft of any motor vehicle on any public roadway when the officer "has reasonable grounds to believe . . . that a crime has been committed by any person then and there present" (§ 19.2- 81).
  - f. When any person is charged with a crime in another jurisdiction and the officer has received
    - (1) A photocopy of a warrant;
    - (2) A telegram;
    - (3) A computer printout;
    - (4) A facsimile printout; or
    - (5) A radio, telephone, or teletype message, which gives:
      - (a) The name of the wanted person or an accurate description;
      - (b) The crime alleged;
      - (c) An allegation that the person is likely to flee the jurisdiction of the Commonwealth (**Code § 19.2-76, § 19.2-81**);
      - (d) Confirmation the original jurisdiction has the warrant "in hand" as required by NCIC/VCIN procedures.
  - g. When a person is operating a watercraft or boat while intoxicated in violation of § 29.1-738.
3. When the officer receives a radio message from the Sheriff's Office that a warrant for an alleged misdemeanor is on file (**Code § 19.2-81**).
  4. When an alleged misdemeanor not committed in the officer's presence involves shoplifting and a "reasonable complaint of the person who observed the alleged offense" gives probable cause (§ 19.2-81).
  5. For assault and battery (**Code § 18.2-57, § 18.2-57.2**) or destruction of property in violation of (**Code § 18.2-137**), when such property is located on premises used for business or commercial purposes, or a similar local ordinance, when any such arrest is based on probable cause upon reasonable complaint of the person who observed the alleged offense, (§ 19.2-81),
  6. For Violation of Stalking Protective Order (**Code § 18.2-60.4**), (§ 19.2-81.3)
  7. For carrying a weapon on school property (§ 18.2-308.1), or brandishing a weapon (§ 18.2-282) (§ 18.2-81)
  8. When such officer has observed the registration of the speed of a motor vehicle by radar (or other electrical device), or when such officer has received a radio message from another officer who has observed the registration of speed by radar; provided, however, that

- a. The arresting officer is in uniform and displays his badge of authority, and
- b. If the arrest is based on such radio message from another officer, then
  - (1) Such radio message must have been dispatched immediately after the speed of the motor vehicle was registered;
  - (2) Such radio message must have furnished the license number or other positive identification of the vehicle.

#### N. Actions upon Arrest

1. Upon arrest on a photocopy of the warrant, telegram, computer printout, facsimile printout or teletype message, the arresting officer shall serve a copy of the document on the accused.
2. The arresting officer should bring the accused before the magistrate for bail hearing (**See § 19.2-76 and § 19.2-123**).
3. Whenever a person is arrested upon a warrant or capias in a county or city other than that in which the charge is to be tried, the law-enforcement officer or jail officer making the arrest shall either (i) bring the accused forthwith before a judicial officer in the locality where the arrest was made or where the charge is to be tried or (ii) commit the accused to the custody of an officer from the county or city where the charge is to be tried who shall bring the accused forthwith before a judicial officer in the county or city in which the charge is to be tried.
4. If the person is arrested based on a fugitive from another state, see Extradition, **Code § 19.2-100**.
5. The judicial officer before whom the accused is brought shall immediately conduct a bail hearing and either admit the accused to bail or commit him to jail for transfer forthwith to the county or city where the charge is to be tried. Officers should not request the issuance of any arrest process such as duplicate warrants or fugitive warrants based on the charge in the other jurisdiction within Virginia.
6. The arresting officer will contact the law enforcement officials where the charge(s) was made and inform them that the accused has been arrested on the teletype message (or other arrest document), and if not bonded, ascertain when a representative will arrive to transfer the accused back to the locality having trial jurisdiction.

#### O. Juveniles

1. Please refer to policy on Juveniles concerning handling of juveniles, and **Code 16.1-246**.

#### P. Summonses

1. An arresting officer shall issue a summons to appear at a time and place specified in such summons whenever any person is detained by or in the custody of an officer for:

- a. "any violation committed in such officer's presence which offense is a violation of" any county, city or town ordinance, or any provision of the Code, or any other misdemeanor, punishable as a Class 1 or Class 2 Misdemeanor or for which the accused may receive a jail sentence. **§ 19.2-74 (A)(1)**.
- b. "an arrest on a warrant charging an offense for which a summons may be issued . . . when specifically authorized by the judicial officer issuing the warrant"; or
- c. a violation of any county, city or town ordinance, or any provision of the Code, [except as otherwise provided in Title 46.2 of the Code (Motor Vehicles) or in **Code § 18.2-266** (Driving Motor Vehicle, Etc., While Intoxicated)] or in **Code § 18.2-388** (Public Drunkenness) or any other misdemeanor, punishable as a Class 3 or Class 4 Misdemeanor or for which the accused cannot receive a jail sentence.
- d. Anything in this subsection to the contrary notwithstanding, if any person is believed by the arresting officer to be likely to disregard a summons issued under the provisions of this subsection, or if any person is reasonably believed by the arresting officer to be likely to cause harm to himself or to any other person, then such person should be brought forthwith before a magistrate, and the procedure for warrantless arrest, pursuant to **§ 19.2-82** should be followed, **§ 19.2-74 (A)(1)**.
- e. For Class 4 Misdemeanors, "the arresting officer shall take the name and address of such person and issue a summons" after which "the officer shall forthwith release him from custody," **Code § 19.2-74 (A)(2)**. The accused is required, however, to give his written promise to appear before being released from custody. The statute specifically allows the officer to take the accused before a magistrate immediately if the officer reasonably believes that the accused is likely to disregard the summons or to do injury to himself or others.

#### Q. Release on Promise to Appear

1. In all the above situations, when the arresting officer issues a summons and releases the accused from custody, the person arrested must first as a condition of his release make a "written promise to appear at [the specified] time and place . . ." **§ 19.2-74 (A)(1) and § 19.274 (A)(2)**. If such person refuses to give this written promise to appear, he "shall be taken immediately by the arresting officer or other police officer before a magistrate or other issuing authority having jurisdiction, who shall proceed according to the provisions of **§ 19.2-74 (A)(3) (paragraph 2)**. Alternatively, if such person gives his written promise, but later willfully violates this promise, he shall be subject to the penalties of **§ 19.2-128** [Class 1] Misdemeanor in addition to original charge and possible forfeiture of pledged security," **§ 19.2-74 (A)(3)**.
2. When "any person [is] charged with committing any violation of **§ 18.2-407** . . . [which proscribes riot or unlawful assembly, he] may be arrested and immediately brought before a magistrate who shall proceed as provided in **§ 19.2-82** [procedure upon arrest without a warrant]," **§ 19.2-74 (A)(3)**.
3. When release on a summons is appropriate, the arrested person will not be photographed or fingerprinted before release. This processing will be done after appearance in court and only in cases where there is a conviction, **§ 19.2-74**. The Court Services will make arrangements to have each person processed upon conviction.

## V. BOOKING PROCEDURES

- A. If the arrested person is not released on summons or is charged with a felony, officers shall observe the following procedures:
1. Transport the suspect to the magistrate's office to be formally charged, if the warrant has not been obtained.
  2. Notify SCSO dispatch while enroute to obtain a printout of the subject's criminal history before bringing them to the magistrate.
  3. Once the warrant is obtained from the magistrate, the officer must read the charge of each warrant.
  4. Once the warrant is served, the original is retained by the magistrate for the court, one copy to the defendant, one copy is retained by the officer for AHPD records, one copy is returned to SCSO dispatch for processing.
- B. If a warrant is obtained prior to the arrest and summons cannot be issued, transport the suspect to the magistrate's office in accordance with the same outlined above.
- C. Injury before or during arrest
1. If a person receives an injury before or during an arrest and either requests medical attention or, in the officer's judgment, medical attention is needed, officers shall transport the suspect or arrange for transportation to the hospital for an examination before transport to the magistrate.
- D. Processing of paperwork
1. The following are procedures to be followed when making an arrest not on a Virginia Uniforms.
    - a. Felony / Misdemeanor Arrests
      - (1) Obtain Criminal Warrant prepared by the Magistrate, one copy to the defendant, one cop to arresting officer, and original to the court.
      - (2) Except applicable misdemeanor offenses released on Virginia Uniform Summons.
- E. Further processing
1. The arrestee is then returned to the magistrate who will consider a bond (except in those instances where a Virginia Uniform Traffic Summons is acceptable).
  2. If bond is allowed, the magistrate completes a bond certificate, which is attached to the warrant(s), and the person is allowed to leave.
  3. If bond is not allowed or cannot be made, the person is then committed to jail by the magistrate, and a committal form is completed by the magistrate and attached to the warrant and the arrested person is placed in jail.

4. Items seized as evidence will be properly tagged and returned to the Police Department and placed in an evidence locker.

## VI. RELEASE FROM ARREST

### A. Legal Background

1. In some instances, officers may encounter a circumstance where probable cause develops to arrest a person for an offense only to find out shortly thereafter that the person under arrest did not commit a crime, or that further investigation reveals the event does not constitute a crime. It is imperative, then, that the officer ends the arrest process immediately to avoid becoming liable for false imprisonment. False imprisonment, as defined in *Montgomery Ward V. Freeman*, 199 F 2D 720 (1953), "is the restraint of one's liberty without any sufficient legal excuse."
2. The Attorney General of Virginia has issued an opinion - Report of the Attorney General (1971), Page 102, which states the following:
  - a. "It is my opinion, therefore, that an arresting officer, who may have had probable cause to initially make the arrest without a warrant, may thereafter conclude that further prosecution of the arrestee would be improper or fruitless and may, subsequently, discharge him from custody without the necessity of taking him before a magistrate."
  - b. As stated by the Attorney General, an officer is required to formally charge only those persons who have been placed under arrest, if the officer concludes that further prosecution would be proper and fruitful.

### B. Procedure

1. The arresting officer shall not formally charge those under arrest when it is proven to his satisfaction that either the person under arrest did not commit a crime or that an event investigated is found not to constitute a crime.
2. When an officer releases a subject from arrest, he should take care to return the person to the same location occupied before the arrest. For example, an officer arrests a subject and then transports him to the magistrate when the officer learns that the probable cause he used to make the arrest no longer exists. Instead of releasing the subject along the roadside, the officer should return to the location of arrest and release the person. If a vehicle has been towed, the vehicle shall be returned to the operator/registered owner.
3. Upon releasing a person in this manner, the officer shall immediately contact his supervisor or on-call admin and advise them of the incident.
4. To protect themselves and the Police Department, the officer shall document an incident report:
  - a. Date and time of arrest;
  - b. Person arrested (name, address, date of birth, race);

- c. Location of arrest and probable cause for the arrest;
  - d. Location and time of release from arrest and whether the person was transported;
  - e. Reasons or discovery of information which led the officer to release from arrest;
  - f. Witnesses to the alleged crime, or to the fact the person arrested was allegedly involved.
5. If the officer makes an arrest based on probable cause, the arrest is lawful. Probable cause must continue to exist through the appearance of the officer and arrested person before the magistrate. If not, the officer must release the person as soon as practicable. See **Code § 19.2-82, 83**.

## **VII. RECORDING INCIDENTS INVOLVING ARRESTS, CITATIONS AND SUMMONS**

- A. In all incidents involving arrest, citations and summons, the arresting officer will fill out the proper forms, and in applicable situation photograph and fingerprint the accused. The officer will turn the paperwork into the Records Section in a timely fashion. In order to assign a report number to all arrests and petitions other than traffic, game, non-criminal boating, etc. the arresting officer will do the following:
1. Upon completing the call, stop or incident, the officer will call dispatch and advise the proper nature code or disposition, i.e. an officer checked out on a trespassing and after investigation arrests someone for drugs and marks 10-95. The ECC will be notified of the proper nature of the call. The communication officer will generate a report number at the request of the primary officer or supervisor. The report number will serve as a tracking number for the arrest and a subcategory number for the original CAD incident number. The incident number is the single number to track all incidents.
  2. Any warrant or juvenile petition obtained outside of a CAD incident will be reported by the officer to dispatch and an incident number generated along with a report number.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 09-02 SEARCH INCIDENT TO ARREST**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The Police Department encourages investigative activity and expects officers competently and knowledgeably to search whenever the occasion arises. Officers shall not conduct general exploratory searches but shall adhere strictly to constitutional guidelines.

**II. PURPOSE**

Establish guidelines for search incident to arrest.

**III. PROCEDURE**

A. General

The Fourth Amendment to the U.S. Constitution states in part, "The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated."

The general rule is that a reasonable search may follow a valid arrest. The officer has the authority to make a search, which may extend to articles carried by the suspect, and the suspect's immediate surroundings.

- B. The search incident to arrest may only include "the arrestee's person and the area within his/her immediate control." (Area from within which he/she might gain possession of a weapon or destructible evidence) This limitation, which continues to define the boundaries of the exception, ensures that the scope of a search incident to arrest is commensurate with its purposes of protecting arresting officers and safeguarding any evidence of the offense of arrest.
- C. A search incident to arrest in a vehicle is only authorized when the arrestee is unsecured and within reaching distance of the passenger compartment at the time of the search.
- D. There is one additional search justification. Law enforcement is justified in searching a vehicle incident to arrest an occupant in cases where it would be reasonable to believe evidence relevant to the crime of the arrest might be found in the vehicle.
- E. Law Enforcement may search a vehicle incident to a recent occupant's arrest only if the arrestee is within reaching distance of the passenger compartment at the time of the search or it is reasonable to believe the vehicle contains evidence of the offense for the arrest. When these justifications are absent, a search of an arrestee's vehicle will be unreasonable unless police obtain a warrant or show that another exception to the warrant requirement applies.

F. Simply stated, the justifications for search incident to arrest of a passenger compartment of a vehicle are:

1. Lawful arrest **and**
2. Search must take place at time of the arrest (contemporaneous with arrest) **and**
3. The arrestee is not yet secured **OR**
4. There is a likelihood of discovering offense related evidence (offense for which arrest is being made)

G. Search of Prisoner

1. All prisoners shall be searched immediately after being arrested or otherwise taken into custody. This is to be a thorough search and not simply a pat-down. Prior to any search, prisoners should be handcuffed.
2. Whenever reasonably possible, searches should be conducted by an officer of the same sex as the prisoner. This shall be done prior to the prisoner being placed in the transport vehicle. Should an officer of the same sex as the prisoner not be available; officers may request a officer of the same sex from SCSO but are not required.
3. When searching sensitive areas use a bladed hand with thumbs down.
4. Officers shall conduct searches with their body cams activated and recording. If there is a SCSO deputy on scene, officers should conduct searches in view of the deputy's MVR whenever reasonably possible.
5. Officers should take protective considerations such as donning gloves prior to searching.
6. The preferred procedures for searching a prisoner are as follows:
  - a. Move from the top of the suspect's head to the hand and down to the feet
  - b. Feel for weapons; do not simply pat down
  - c. Do not reach completely around the prisoner. Search one half of the body and extremities at a time.
  - d. Be specifically thoroughly on area where weapons are commonly concealed on the person, such as:
    - (1) Under the hat;
    - (2) In the hands;
    - (3) Along the arms or sleeves;
    - (4) Under the arms;

- (5) Between the shoulders;
- (6) Under the belt, especially in front;
- (7) In the groin area;
- (8) Along the legs
- (9) Around the ankles or in the socks;
- (10) In all pockets
- (11) If a weapon or dangerous instrument is discovered, the officer shall seize and retain it.
- (12) Officers shall not assume that a prisoner is disarmed simply because one weapon is found. Continue looking for other weapons.

#### H. Strip Searches

Strip searches are governed by **Code Section § 19.2-59.1**. They:

1. May not be conducted of persons arrested for traffic violations, Class 3 or 4 misdemeanors, or violations of city, county or town ordinances which are punishable by less than 30 days in jail, unless there is reasonable cause to believe on the part of the officer that the person is concealing a weapon.
2. Must be performed by persons of the same sex as the person arrested and on premises where the search cannot be observed by persons not physically conducting the search.
3. A search of any body cavity must be performed under sanitary conditions and a search of any body cavity other than the mouth shall be conducted either by or under the supervision of medically trained personnel. See **§ 19.2-59.1** for definition and exceptions.

#### I. What may be seized?

1. During a search incident to an arrest, a officer may seize the following things:
  - a. Anything in the permissible area (See Section D above) that is evidence of the offense for which the officer has probable cause to make the arrest.
  - b. Anything in the permissible area that is evidence of any other offense.
  - c. Anything else which is outside the permissible area that is evidence of the offense for which the officer makes the arrest or of any other offense if
    - (1) The evidence is in plain view of the spot where that officer makes the arrest; and
    - (2) The officer's discovery of the evidence is inadvertent, that is, the officer neither knows the location of the evidence nor intends to seize it before he

goes to make arrest.

#### **IV. BODY CAVITY SEARCHES OF PRISONERS – PROCEDURES**

The Police Department advocates the following method of searching arrested persons:

- A. Body cavity search: Body cavity searches other than the mouth will be conducted either by or under the direct supervision of medically trained personnel and only when there is probable cause to believe a particular prisoner may be concealing contraband within a body cavity or otherwise on his or her person. Such searches will be conducted only in extreme emergencies to protect the lives of prisoners or to prevent serious breaches of security. Body cavity searches shall only be conducted under the express direction of the Chief. If time allows, consult with a member of the Commonwealth Attorney's Office. Should a body cavity search become necessary, the following procedures will be followed:
1. If appropriate, upon the authority of the Chief, the officer shall seek a search warrant and shall prepare the necessary affidavit. Body cavity searches shall be conducted without a warrant only in extreme emergencies to protect the lives of prisoners or to prevent serious breaches of security.
  2. The body cavity search shall be performed only by a licensed physician or other medically trained person as directed by the physician.
  3. The process of conducting the body cavity search shall involve the same safeguards for privacy and hygiene as for strip searches.
  4. Body cavity search procedures.
    - a. The officer will inform the prisoner of his intention to conduct a body cavity search thus giving the prisoner the opportunity to voluntarily surrender the suspected contraband.
    - b. The prisoner shall remove every article of clothing including wigs and dentures and shall give them to the officer for inspection.
    - c. Should the prisoner resist the cavity search and become violent, additional officers of the same sex as the prisoner shall restrain the prisoner and assist in stripping. Only sufficient force will be applied to complete the search in accordance with the procedure set forth.
    - d. Should a prisoner resist a cavity search and there is an insufficient number of same sex officers available to restrain the prisoner, the following procedures will be followed:
      - (1) Officer must notify SCSO and request additional officers of the same sex as the prisoner.
      - (2) If additional officers of the same sex are not available, officers of the opposite sex may be called upon to subdue the prisoner, before he or she is stripped.
      - (3) Officers of the opposite sex shall subdue the prisoner and apply the necessary restraints. (handcuffs, shackles, etc.) They then shall leave the

room.

- e. In all cases, body cavity searches will be conducted only when considered essential and probable cause exists and will be conducted so as to afford a minimum of embarrassment and maximum privacy for the prisoner.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 09-03 ARREST WARRANT ACCOUNTABILITY AND PROCEDURE**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

All members of the Aquia Harbour Police Department who are responsible for the control and service of warrants shall be aware of the laws, rules, and procedures for the recording, tracking, and proper service of warrants. All warrants received by the Sheriff's Office shall be immediately documented and service shall be attempted as soon as practically possible. It is our duty to ensure that every reasonable measure is implemented in order to locate persons wanted by authority of a warrant. All employees involved in the warrant/wanted process shall do everything in their power to assure wanted persons are apprehended; and that person not wanted or no longer wanted, are not wrongfully arrested.

**II. PURPOSE**

The purpose of this policy is to establish guidelines for the Aquia Harbour Police Department for arrest warrant accountability. It is the responsibility of the Police Department to serve all criminal arrest warrants in a timely manner.

**III. PROCEDURES**

**A. Officer Responsibilities**

1. All warrants obtained by officers should be logged into Stafford Sheriff's Office Records Management System prior to attempting service. Warrants obtained where the suspect has been arrested and brought before the Magistrate for issuance of an arrest warrant and bond hearing, or exigent circumstances; shall be an exception. It shall be the responsibility of the officer to obtain a copy of the arrest warrant to be turned in with their arrest documentation. The officer receiving an arrest warrant shall ensure a copy of the warrant has been turned over to Stafford County dispatch.

Officers shall consider the time of service for warrants based on the severity of the crime and consideration for the victim of the crime. All Class 2, 3, and 4 misdemeanor warrants shall **NOT** be served between 2300 hours and 0600 hours without the permission of a supervisor. This will also apply to civil documents that are **NOT** orders of protection. All Class 1 misdemeanors must be weighed as to the importance of service within these hours with consideration for the victim. For example, any warrant in conjunction with a protective order shall be served no matter the hour of day. Any warrant involving the ongoing threat to someone such as stalking, brandishing, violating a protective order, etc... shall be served no matter the time of day. All Class 1 misdemeanor warrants that do not represent any sort of ongoing threat to anyone shall **NOT** be served during the referenced nighttime hours without the approval of a supervisor. Nothing in this policy shall prohibit or impede the service of respondents of

protective orders at any time. Subjects that have come into contact with law enforcement because of any call for service such as domestics, disturbances, and traffic stops shall also be served any time the contact occurs.

It is the responsibility of the officer to inspect all warrants prior to attempting service to ensure it is valid on its face. If the warrant is not valid, it must be returned to the Stafford dispatch with a written explanation of the deficiencies.

Any officer serving an arrest warrant issued in Stafford County is responsible for locating the original warrant. Serving a copy is a last resort. If the original warrant is not found and service is made on a copy, the officer shall have documented the reason why the original is not accessible. This procedure is intended to ensure that no person is arrested falsely or twice for the same offense. Original warrant copies can be obtained through Stafford County Sheriff's Office dispatch.

Upon the completion of service, all officers shall review the original copy of the served to ensure that appropriate annotations have been completed. Officers shall return the served original copy along with any other served copies and/or booking or bond paperwork to Stafford County Sheriff's Office dispatch.

## B. Supervisor Responsibilities

1. Supervisors shall weigh the importance of serving misdemeanor warrants between 2300 hours and 0600 hours given the circumstances. Supervisors may grant authority to serve any warrant at any time of day should he or she feel it is the prudent decision based on the circumstances of the charge, the priors, and facts available at the time. All warrants where there is a concern for the victim of the crime shall be served no matter the time of day. All orders of protection shall be served on the respondent to validate the order, no matter the time of day.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 10-01 JUVENILE PROCEDURES**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:** *Bryan Cameron*  
Chief of Police

**I. POLICY**

The Police Department interests concerning juvenile offenders reflect those of the community: to prevent and control juvenile delinquency. The Police Department expects officers to handle juveniles consistent with common sense and the dictates of state law. The Police Department's policies include the identification, apprehension and conviction of juveniles charged with crimes. The best interests of juveniles and the community, however, dictate a limited application of our arrest powers against juveniles who are charged with status offenses. Accordingly, officers may handle errant juveniles informally, particularly status offenders, those in need of protection, and those suspected of committing minor criminal offenses. The authority to carry out the provisions of this order derives from the Code of Virginia. In case of minor or status offenses, officers should divert juveniles from the formal criminal justice process and instead choose community referral. All agency personnel are committed to the development of programs designed to prevent and control juvenile delinquency.

**II. PURPOSE**

To establish guidelines and procedures for handling juveniles who are in need of protection, in violation of status offenses and those charged with criminal offenses.

**III. DEFINITIONS**

- A. Child, Juvenile, Minor: A person who is less than 18 years of age.
- B. Status Offender: A juvenile who commits an act which is unlawful only if committed by a juvenile, i.e., (1) a juvenile who is subject to compulsory school attendance but is habitually absent without justification (truant); (2) a juvenile who remains away from or who habitually deserts or abandons the family (runaway).
- C. Delinquent Acts: Acts designated as a violation of a law of the Commonwealth of Virginia or an ordinance of any county law, but not to include status offenses.
- D. Delinquent Child: A child who has committed a delinquent act or an adult who had committed a delinquent act prior to his or her 18th birthday.
- E. Intake Officer: A juvenile probation officer who is designated by law as having the quasi-judicial authority to decide probable cause, divert or petition the court and issue a detention or shelter care order.
- F. Juvenile Court: The name by which the Juvenile and Domestic Relations District Court is often called. This court is responsible for the judicial processing of juvenile offenders, and the



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current investigations.

**V. PROCEDURES – SPECIFIC RESPONSIBILITIES**

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**VI. STATUS OFFENSES**

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**VII. CRIMINAL OFFENSES / DELIQUENT ACTS**

[REDACTED]

[REDACTED]

[REDACTED]

**AQUIA HARBOUR POLICE DEPARTMENT**  
**POLICIES AND PROCEDURES**

**Policy: 11-01 CIVIL PROCESS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

It is the policy of the Aquia Harbour Police Department to process all civil matters, legal documents, and court matters as soon as practicably possible and to follow all legal guidelines, rules and procedures set aside in the Virginia State Code.

**II. PURPOSE**

The purpose of this policy is to provide the officers who serve legal process and execute court orders with the essential information on how to perform those functions so that all legal requirements are carried out.

The format of this section is designed to familiarize the officer with the types of legal process most frequently used in Stafford County, with legal background kept to a minimum. Emphasis is on the practical requirements, with specific instructions on the proper service of each kind of process or execution covered.

It is intended that this section be used as a ready reference by the officers and kept up to date as changes are made.

**III. PROCEDURES**

**A. Service and Return of Legal Process – General:**

1. The purpose of the service of process is to obtain jurisdiction over a defendant in a suit by notifying the defendant of the case in which they are a party and thereby bring the defendant into court. The primary purpose of the RETURN is to give the Court evidence of the jurisdictional facts of service. The return, by its content, must show that the legal requirements have been met and is therefore valid.

The validity of the service is dependent upon the mode of service used and upon the return made by the officer. Civil processes may not be serviced on Sunday, except in cases of persons escaping from custody. Writs of attachment may not be executed on Sunday except upon sworn oath that the defendant is actually moving goods on that day or is about to leave the state in order to change domicile. Service of execution of a process on any legal holiday or at any time on Saturday is legal. The officer making the service is required to make a true return upon the process. The return must show the Sheriff's name as well, since the officer is acting for him; otherwise, the return can be quashed by the trial court.

2. The return is evidence only of the performance of acts within the official duty and power of the Sheriff and, therefore, the return should include only such acts as are required by law.
3. Three kinds of service to a resident:
  - a. In person;
  - b. Delivery to a member of the person's family;
  - c. Posting

The law is concerned with the residence of defendants rather than their domicile. Thus a defendant residing in or physically present in Virginia is subject to service even though the defendant's legal domicile is in another state. The terms "residence" and "usual place of abode" are considered to be synonymous in any reference made thereto in this section.

4. The latter two kinds of service are called "substitute services." The officer does not have a choice as to the order of service. The officer may deliver the process to a member of the family only if the officer is unable to make personal service. The officer may post a copy of the process only if the officer has been unable to make personal service or deliver a copy to a member of the family. All services of any nature, if posted, will be posted on the main entry door of the usual place of abode or residence. It is especially important in the case of substituted service to show that the legal requirements have been met. For example, if service is made upon a member of the defendant's family, the return must show:
  - a. That the service was made at the defendant's usual place of abode;
  - b. That the defendant was not found at the defendant's usual place of abode;
  - c. The relationship of the person served to the defendant;
  - d. That the purpose of the paper was explained to the person served;
  - e. That the person served was over sixteen years of age; and
  - f. The date on which service was made.
5. The stamps used for proof of service and the printed statements on certain court processes, when properly completed, provide for all legal requirements mentioned above. Additional information, if available, such as new or forwarding address, etc., can be noted on the return.

#### B. Process Requiring Personal Service:

1. Out-of-State Processes: These papers frequently consist of divorce actions but may apply to any type of lawsuit. They should be served in person to the individual named unless it is specifically stated by the out of state service.
2. Capias: Meaning "that you take" (Latin) is the general name of several species of writs, the common characteristic of which is that they require the officer to take the body of the defendant into custody. They are writs of attachment of arrest.

3. Show Cause Rule (signed by a judge): All Criminal Show Cause and Show Cause Rules that are issued in Stafford County Courts shall be served in person. Substitute service may be used in specific instances depending on the judge's instructions.
4. Restraining Orders: An order which is issued upon the filing of an application for an injunction forbidding the defendant to do the threatened act until a hearing on the application is heard. Although a restraining order and injunction are sometimes used synonymously, a restraining order is distinguished from an injunction in that it is intended only as a restraint upon the defendant until the propriety of granting an injunction, either temporarily or permanently, can be determined.
5. Bench Warrant: A process issued by the court itself, or "from the bench" for the attachment or arrest of a person, either in cases of contempt or where an indictment has been found, or to bring in a witness who did not obey a subpoena; so, called to distinguish it from a warrant issued by a magistrate or commissioner.
6. Injunctions: A prohibitive writ issued by a court of equity forbidding a defendant in an action to do some act which the defendant is threatening or attempting to do; and, which if committed would be unjust or injurious to the plaintiff and which cannot as such be adequately redressed by an action at law.

In addition to personal service on the above-mentioned processes, injunctions and restraining orders should be read by the officer to the defendant. In the case of a bench warrant, the judge signing the order forwards it to the Sheriff for execution. One copy is given to the defendant at the time of the arrest and the other is executed and returned to court.

7. Garnishments and Attachments on Co-Defendants or Garnishee: (The co-defendant is the individual or corporation in possession of funds due or owing to the defendant) The service to the co-defendant should be served in person to an officer of the corporation or the individual who pays the defendant or controls payment of the defendant. This is usually the payroll, comptroller, or the treasurer, but service to any officer or manager employee of the business or corporation is valid. The co-defendant named should always be served regardless of information offered that the co-defendant does not employ the defendant or that no monies are due. It is up to the co-defendant to include such information in the notarized statement as is required to make to the court by the trial date. On garnishments there are certain wages and property, which are exempt. These exemptions are set forth in a schedule, which is attached to the process being served upon the co-defendant. An attachment, however, is applicable to all the wages, funds, or personal property of the defendant, which are under the control of the co-defendant at the time of service. Always serve the co-defendant/garnishee **first**.

Once having served the co-defendant in a garnishment or attachment action, the defendant, if within the Sheriff's jurisdiction, can be served in person or by substituted service at the defendant's usual place of abode. There may be situations where the defendant can be found easily at his or her place of employment and served in person, but such service should be the exception rather than the rule. It also should be noted that service may be accomplished anywhere the defendant is found in the county.

## 8. Protective Orders

- a. A Protective Order (Preliminary Protective Order or Final Protective Order) is issued by the Juvenile and Domestic Relations Court in crimes where a family member has been assaulted by the other and is likely to be assaulted again. The order contains provisions requiring compliance on the part of the allegedly abusing family member. Protective Orders are not warrants of arrest and will not be treated as such.
- b. There are two types of Protective Orders:
  - i. Preliminary Protective Order (PPO) – the PPO is valid for fifteen (15) days from the date of issuance.
  - ii. Protective Order - For departmental purposes (and to distinguish between the two), this order will be referred to as the Final Protective Order (FPO). The FPO shall be issued for a specified period not to exceed two years (refer to the termination date on the actual order itself).
- c. Both orders are effective with personal service of the order upon the alleged parties listed. However, either order may be rescinded or modified at any time by the court.
- d. To obtain a Protective Order, the victim (petitioner) must appear before an intake officer or magistrate and swear to the petition.
  - i. The petition will be forwarded to the court and heard by the court as soon as possible. The judge will decide whether or not to issue a FPO in response to the petition.
  - ii. If issued, the PPO shall specify a date for the full hearing. This full hearing will be conducted within fifteen (15) days. At the full hearing, the judge will then determine if cause exists to issue an FPO.
- e. The Juvenile and Domestic Relations Court will forward Protective Orders to the Sheriff's Office for personal service.
- f. Service of Orders by Officers
  - i. The personal service of the orders will receive priority attention by officers. Whenever possible, an attempt at personal service shall be made on the same date the order is received.
  - ii. The officer serving the order will serve it on the respondent personally. No arrest paperwork shall be completed in reference to the service; however, RMS will be updated for the respondent. The officer will show the execution of the order by signing it in the appropriate place. The officer shall also indicate the date and time the order was executed. Officers will write legibly as the execution of service information is very important.
  - iii. Officers will provide the respondent with a copy of the order.

- iv. The original order will be returned to Stafford County dispatch where the date and time of service, etc., will be entered into the computer system. The original order will then be returned to the Juvenile and Domestic Relations Court where the return of service will be certified and a copy sent to the law enforcement agency.
  - v. When attempting to serve an order at a residence shared by the petitioner and respondent, no fewer than two (2) officers should attempt service, when possible.
  - vi. The serving officer will ensure the proper VCIN/NCIC entries have been made by providing the served copy to ECC for entry or to be updated.
- g. Service of Orders Which Grant Possession of the Residence to the Petitioner:
- i. When officers serve an order at the residence shared by the petitioner and respondent and the order requires the respondent to grant the petitioner possession of the residence (to the exclusion of the respondent), the officers shall escort the respondent off the resident property.
  - ii. Officers may, at their discretion and if there is no immediate threat of violence, allow the respondent to gather personal belongings prior to being escorted off the resident property. However, in no case shall the respondent be allowed to remain at the resident property after service of the order. When the officers leave, the respondent shall also be required to leave.
- h. Officers will use caution when serving Protective Orders. Particular caution is emphasized in those cases where officers allow the respondent an opportunity to gather personal belongings.
- i. Violation of Orders Directing the Respondent to Grant Possession of the Residence to the Petitioner:
- i. A respondent who violates such a provision (of either order) may be charged with trespassing under **Section §18.2-119 Code of Virginia**. (The respondent must have been served with the PPO or FPO in order to be charged with trespass under that code section, or violation of provisions of a protective order, **§16.1-253.2 Code of Virginia**)
  - ii. It is the policy of this office that officers, absent extenuating circumstances, shall affect the arrest of a respondent who has violated the trespass provisions of a PPO or FPO. Any such arrest must be based upon probable cause and other legal mandates. Violators will be charged under **§18.2-60.4 Code of Virginia**.

### C. Summons

1. General: By definition, a summons is a writ, which calls a defendant into court. If, however, the writ calls a witness into court, it is technically a subpoena rather than a summons.

2. Jury Summons: Summonses to individuals for jury service fall in a special category since the individual called is neither a defendant nor a witness. Failure to comply with this summons, however, is treated in a manner similar to a subpoena in that a fine can be assessed.

Instructions on Service of Grand Jury: Personal service is preferred; however, in the absence of the individual named, substituted service may be made to a member of the family (over the age of sixteen years); posted service is not acceptable.

3. Witness Summons: A summons for a witness as mentioned above, is technically a subpoena. If not obeyed, the person summonsed can be held in contempt of court.
4. Juvenile and Domestic Relations Summons: There are normally six (6) kinds of summonses used in the Juvenile and Domestic Relations Court. They are:
  - a. The juvenile summons type, which is a printed blue form and which summonses the juvenile involved and the parents or guardians of the juvenile;
  - b. The non-support type, which summonses the defendant;
  - c. The out-of-state or foreign process for non-support;
  - d. A "Show Cause Rule";
  - e. Protective Order;
  - f. The witness type summons.
5. Civil Court Summons: At the county court level, civil actions may be commenced by warrant or motion for judgment. The warrant must be served not less than five (5) calendar days before the return date (date of court trial). In the Circuit Courts however, cases are tried either as "law" cases or as "chancery" cases and are initiated as one or the other at the time of filing with the Clerk of Court.
6. Interrogatory Summons: The interrogatory summons, as the name implies, is a summons issued to bring a defendant into court for the purpose of finding out from the defendant under oath, what property or estate he or she owns (and which presumably can be levied upon and sold to satisfy a money judgment). A fieri fascias, or 'fi fa' as it is called, is a writ of execution in which the Sheriff is commanded to levy and make the amount of judgment from the goods and chattels of the judgment debtor.
7. Garnishment Summons: The garnishment summons is also a means, as part of the fieri fascias process, whereby a creditor can reach the property of a debtor. Both serve as the basis for making levies and sales. The garnishment summons, as received in the Sheriff's Office from the Clerk of Court, consists of the original copy, accompanied by a Fi Fa form; a copy of the summons for the co-defendant to which is attached a schedule of exempt wages; and a copy of the summons for service on the defendant. The attachment of the Fi Fa form to the garnishment summons is required by the Virginia Code, but no action is taken on the Fi Fa form except to attach it to the original copy of the garnishment summons. This Fi Fa form can be used, however, if the judge so desires, as authority to make a levy against the defendant when he or she appears in court in answer to the summons and is used later by the Sheriff's Office as a single

piece of paper and has a notation of "Levy" or "Actual Levy" on it.

8. Detinue Summons/Warrant: By definition, detinue is a form of action which seeks the receivers of specific personal property from one who has acquired the property legally, but who retains it without right. It is an action taken by the plaintiff before the merits of the case have been heard in court and for that reason the process must be initiated and accomplished with strict adherence to the statutory requirements. The warrant to seize property in detinue is not issued by the Clerk of Court unless a bond of at least double the estimated value of the property has been executed payable to the court.

Accompanying the seizure warrant as a separate piece of paper is the summons to the defendant to appear in court on a certain day. At that time, the judge will listen to all the evidence and decide if seizure of the property by the plaintiff was warranted. If not, the judge could order the plaintiff to return the property to the defendant or, alternatively, to pay the defendant in money. Sometimes only the summons will be issued and the case tried without actual seizure and return of the property to the plaintiff, but usually both the summons and the seizure warrant are to be executed together

9. Subpoena Duces Tecum: In many court cases, documentary evidence is needed as well as the testimony of an individual witness. When such evidence is needed, a subpoena is issued to summons the person holding the documents, records, or books into court to present the documents for court examination and to testify with respect thereto. This type of summons is called a "Subpoena Duces Tecum." It is served in accordance with the rules which apply to service to a witness and since it is usually served at a place of business, it is served there either to the individual named or his or her supervisor.

D. All records and services of legal process will be maintained in the Sheriff's Office Records Management System (RMS).

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 12-01 RESTRAINT AND TRANSPORTATION OF PRISONERS OR MENTAL PATIENTS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The purpose of this policy is to establish procedures to ensure that prisoners and mental patients are transported safely and securely.

**II. PROCEDURES**

A. General

1. Transports of one individual may be accomplished by one officer if security is adequate. Officers may request a backup unit at any time they feel that the situation dictates. Transports of two or more individuals should be conducted by at least two officers. In the event of two or more individuals, officers should contact another officer on duty for transportation assistance. If there is not a second AHPD officer available, officers should notify SCSO dispatch and request a SCSO deputy for transport.
2. Officers shall not surrender their weapons or vehicles when security has been compromised. This includes situations involving hostages, extortions, etc.
3. When two officers are transporting prisoners, each shall play a specific role in loading and unloading the prisoners in a detention area. One officer shall act as the Security Officer and the other shall act as the Escort Officer. The Security Officer shall be armed and shall observe the movement of the prisoners. This officer should remain some distance away from the movement. The Escort Officer shall be unarmed when handling prisoners and physically assist the prisoners in movement. This officer is also responsible for the handcuffing and un-handcuffing of prisoners.
4. All persons being transported shall be treated in a professional, courteous, but firm manner.
5. While transporting prisoners or mental patients the officer should be especially aware of his weapon and always be sure of its security. The officer's hand or forearm should be placed on or against the service firearm when passing near anyone or escorting any prisoner.
6. Smoking by prisoners in custody of the Police Department is not permitted.
7. While transporting a prisoner, the officer will observe him or her at all times.
8. The transporting officer will not allow prisoners to communicate with other people

while in transit unless the situation requires it. The officer shall use his or her good judgment when deciding whether to allow a conversation to take place between the transported prisoner and another party.

9. In no case shall a juvenile known or believed to be under the age of 18 years be transported with adults suspected of or charged with criminal acts (**Virginia Code § 16.1-254.B**).

## B. Search Techniques

1. All prisoners shall be searched prior to being transported, immediately after being arrested or otherwise taken into custody. This is to be a thorough search and not simply a pat-down. Prior to any search, prisoners should be handcuffed.
2. Whenever reasonably possible, searches should be conducted by an officer of the same sex as the prisoner. This shall be done prior to the prisoner being placed in the transport vehicle. An officer of the opposite sex may search a prisoner in accordance with proper search procedures. If a prisoner requests an officer of the same sex to conduct a search and one is not available; the officer may make a request to SCSO dispatch for assistance if a same sex deputy is available. The on duty SCSO supervisor will approve or deny the request.
3. When searching sensitive areas use a bladed hand with thumbs down.
4. Officers shall conduct searches in with their body cams activated and recording. If there is an SCSO vehicle on scene, the officer should make a reasonable attempt to conduct their search in front of that deputy's MVR system.
5. Officers should take protective considerations such as donning gloves prior to searching.
6. The preferred procedures for searching a prisoner are as follows:
  - a. Move from the top of the suspect's head to the hands and down to the feet
  - b. Feel for weapons; do not simply pat down
  - c. Do not reach completely around the prisoner. Search one half of the body and extremities at a time.
  - d. Be specifically thorough on areas where weapons are commonly concealed on the person, such as:
    - (1) Under the hat
    - (2) In the hands
    - (3) Along the arms or sleeves
    - (4) Under the arms

- (5) Between the shoulders
  - (6) Under the belt, especially in front
  - (7) In the groin area
  - (8) Along the legs
  - (9) Around the ankles or in the socks
  - (10) In all pockets
  - (11) If a weapon or dangerous instrument is discovered, the officer shall seize and retain it
  - (12) Officers shall not assume that a prisoner is disarmed simply because one weapon is found. Continue looking for other weapons.
7. In cases where an officer of the same sex as the prisoner is not available, and the officer believes contraband may be hidden in a sensitive area; the officer may use discretion to transport that prisoner in the front passenger seat for better observation to their destination.

## C. Restraining Devices

### 1. General

It shall be the policy of this department to take suitable precautions necessary while handling and/or transporting prisoners.

This department utilizes handcuffs, leg irons, waist chains, and in extreme instances rip hobbles.

### 2. Procedures

- a. Officers will handcuff (double-locked) all prisoners with their hands behind their back and palms facing outward.
- b. Officers may handcuff a prisoner with their arms in front, or utilize other appropriate restraining devices, when the prisoner:
  - (1) Is in obvious state of pregnancy;
  - (2) Has a physical disability or condition that would prevent handcuffing to the rear;
  - (3) Has an injury that could be aggravated by standard handcuffing procedures;
  - (4) Has additional waist chains and leg restraints.
- c. Prisoners will not be handcuffed to any part of a vehicle

- d. Additional approved restraint devices may be used to secure a prisoner who violently resists or who manifests mental disorders that pose a threat
- e. Leg restraint devices shall be used when an officer believes the prisoner has potential for violent behavior or escape.

#### D. Sick and Injured

1. At any time before, during, or after the arrest that the prisoner is injured, becomes sick, or claims sickness or injury, the officer will seek medical attention immediately. Medical attention will be obtained before transporting the prisoner to the jail if the injury/sickness happens before arrival there.
2. The transporting officers must use the same discretion as previously explained in using restraining devices on sick or injured prisoners. Obviously, if a prisoner is injured or sick enough to be totally incapacitated, restraining devices may not be appropriate.
3. Officers may not be aware if a prisoner is carrying a communicable disease. Officers should, therefore, always take appropriate precautions when handling prisoners or patients.
4. Prisoners/patients are the responsibility of the officer. Officers should not engage in medical procedures or assist medical personnel in performing their duties. Officers are reminded that they should detain the prisoner/patient and provide security.

#### E. Vehicles

1. All transport vehicles shall be searched before and after transporting patients or prisoners to ensure that no contraband, weapons, or other items are present.
2. All transports of prisoners or patients shall be performed in an official Police Department vehicle.
3. Seating assignments - A single prisoner being transported shall not be seated behind the driver but shall be seated in the rear seat on the passenger side and secured by a seat belt. Prisoners shall not be transported in the front seat of the vehicle. This does not apply to officers transporting one person in a vehicle with no cage. In this instance the prisoner will be secured in the front passenger seat.
4. The transporting officer shall not routinely engage in law enforcement activities during transport. When non-emergency situations arise requiring intervention, the officer shall notify SCSO dispatch.
5. When transporting a prisoner, the transporting officer will provide law enforcement services only in the following situations:
  - a. When there is a need for the transport officer to act immediately in order that a potential victim is not harmed;
  - b. When a victim has been injured and assistance is required immediately;

- c. When a crime is in progress and there is an immediate need because of safety reasons that the suspect is apprehended.
  - d. In all of the above situations, the transporting officer should ensure at all times that his or her prisoner is secure and protected.
6. When transporting a prisoner/patient of the opposite sex or a juvenile, the officer shall:
- a. Proceed directly to the destination and contact the dispatcher and advise of the beginning and ending odometer mileage;
  - b. Dispatch should be notified of any unscheduled stops or deviations in the travel route.
7. Juveniles shall not be transported with adults and, whenever possible, juveniles of the opposite sex shall not be transported together.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 13-01 REPORTS AND INVESTIGATIONS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The primary purpose of a police investigation is to collect facts leading to the identification, arrest, and conviction of an offender, and to organize and present the facts for a successful prosecution. The Police Department expects officers to treat investigations as a skill developed through training and experience, a skill that demands intelligence, logic and discipline.

It is the policy of the Police Department to document all citizen calls for service, the Department's response to those calls and their resolution, all criminal investigations, traffic accident investigations, criminal arrest information, specific policing activities, and personnel and administrative records.

**II. PURPOSE**

To establish investigative responsibilities and the procedures, responsibilities, and process of reports both Stafford County and Aquia Harbour as they pertain to all members of the Aquia Harbour Police Department.

**III. PROCEDURES – GENERAL**

- A. The Aquia Harbour Police Department will maintain organizational; law enforcement and crime records as required by Virginia Law and will make them available to the Stafford Sheriff's Office as needed.
- B. Incident Based Reports (IBRs) maintenance shall be the responsibility of the Stafford Sheriff's Office. The Police Department will submit paper copies of the Sheriff's Office IBR report for data entry to the Sheriff's Office Administrative Services Division.
- C. Harbour reports are internal Police Department reports that are not required to be submitted to the Sheriff's Office. Harbour reports are intended only for the use of documenting informational reporting that are not likely to result in criminal prosecution.
- D. Stafford IBRs require a report number. A report number for Stafford IBRs will be generated from Stafford Dispatch. Harbour reports shall utilize the Harbour CAD generated incident number as a report number.
- E. The Sheriff's Office shall be the custodian of the records submitted including criminal incident reporting, evidence records, and materials.

## IV. PROCEDURES - RESPONSIBILITIES

### A. Officer Responsibilities

It is the responsibility of the officer who is dispatched to a call or receives information as defined in this policy to:

1. Make every attempt to locate and interview the victims, complainants and witnesses, as well as gather, identify, process, secure, and document all evidence and statements. Officers will not interview child victims of sexual assault absent exigent circumstances and with permission of supervisor.
2. Make a report in writing using the appropriate report. It shall be the responsibility of the report officer to ensure that their report contains all required. This includes full names and all descriptive information on all persons listed in the report and complete descriptive information on all vehicles and property.
3. Attempt to determine the identity of the suspect or suspects and conduct appropriate follow-up. If there is probable cause, effect an arrest and secure any weapons if it can be accomplished either at the scene, or through immediate pursuit.
4. Prior to formally charging the suspect(s), attempts should be made to make contact and attempt to obtain a statement. Unless:
  - a. The individual is the suspect in a sexual assault case (consult with SCSO CID first).
  - b. Any CID notification where CID is responding and has not authorized the officer to conduct the interview.
  - c. The suspect has fled from law enforcement.
5. Preferably the above statement will be obtained in person; however, in rare cases when the suspect refuses to meet with the officer a statement may be obtained through electronic communication (phone, video chat etc.) When such statements are taken electronically, the officer should make every effort to confirm the identity of the suspect so that it can be sufficiently proven in court that the suspect was the person who spoke with the officer.
6. Members will submit offense reports for all felony offenses. In addition, members will submit reports on any of the following misdemeanor offenses or events:
  - a. Assault and Battery (including domestic assaults and batteries);
  - b. Drug and narcotics violation
  - c. Assault on police officer;
  - d. Escapes from custody or from a detention facility;
  - e. Found property;

- f. Fugitives from our state;
  - g. Hit and run accidents;
  - h. Impersonating a police officer;
  - i. Juvenile violations
  - j. Larceny
  - k. Missing persons (adults and juveniles)
  - l. Project Lifesaver incident;
  - m. Mob violence;
  - n. Criminal activity incidents;
  - o. Possession of stolen property;
  - p. Sex-related offenses;
  - q. Suicide or attempted suicide complaints (whether it is believed that the threats or actions will be carried out or not);
  - r. Suspicious deaths, deaths unattended by a physician (including motor vehicle accident fatalities), and unidentified bodies;
  - s. Terrorist or "Hate" crimes
  - t. Vandalism
  - u. White collar crimes (forgery, fraud, etc.);
  - v. Anytime firearms are taken into custody by an officer
  - w. Any other time that an officer or their supervisor deems it necessary to submit a report;
  - x. When the jurisdiction of the offense cannot be determined and the complainant is a citizen of Aquia Harbour, officers shall assist by taking the initial report to which follow up procedures may determine proper jurisdiction;
  - y. Document a fugitive from another state;
7. The initial investigation is the most important phase of any investigation. The officer will work each criminal case to a conclusion.
8. Prior to departing the scene, the officer assigned will provide the Victim/Complainant their business card with the case number and any appropriate victim referral information.

9. Reports/Investigations involve all officers in the follow-up investigation process. If the case can be worked to completion during the shift, the officer will make every attempt to do so. If the officer is unable to follow up on the case due to other incidents, the reviewing supervisor should assign the officer to complete the remainder of the initial investigation is found to be lacking critical details and the issues cannot be corrected due to the evolution of the case, the supervisor will appropriately counsel the officer to the proper conduct of the investigation.
10. Offenses shall be recorded in the proper location on the report form.
11. Person's information shall be recorded in the name location on the report and shall be filled in completely to include last name, full first name, a middle name as well as all other descriptors requested on the report; depending on type of person, e.g., victim, suspect, complainant, or witness. It is imperative that current contact information is listed in the report to facilitate follow up investigations.
12. The above information will minimally include the individual's address, date of birth, height, weight, and eye and hair color. Individual's social security number and driver's license should be recorded if an individual is assigned such a number as well as their phone number. In the rare instance where an officer is unable to obtain a person's identifying information, the reason should be documented in the narrative of the report. Supervisors will require any officers submitting reports lacking this information without appropriate documentation to obtain it as soon as practical but no later than their next duty day and ensure it is placed in the report.
13. It is critical to gather all information to ensure the integrity of data within our reporting system. When gathering descriptive information on suspects and arrested persons, it is important to ask the proper question to accurately fill in all blocks.
14. Information on tattoos should not only include the location of the tattoo but should describe what the tattoo depicts, i.e., Bulldog with U.S.M.C. under it.
15. The omission of identifying information causes duplication of names, thus causing inaccuracies in data retrieval.
16. Vehicle information shall be recorded in the vehicle location on the report form and shall be filled in completely to include:
  - a. Tag number;
  - b. State of tag;
  - c. The year of vehicle, make, model, and style;
  - d. Owner's full name and address;
  - e. Color of the vehicle;
  - f. Any vanity or unique descriptive information.
17. Property information shall be recorded in the property location on the report form and shall contain a complete description of each piece of property to include:

- a. Type of loss;
  - b. Property codes;
  - c. Quantity;
  - d. Property description (including serial number, size, color, model, other identifiers, etc.);
  - e. Owner; and
  - f. Value.
18. It is critical that officers attempt to get the make, model, and serial number of all property and that the serial number be verified.
  19. It is the responsibility of the reporting officer to provide a printed or electronic copy of the report to Stafford Dispatch Supervisor or assistant supervisor and have all stolen property with serial numbers entered into NCIC & VCIN as soon as possible.
  20. Drug information shall be recorded in the property location on the report form and shall contain:
    - a. The drug type;
    - b. Whole drug quantity;
    - c. Fractional drug quantity; and
    - d. Drug measurement.
  21. Officers processing a crime scene shall record that information in the proper location on the report form.
  22. Items of evidence found at a crime scene, such as latent fingerprints, impressions, tool marks, etc., are considered property and need to be included on the property page of the report form.
  23. The narrative of the report needs to be written coherently, allowing the reader to follow a logical sequence of events relating all information available to the report officer at the time of the report. The report officer shall be responsible for the completeness of the narrative report. The "Question and Answer" method of report writing is not acceptable with the exception of a suspect interview. Officers may indicate in their narrative their future investigation follow up plans.
  24. Officers shall complete all Stafford reports prior to going off duty unless authorized to turn in the report at a later time by their supervisor. Officers shall complete all Harbour Reports prior to the end of their duty assignment unless authorized to turn in the report at a later time by their supervisor.

25. Supplementary reports shall be generated at any time there is information that needs to be added to an original report. Supplementary reports need only contain the new information. When the supplement contains information on a new person or a change of status of a person from the original report, the appropriate person's portions of the report shall be completed, i.e., suspect changed to a suspect arrested, runaway changed to runaway returned, etc. The same procedure of filling in the appropriate sections of the report would apply to property or vehicle changes. This should be of concern to all officers as this report is used as an indicator of the overall efficiency of our agency.
26. If, during the investigation, the victim decides he or she does not want you to continue the investigation for whatever reason, or is satisfied with your investigation, the officer shall note this in the narrative of their report.
27. It is the responsibility of the reporting officer to review their reports prior to submission. Items such as photographs, evidence receipts, and original statements should be scanned and submitted with the report for approval.
28. It shall be the responsibility of the arresting officer to make any transmittals needed to the Commonwealth's Attorney Office as they would for a traffic case. These transmittals need to be done in a timely manner to ensure that the Commonwealth's Attorney Office has the information they may need in order to properly prosecute the case.
29. Officers who have cases reassigned to them for further investigation will diligently pursue the case. While the unique nature of each case and the officer's workload will dictate the appropriate length, such follow ups the following will be observed regarding an officer's assigned cases:
  - a. Protective order violations and crimes of violence will be given a high priority by this Office. Cases of this nature assigned to officers will be investigated during the officer's next duty rotation and will be completed within thirty days. In the event an extension is required it must be approved by a supervisor.
  - b. Cases involving property offenses should diligently be pursued. Cases of this nature assigned to officers will be completed within thirty days. In the event an extension is required it must be approved by a supervisor.

## B. Field Training Officer's Responsibilities

Field Training Officers (FTO) are responsible for instructing their training officers on the proper report forms and procedures.

1. This instruction should begin with the most elementary steps and teach the new officer every phase of taking and preparing a report.
2. It is the responsibility of the FTO to review all written reports prepared by their training officers, giving guidance and encouragement to enable them to produce the quality of reports that are expected.
3. The FTO should instruct their training officer in the use of both Stafford and Harbour reports.

4. Once the FTO has reviewed the report prepared by the training officer and is satisfied that it meets reporting standards, they shall advise the training officer to save in the report pending file.

### C. Supervisor Responsibilities

Supervisors shall be responsible for running a weekly audit to ensure that all reports are completed and turned in.

1. Supervisors shall ensure that all required information is in the report.
2. The supervisor shall approve a report only after they are satisfied that the report is correct and meets all report standards. If information required to be submitted under Subsection III B of this order is not included and there is insufficient justification or the initial report is lacking critical details, the supervisor will have the officer obtain the appropriate information as soon as practical but no later than the officer's next work day. If the initial investigation is found to be lacking critical details and the officer is unable to correct them due to the evolution of the case, the supervisor will appropriately counsel the involved officer.
3. The supervisor shall be responsible for ensuring that all reports assigned to officers are turned in and accounted for.
4. Only by a thorough review of each report by a supervisor, will the supervisor be able to identify and address any weaknesses in either the officer's ability to gather information, or their ability to complete a clear, concise report.
5. Supervisors may assign cases to officers for follow up if the circumstances warrant it. All cases assigned for follow up shall be reviewed by the supervisor every month to assure the case is up to date and being followed up on. Supervisors are responsible for actively monitoring and providing guidance to officers to assist them with the conduct of their assigned investigations to ensure they are completed in a thorough and timely manner. Each month, the shift supervisor is required to open and review the details of all reports assigned to the officers.
6. Once the supervisor is satisfied that all leads have been exhausted or in the case of an arrest or warrant being obtained, that no further follow up is required, they can have the officer submit a supplemental report to notate the change in case status and appropriate case disposition.

## V. CRIMINAL INVESTIGATION RESPONSIBILITY

A. In accordance with the Memorandum of Understanding with the Stafford County Sheriff's Office, the following cases shall remain the responsibility of the Sheriff's Office:

1. Missing Adults and Juveniles;
2. Death Investigations, including Suicides, Suspicious Deaths, and Homicides;
3. Runaway Juveniles;
4. Abduction;

5. Suspected or Actual Gang Activity
6. Felonious Assault;
7. Robbery;
8. Rape, Attempted Rape, and Sodomy;
9. Felony Narcotics Violations;
10. Crimes Against Children (physical and sexual abuse);
11. Serious or Fatal Accidents;
12. Burglary;
13. Stolen / Recovered Vehicles; and
14. Fatal or Serious Injury Traffic Crashes.

- B. In cases of incidents not identified above, investigative responsibility will be determined on a case-by-case basis.
- C. Should an incident identified above be dispatched, the on-duty officer shall respond if available, take any lifesaving actions, and control and secure the scene until the arrival of the Sheriff's designated responding officers.
- D. Should any incident outlined above be dispatched through the Police Department directly, the officer is to notify Stafford dispatch upon their dispatch to the incident.
- E. During the course of any incident, including those outlined above the officer is not precluded from taking actions; including arresting the offender, in cases where the officer witnesses the offense in progress (i.e.; drugs, felonious assaults, assault on LEO, etc.).
- F. Primary investigation for the incidents outlined above remain with the Sheriff's Office; however, the Sheriff's Office Field Supervisor has the authority to authorize the AHPD Officer to take primary responsibility for any call for service.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 13-02 CRIMINAL HISTORY AND RECORD INFORMATION**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

The dissemination of criminal history record information is a very serious and sensitive matter. In the interest of protecting the rights of individuals and providing the proper authorities with necessary information, the Police Department requires all employees to be knowledgeable in regard to criminal history procedures and the dissemination thereof. Only employees designated by the Chief shall disseminate by official means any criminal history record information as defined in **Virginia Code § 9-169**. No employee shall disseminate by unofficial means any criminal history record information.

**II. PURPOSE**

To establish policy and procedure governing the control and dissemination of criminal history record information. Additionally, to make every Police Department employee aware of the laws of the **Virginia Code** pertaining to criminal history record information.

**III. PROCEDURES**

A. Criminal history record information will be maintained by the Sheriff's Office Records Section. The Record's clerks, clerical assistants, and personnel designated by the Sheriff will be the only personnel allowed to release criminal history record information. All hard copy record information will be kept under close security and remain locked when authorized personnel are not present.

1. Dissemination of criminal history record information:

- a. Can only be disseminated as authorized under the authority of the Code of Virginia 19.2-389.
- b. The procedures described do not apply to the exchange of information between the Sheriff's Office and law enforcement personnel from other criminal justice agencies involved in cooperative investigations.

**IV. CRIMINAL HISTORY RECORD INFORMATION**

A. Criminal history record information retrieved by VCIN terminals will only be disseminated to employees of a criminal justice agency or a court employee or official of the courts of the 15th Judicial Circuit. All criminal history record information therefrom will be received and signed for in person. Criminal history record information will be obtained only for official business. Persons obtaining criminal history record information from the VCIN terminal will destroy this information upon the completion of the immediate use.

## V. IMPROPER DISSEMINATION OF CRIMINAL HISTORY

- A. The Code of Virginia provides civil remedies and criminal penalties for the improper dissemination of criminal history record information. This disclosure of information could take many forms, even casual conversation, inadvertently leaving materials out that can be read in view of unauthorized persons, and releasing this information with good intentions to unauthorized persons. All members of the Police Department shall familiarize themselves with all **Virginia Codes** pertaining to criminal history record information.
- B. Any officer found to be in violation of this policy shall be subject to disciplinary actions up to and including termination.
- C. Subsequent to any internal investigation and disciplinary actions, officers found to be in violation of improper dissemination of criminal history could face criminal actions as well.
  1. **9.1-136 Criminal penalty for violation.** Any person who willfully and intentionally requests, obtains, or seeks to obtain criminal history record information under false pretenses, or who willfully and intentionally disseminates or seeks to disseminate criminal history record information to any agency or person in violation of this article or Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, shall be guilty of a Class 2 misdemeanor.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 13-03 VIRGINIA FREEDOM OF INFORMATION ACT**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

It is the policy of the Aquia Harbour Police Department to treat every oral and/or written request for records as a request under the VFOIA whether or not that law is explicitly cited in the request. However, a request for public records shall identify the requested records with reasonable specificity.

**II. PURPOSE**

This policy is issued for the purpose of establishing procedures for assisting employees in complying with the Virginia Freedom of Information Act (VFOIA).

The VFOIA creates a general rule of mandatory disclosure. Except as otherwise specifically provided by law, it permits any Virginia citizen, or representative of news media circulating or broadcasting in or into Virginia, to inspect and copy public records during the regular office hours of the custodian of the records. The custodian of such records shall take all necessary precautions for their preservation and safekeeping.

**III. DEFINITIONS**

For the purposes of the Virginia Freedom of Information Act, and this policy, unless the context requires a different meaning, the following terms shall have the meanings indicated:

- A. Criminal Incident Information means a general description of the criminal activity reported, the date, and general location of the alleged crime was committed, the identity of the investigating officer, and a general description of any injuries suffered or property damaged or stolen.
- B. Law Enforcement Official includes all law enforcement sworn officers, (Federal, State, or Local) and the attorney for the Commonwealth.
- C. Public Body includes any authority, board, bureau, commission, district or agency of the Commonwealth or of any political subdivision of the Commonwealth, including cities, town, and counties.
- D. Public Records means all writings and recordings which consist of letters, words or numbers, or their equivalent, set down by handwriting, typewriting, printing, photography, magnetic impulse, optical or magneto-optical form, mechanical or electronic recording or other form of data compilation, however, stored, and regardless of physical form or characteristics, prepared or owned by, or in the possession of a public body or its officers, employees, or agents in the transaction of public business.

#### IV. DISCLOSURE OF RECORDS – LIMITATIONS

##### A. Records Subject to Mandatory Release

The following records, reports and documents shall be released by the custodian of records, utilizing either the "AHPD Criminal Incident Information Form" or the United Systems Solutions "VFOIA Report" or "Insurance Report", except where such disclosure is restricted or prohibited by law:

1. **Criminal Incident Information:** Law enforcement officials shall make available upon request criminal incident information relating to felony offenses. However, even this minimal amount of information may be withheld by the law enforcement agency if disclosure is likely to (1) jeopardize an ongoing investigation or prosecution, (2) jeopardize the safety of an individual, (3) cause a suspect to flee or evade detection; or (4) result in the destruction of evidence. It is important to note that the "criminal incident information" may be withheld only until the specified damage is no longer likely to occur from release of information. Nothing herein shall be construed to prohibit the release of those portions of such information that are not likely to cause the above-referenced damage.

While "criminal incident information" is required to be released for felonies only, release of such information in misdemeanor cases is not prohibited. The Chief or designee should be consulted in all cases of requests.

Criminal incident information includes the following, unless otherwise restricted or prohibited by law:

- a. General Description of Criminal Activity: This means the nature of the offense, though the specific criminal charge that may be involved need not be specified. For example, "sexual assault" may be used rather than the more specific terms of rape, sodomy, sexual battery and similar offenses. "Drug law violation" could be used without specifying the substance involved or whether the case involved possession or distribution.
- b. Date and general location the alleged crime was committed: A specific date should generally be provided, though in some cases a time frame may be appropriate. While the approximate time an event occurred is not required, it may be provided. Street and hundred block is one of the most frequently used methods of identifying location. However, if a street or block contains only several residences or buildings, use of a geographic community or subdivision locator identity may be appropriate if protection of a victim's identity is desired.
- c. Identity of investigating officer: This could include either a officer taking an initial report or an investigator assigned to follow up on a case, either or both.
- d. General description of injuries suffered, Property damaged or stolen: Phrases such as "stab wound," "life-threatening injuries," or "injuries which are not life threatening" are appropriate. Property may be described in such terms as "construction materials," "household goods," or "assorted merchandise."
- e. Restrictions on release of certain information: The following restrictions on release of information outlined above or of other information in the custody of a

law enforcement agency should be carefully observed.

(1) Pursuant to the *Code of Virginia § 2.1-342.2 D*, the identity of any victim, witness or undercover officer, or investigative techniques or procedures need not but may be disclosed unless disclosure is prohibited or restricted under *Code of Virginia § 19.2-11.2*.

- i. *Code of Virginia § 19.2-11.2* provides that upon request of any crime victim, "neither a law enforcement agency, the attorney for the Commonwealth, a court nor the Department of Corrections nor any employee of any of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the victim or a member of the victim's family, except to the extent that disclosure is (i) of the site of the crime, (ii) required by law or Rules of the Supreme Court, (iii) necessary for law enforcement purposes, or (iv) permitted by the court for good cause."
- ii. *Code of Virginia § 19.2-11.2* also provides that "except with the written consent of the victim, a law enforcement agency may not disclose to the public, information which directly or indirectly identifies the victim of a crime involving any sexual assault or abuse, except to the extent that disclosure is (i) of the site of the crime, (ii) required by law, (iii) necessary for law-enforcement purposes, or (iv) permitted by the court for good cause."

(2) Pursuant to *Code of Virginia § 2.1-342.2 E*, The identity of any individual providing information about a crime or criminal activity under a promise of anonymity shall not be disclosed.

2. Accident Report: This report shall be released upon request, either in person or through the mail, unless otherwise prohibited by law.
3. Traffic Summons and Arrest Reports [Adults Only]: Information in the custody of law enforcement officials relative to the identity of any individual, other than a juvenile, who is arrested and charged, and the status of the charge or arrest shall be released. This applies to felony, misdemeanor and traffic arrests or temporary detentions and shall include the identity of the person arrested or detained, the nature of the arrest or detention, and the charge, if any. Any chronological listing of adult arrests is a public document. However, the Code of Virginia, reflecting federal mandates, prohibits the dissemination of criminal history record information outside the law enforcement community by law enforcement agencies. Thus, the release of arrest information is commonly understood to apply to "reasonably contemporaneous" arrests. Requesters seeking older information may be advised to check court records, which are public.
4. Investigative Reports: Law enforcement officials shall release "criminal incident information" as defined above unless such disclosure is prohibited or restricted by law. However, complaints, memoranda, correspondence and evidence relating to a criminal investigation or prosecution, other than the basic facts described as criminal incident information, are **excluded** from the disclosure requirements of the VFOIA. (See discussion of "Criminal Investigations Information" at Section IV.B.1.)
5. Arrestee Photographs: It is required that photographs of adults who are arrested be released if doing so will not jeopardize an investigation. The arrestee photograph may

be withheld until such time as the release of the photograph will no longer jeopardize the investigation. For example, a photograph may be withheld if the person is to appear in either a photo or live lineup to avoid possible tainting of the process. However, once these activities are concluded, the photo must be released. If several agencies are involved in an investigation, coordination is essential to ensure that the release of a photo by one agency does not jeopardize the investigation of another agency. There are no requirements in VFO IA relating either to size or quality of adult arrestee photographs. It is important to note that the requirement to release applies to all adult arrestees who are photographed, regardless of whether they are charged with a felony or a misdemeanor. Unprocessed film does not constitute an existing record and the requirement to release does not apply until a photograph has been developed and printed.

6. Personnel Records: Records of the position, job classification, official salary or rate of pay of, and records of the allowances or reimbursements for expenses paid to any employee of the Police Department shall be released upon request. However, these provisions shall not require public access to records of the official salaries or rates of pay of any such public employees whose annual rate of pay is \$10,000.00 or less. NOTE: Other than the information outlined above, personnel records containing information concerning identifiable individuals are exempt from disclosure under VFOIA. However, present and past employees eighteen years of age or older, have an absolute right to see their own personnel records. Present and past employees may waive in writing the confidentiality of his or her personnel records. If the Police Department receives a signed waiver from the present or past employee, it must then produce that person's personnel records for other requesters, including the news media.
7. Reportable Incident Reports: A compilation of complaints received by the Police Department and action taken by the law enforcement agency in response thereto.
8. Records of Completed Unattended Death Investigations: To the parent or spouse of the decedent or if there is no living parent or spouse, to the most immediate family member of the decedent, provided the person is not a person of interest or a suspect. For the purposes of this subsection, "unattended death" means a death determined to be a suicide, accidental or natural death where no criminal charges will be initiated, and "immediate family" means the decedents next of kin in order of intestate succession as set forth in § 64.2-200.

B. Records Subject to Discretionary Disclosure or Withholding:

The following records, reports and documents are excluded from disclosure under the provisions of VFO IA, but may be released by the custodian of records at the discretion of the Chief, except where such disclosure is prohibited by law:

1. Criminal Investigations Information: Exempt from mandatory disclosure are all complaints, memoranda, correspondence and evidence relating to a criminal investigation (except for "criminal incident information" relating to felonies). The VFOIA Officer should be consulted before refusing to release this information. Commonwealth's Attorneys are specifically defined as law enforcement officials, so criminal investigative materials remain protected when they are turned over to a prosecutor by a law enforcement agency. Such information may be released at the discretion of the Sheriff, but such a discretionary release shall be made only upon completion of a criminal investigation

unless the Sheriff directs otherwise.

2. Non-criminal incident or other investigative reports or materials: Exempt from disclosure are those portions of such reports or materials containing identifying information of a person at medical or financial nature provided to a law enforcement agency where the release of such information would jeopardize the safety or privacy of person(s). Examples of information which can and should be protected under this exemption are: reports of suicide attempts, medical information obtained during unattended death investigations, credit card numbers, and other identifying information recorded on lost property reports, and response to domestic disputes where no violence occurs.
3. Adult arrestee photographs are excluded from disclosure when necessary to avoid jeopardizing an investigation in felony cases; such exclusion continues until such time as release of the photograph will no longer jeopardize the investigation.
4. Reports submitted in confidence to (i) state and local law enforcement agencies, (ii) investigators authorized pursuant to *Code of Virginia § 53.1-16 or § 66-3.1*, and (iii) campus police departments of public institutions of higher education established pursuant to *Code of Virginia § 23-232 et seq.* need not but may be disclosed unless disclosure is prohibited or restricted by law.
5. Portions of records of local government crime commissions that would identify individuals providing information about crimes or criminal activities under a promise of anonymity will not be released. NOTE: *Code of Virginia § 2.1-342.2 E.* expressly provides that the identity of any individual providing information about a crime or criminal activity under a promise of anonymity *shall not* be disclosed.
6. Records involving Neighborhood Watch Programs. The names, addresses, and operating schedules of individual participants in the program that are provided under a promise of anonymity will not be released.
7. All records of persons imprisoned in penal institutions in the Commonwealth provided such records relate to the imprisonment need not but may be released unless disclosure is prohibited or restricted by law.
8. The identity of victims, witnesses, or undercover officer(s), or investigative techniques or procedures need not but may be disclosed unless disclosure is prohibited or restricted under *Code of Virginia § 19.2-11.2*. (See discussion of the "Restrictions on release of certain information" at the end of Section IV. A. 1. herein.)

#### C. Exempt Non-Criminal Records of Law Enforcement Agencies

The following non-criminal records, reports, and documents are, in general, excluded from disclosure under the provisions of the VFOIA:

1. Those portions of non-criminal incident or other investigative reports or materials containing identifying information of a personal, medical, or financial nature provided to a law enforcement agency where the release of such information could jeopardize the safety or privacy of any person. Examples of such information which can and should be protected under this exemption are: reports of suicide attempts, medical information obtained during unattended death investigations, credit card numbers, and other

identifying information recorded on lost property reports, and response to domestic disputes where no violence occurs.

2. Information that reveals investigative techniques or procedures. The Chief has the option to disclose these.
3. Those portions of any records containing information related to plans for or resources dedicated to undercover operations. For example, unmarked undercover vehicles could be excluded from the agency's fleet roster, which would otherwise be releasable.
4. Records of background investigations of applicants for law enforcement agency employment, or other confidential administrative investigations conducted pursuant to law. Examples of this would include internal affairs investigations.
5. Engineering and architectural drawings; operational, procedural, tactical planning or training manuals; or staff meeting minutes or other records which would reveal surveillance techniques, personnel deployments, alarm systems or technologies, or operational or transportation plans or protocols to the extent such disclosure would jeopardize the security or employee safety of any courthouse, jail, detention, or law enforcement facility.
6. Records of law enforcement agencies, to the extent that such records contain specific tactical plans, the disclosure of which would jeopardize the safety or security of law enforcement personnel or the general public. Also included in this exemption are records of emergency service agencies to the extent that such records contain specific tactical plans related to anti-terrorist activity.
7. Any information describing the design, function, operation or access control features of any security system used to control access to or use of any automated data processing or telecommunications system.
8. Computer programs used to process data that may be included within official records.

#### D. Electronic Data

Non-exempted public records maintained by a public body in an electronic data processing system, computer database, or any other structured collection of data shall be made available to a requester at a reasonable cost, not to exceed the actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall be required to produce records from an electronic database in a format not regularly used by the public body. When electronic or other databases are combined or contain exempt and nonexempt records, the public body may provide access to the exempt records if not otherwise prohibited by law, but shall provide access to the nonexempt records as provided in the VFOIA. The excision of exempt fields of information from a database or the conversion of data from one available format to another shall not be deemed the creation, preparation or compilation of a new public record." The designated electronic data shall be released or withheld as follows:

1. Master Name Database: (Information may be released at the discretion of the Chief);
2. Warrant Files (Not to be released)
3. Criminal Arrests (Releasable as outlined above)
4. Traffic Arrests (Releasable as outlined above)
5. Criminal Histories (Not to be released)

6. UCR / IBR (Released as outlined above)
7. Wanted Persons Files (Released at discretion of the Chief)
8. Photographs /Fingerprint Repository (Released as outlined)
9. Crime Analysis Data (Released at discretion of the Chief)
10. Traffic Activities (Released at discretion of the Chief)
11. Crime Trends and Rates (Released at discretion of the Chief)
12. Policy and Procedure Manual of the Aquia Harbour Police Department (Released at the discretion of the Sheriff)

No public body shall be required to create a new record if the record does not already exist. However, a public body may abstract or summarize information under such terms and conditions as agreed to between the requester and the public body.

E. All other records, reports, and documents

All other records, reports and documents not mentioned in the above list shall not be released except under the direction of the VFOIA Officer and/or the Sheriff, unless prohibited by law.

F. Nonexistent Records

The VFOIA only requires disclosure of existing records. It does not require any public body to create a new record or report that does not already exist. Many reporters and other citizens make the mistake of asking for "information" about a particular subject, or of submitting a list of questions for the public body to answer. Even if the answers to these questions can be gleaned from existing records, the VFOIA does not require the public body to abstract or summarize information out of its records. However, a public body may abstract or summarize information under such terms and conditions as agreed between the requester and the public body.

## V. VFOIA OFFICER AND CUSTODIAN OF RECORDS

A. The Chief of Police or their designee shall serve as the VFOIA Officer. Responsibilities of the VFOIA Officer are:

1. Ensure that this policy is updated as necessary in accordance with changes made by the Virginia General Assembly to the VFOIA or with other changes.
2. Maintain a complete record of the requests for information submitted to the Sheriff's Office under the VFO IA as well as the responses to those requests.
3. Monitor the responses provided by agency custodians to ensure that those responses conform with the VFOIA and with agency policy.
4. Maintain a complete written record of all record custodians and alternate records custodians for VFOIA purposes.
5. Report to the Chief instances of non-timely response, unauthorized denial of access, any response by someone other than an authorized custodian, or other violations of law or policy.

B. Custodian of Records

1. The Chief of Police is the ex officio custodian of the records of the Aquia Harbour

Police Department.

2. The Deputy Chief or their designee will routinely respond to the VFOIA requests under the auspices of the Chief of Police. All releases of VFOIA requests must be approved and signed by the Chief or Deputy Chief of Police.

- C. Employees of the Police Department will direct all requests for information to the appropriate official.

All employees will direct requests for information to the VFOIA Officer, Deputy Chief, Chief or their designee. Requests forms for records, reports, and documents shall be maintained by the Administrative Assistant and provided to the requestors as needed.

- D. Violation of Virginia Freedom of Information Act

Employees of the Aquia Harbour Police Department shall comply with the Virginia Freedom of Information Act and this policy. The following acts shall be considered violations of this policy and may result in disciplinary action and/or civil penalties:

1. Refusal to release information as required by state law and this policy.
2. Release of information to the public by employees other than those employees authorized by the Chief to do so.
3. Release of information to the public that is restricted or prohibited by law or by direction of the Chief.

*Code of Virginia § 2.1-346.1* sets forth a minimum civil penalty of \$100.00 and a maximum civil penalty of \$1,000.00 for violations of the VFOIA that are found by the court to have been willfully and knowingly made. A second or subsequent violation is punishable by a minimum civil penalty of \$500.00 and a maximum civil penalty of \$2,500.00.

## **VI. RECORDS DISCLOSURE PROCEDURES AND COST**

- A. Letter of Request

Requestors who wish documents, records and reports must fill out a letter of request form or present a written letter of request. The letter of request shall identify the requested records with reasonable specificity. No mention of the VFOIA is needed.

1. The VFOIA Officer may deem that a copy of single reports and other documents routinely distributed by this Department will not require a written letter of request.
2. The Letter of Request Form shall include a listing of fees to be charged by the public body for its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen. The requestor will be informed that payment will be expected at time of delivery of documents. Failure to pay will prevent requestor from being delivered a copy of requested documents. In any case where it is deemed in advance that charges for producing the requested records are likely to exceed \$200.00, the Police Department may, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the amount of the advance

determination. The deposit shall be credited toward the final cost of supplying the requested records. *Code of Virginia § 2.1-342 F.* provides that "The period [of time] within which the public body shall respond under this section shall be tolled [suspended or stopped temporarily] for the amount of time that elapses between notice of the advance determination and the response of the requester."

3. Cost of Reproduction of Material. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication.

**NOTE: VICTIMS OF CRIMES AND/OR COMPLAINANTS (PERSON WHO REPORTED CRIME) WILL NOT BE CHARGED A FEE FOR THE VFOIA REPORT OR INSURANCE REPORT. PROPER IDENTIFICATION MAY BE REQUIRED BEFORE REPORT IS RELEASED.**

4. Cost of Reproduction of Material. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication.

- a. Documents

- (1) 1 to 5 sheets: \$2.00 per sheet
- (2) General or Insurance Reports: \$3.00 per report
- (3) 6 plus sheets: Cost \$0.50 per sheet – plus \$20.00 per hour of work by employee – minimum of \$10.00 for less than one hour.

- b. Electronic Data / Storage

- (1) Hard Copy: Cost \$0.50 per sheet – plus \$20.00 per hour of work by employee – Minimum of \$10.00 for less than one hour.
- (2) Data Copy: (Hard drive to be provided by requestor) – plus \$20.00 per hour of work by employee – minimum of \$10.00 for less than one hour.

5. These fees can be waived at the discretion of the Chief of Police.

## B. Responses to Letter of Request

Any public body which is subject to the VFOIA and which is the custodian of the requested records shall promptly, but in all cases within five (5) working days of receiving a request, make one of the following responses:

1. The requested records will be provided to the requester.
2. The requested records will be entirely withheld because release is prohibited by law or the custodian has exercised his discretion to withhold the records in accordance with the VFO IA. Such response shall be (i) in writing, (ii) identify with reasonable particularity the volume and subject matter of withheld records, and (iii) cite, as to each category of withheld records, the specific state code section which authorizes the withholding of the records.
3. The requested records will be provided in part and withheld in part because the release

of part of the records is prohibited by law or the custodian has exercised his discretion to withhold a portion of the records in accordance with the VFOIA. Such response shall (i) be in writing, (ii) identify with reasonable particularity the subject matter of withheld portions, and (iii) cue, as to each category of withheld records, the specific state code section which authorizes the withholding of the records. When a portion of a requested record is withheld, the public body may delete or excise only that portion of the record to which an exemption applies and shall release the remainder of the record.

4. It is not practically possible to provide the requested records or to determine whether they are available within the five-work-day period. Such response shall be in writing and specify the conditions that make a response impossible. If the response is made within five working days, the public body shall have an additional seven (7) workdays in which to provide one of the three preceding responses.

#### C. Extension of Time Period for Response to Letter of Request

1. As noted in paragraph 4 in the preceding section, where it is not practically possible to provide the requested records or to determine whether they are available within the five-work-day period and such response (i) is made in writing, (ii) specifies the conditions which make a response impossible, and (iii) complies with the above two requirements and is made within five working days, then the public body shall have an additional seven (7) work days in which to provide the requested records, withhold the requested records entirely (and document reason therefore), or provide requested records in part and withhold in part (and document reasons therefore).
2. Any public body may petition the appropriate court for additional time to respond to a request for records when the request is for an extraordinary volume of records and a response by the public body within the time required by the VFOIA will prevent the public body from meeting its operational responsibilities. However, before proceeding with a petition, the public body shall make reasonable efforts to reach an agreement with the requester concerning the production of the records requested.
3. When it has been determined in advance that charges for producing the requested records are likely to exceed \$200.00 and the Police Department has elected to require the requester to agree to payment of a deposit (not to exceed the amount of the advance determination) prior to continuing to process the request, then the period of time within which the Police Department shall respond under the VFOIA shall be tolled for the amount of time that elapses between notice of the advance determination and the response of the requester.

#### D. Effect of Failure to Respond to Letter of Request

Failure to respond to a request for records shall be deemed a denial of the request and shall constitute a violation of the VFOIA.

#### E. Receipts Log

1. The VFOIA Officer or designee will maintain a receipt log for all documents/records that they release. The receipt will include any charge paid, what documents were released, and to whom. The original receipt shall be maintained by the Police Department and a copy given to the requester.

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2. Money received as payments by VFOIA Officer shall be turned over to the Chief of Police and kept in a secured location until turned over to the business office.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICIES AND PROCEDURES**

**Policy: 14-01 COLLECTION AND PRESERVATION OF EVIDENCE**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*  
Chief of Police

**I. POLICY**

Proper documentation, collection, preservation, and submission of physical evidence to forensic laboratories may provide the key ingredients of any investigation. The crime scene is usually the starting point of a criminal investigation. Through evidence located at the scene, suspects are developed or eliminated, investigative leads are established, and theories concerning the crime are substantiated or disproved. The officer must always be aware that any physical evidence collected might someday have to be presented in court; therefore, it is imperative that each officer carefully process a crime scene to avoid overlooking or contaminating or destroying evidence. Physical evidence appears in many shapes, sizes and forms, thereby necessitating various recovery, preservation, and submission techniques. The officer shall be prepared to collect, identify, and package the evidence so that it will not be changed in form and value when it reaches the laboratory. The officer collecting the evidence shall maintain a chain of custody of that evidence in order to ensure that it is presented to the court professionally and in compliance with the law.

**II. PURPOSE**

The purpose of this general order is to establish responsibilities for officers processing crime scenes and to establish guidelines for the proper documentation, collection, packaging, and submission of physical evidence to the forensic laboratory, and to consider the legal dimension of the use of physical evidence.

**III. PROCEDURES**

A. Responsibilities of the first officer on a crime scene

1. Respond to the scene promptly and safely
2. Protecting the scene to prevent the destruction or contamination of evidence
3. Preparing the original offense report
4. Locating items of evidence
5. Locating witnesses
6. Photographing and sketching the scene when appropriate
7. Collection of physical evidence
8. Preservation and packaging of physical evidence

## 9. Submission of evidence to the forensic lab for analysis

### B. Scene processing by a detective

1. Certain serious offenses may require that a detective process the crime scene.
  - a. If an officer responds to a scene that requires a detective to process the scene; they shall make contact with SCSO supervisor to have then respond to the scene to start that process.

### C. Crime Scene Processing Equipment

1. Officers responding to a crime scene will make a determination of equipment needed for processing. The Police Department shall maintain a complete evidence collection kit to include a camera, film, sketching equipment, fingerprint recovery tools, blood recovery materials, tweezers, scissors, boxes, bags, envelopes, tape, marking tools, evidence tags, and materials for lifting impressions (footprints, tire tracks).
  - a. Each department vehicle is equipped with a preliminary investigation kit for minor crime scene searches.
2. Evidence collected by officers shall be packaged and documented in accordance with proper evidence collection procedures.
3. All property and evidence collected will be logged into the property section of a SCSO report.
4. Evidence that is needing to be maintained and stored shall be turned over to the Stafford County Sheriff's Office for storage.
  - a. Officers that collect evidence needing to be stored shall contact a SCSO supervisor to facilitate that storage.
  - b. Any evidence collected and stored at the Sheriff's Office shall be reviewed on a monthly basis to ensure that it is still needing to be maintained.

### D. Arrival at the crime scene

The following procedures should be followed by the officer on the scene:

1. Officers shall not rush into the crime scene: an armed suspect may still be present. Rushing into the scene may also result in the accidental destruction or contamination of evidence.
2. Officers must first render aid to a victim at the scene, unless the officer must immediately protect himself from a suspect still at the scene. If the officer has probable cause to believe that the suspect committed a felony, he should place him under arrest, search him, and note any spontaneous statements the suspect may make, and advise him of his rights if he is to be questioned further. After rendering aid to an injured person and arresting a suspect, if necessary, an officer will take care to process the crime scene in a manner least destructive to the evidence.

#### E. Protecting the scene

1. The first officer on the scene shall establish a perimeter around the scene and direct assisting officers to help secure the scene.
2. Crime scenes may be secured by the following methods:
  - a. Police Officers
  - b. Barricades, rope, or banner guard used to define area to be protected;
  - c. Signs used to control access

#### F. Notes and Reports – Valuable Records

1. The officer's original notes are his personal and most readily available record of the crime scene. He must refer to those notes to complete any or all other finished reports required of actions taken on the scene of the crime.
2. Types of information the officer should record at the scene include:
  - a. Case number;
  - b. Date & Time of arrival on scene;
  - c. Location of scene;
  - d. Name of victim;
  - e. Name of suspect, if known;
  - f. Actions taken at scene;
  - g. Name of collecting officer.

#### G. Preliminary scene survey

Officer actions at the crime scene should include the following:

1. Observe and record (look but don't touch)
2. Determine nature and extent of crime scene
3. Determine the location of evidence
4. Determine order of collection
5. Duplicate movement of perpetrator, and plan search accordingly
6. Note all existing conditions (lighting, environment)

7. Note items out of place or damaged
8. Note relationship between items
9. Initial rough sketch should be made

#### H. Crime Scene Sketch

Detailed crime scene sketches are normally prepared only in major crimes. Minimum details to be contained in the sketch include:

1. Time and date of preparation
2. Location of offense
3. Location of items of evidence in the scene
4. Location and names of victims, witnesses, and suspect
5. Relationship of the crime scene to other rooms, buildings, or roads
6. Name of the person preparing the sketch
7. Direction of north
8. What lights were on/off
9. What windows were open
10. Radio/television, on or off

#### I. Photographing the scene

At the end of the preliminary scene survey, overall photographs of the scene should be taken.

1. Overall photos should be taken from several different locations
2. If an interior scene, a wide-angle lens should be used
3. Photograph the surrounding area thoroughly

#### J. Midrange Photography

Midrange photography is used to orient the viewer as to the exact location of items of evidence in the scene.

1. If possible, the officer should attempt to include two items of evidence into the field of view. If this is not possible, then a common item (desk, bed, table, etc.) should be included in all the midrange photos.
2. Midrange photos should always be taken with a normal lens to prevent distortion.

## K. Close-up Photography

Before any item of evidence is moved, a close-up photograph should be taken as follows:

1. Fill field of vision with item
2. Take one close-up shot of item with a scale. A ruler in the evidence collection kit can be used for this purpose.
3. The officer can place a strip of masking tape across the face of the ruler, making sure not to cover the measuring increments. Information to be written on the tape includes:
  - a. Item number
  - b. Case number
  - c. Date
  - d. Officer's initials and badge number

## L. Location of evidence measurements

Before collecting any item of evidence, take measurements using triangulation or the coordinate method.

## M. Collection of evidence

When collecting items of evidence, the officer should consider:

1. The use of tongs or tweezers where possible. The officer should avoid touching the item of evidence with his hands or anything that might contaminate the item.
2. Proper order of collection
  - a. The officer should collect perishable evidence first
  - b. If destruction of evidence is not a concern, then the officer should work his way through the scene, collecting in a logical sequence, trying to avoid disruption of other items of evidence.

### 3. Collection of known samples

The forensic laboratory can only compare known items with those showing similar characteristics. Sufficient specimens or controls must be submitted for comparisons of such items as hairs, fibers, paint, glass, soil, and tool marks.

### 4. Documentation of each item collected:

5. All items of evidence that are collected by the officer processing the crime scene will be listed on the Records Management System property page. For each item listed, the following information will be noted on the package of each item:

- a. A complete description of the item (including make, model, and serial numbers, if any);
- b. The source (from whom or location from which the item was obtained);
- c. The name of the person collecting the item

#### N. Packaging of items of evidence

1. The collecting officer should choose a container suitable to the type of evidence he intends to package. Considerations in choosing the proper container include:
  - a. The size and weight of the item.
  - b. Whether the item is moist (which could rot or deteriorate if packaged in plastic or an airtight container). These items should be air dried before being packaged in paper. Moist items should be transported to the Sheriff's Office and transferred to the designated area for evidence drying.
  - c. Wet (soaked) items must be transported immediately to the Sheriff's Office. Upon arrival, the officer will make arrangements for the items to be transferred to the designated area for evidence drying.
2. The officer should avoid any contamination of evidence by packaging all items separately.
3. Fluids or stains shouldn't be allowed to touch and should be carefully rolled in paper.
4. Pack the item to minimize interior movement within the package.
5. Seal the package with tape.
6. The collecting officer shall initial across the seal.
7. All currency shall be stored in a green and clear evidence bag designated for cash with a list of the denominations on the face and then a money tally sheet SSO Form 100-121 shall be completed and placed within. Two officers shall count and both officers shall initial across the seal attesting to the accuracy of the contents.
8. The officer should label the exterior of the package.
9. Whenever possible, the package should be labeled before placing the evidence in it so as not to damage contents while writing on it.

#### O. Latent fingerprinting

When processing the crime scene for latent fingerprints, the officer shall take the following into consideration:

1. The size of the item to be dusted;

2. The type of surface;
3. Potential for destruction if moved. If movement or transporting the object will destroy latent prints, the object should be processed at the scene.

P. Overall measurements

Obtaining of wall, room, and building measurements is one of the last operations to be performed in the processing of the crime scene. The overall measurements are vital in the production of the final crime scene sketch but must be obtained last so as not to damage or destroy items of evidence.

Q. Final organized search

A final, thorough search should be conducted at the crime scene in case evidence may have been overlooked. Wherever possible the use of another officer on a final search is preferred; he may find what has been overlooked.

R. Special Circumstances

1. Weapons

- a. No officer shall, under any circumstances, personally retain custody of any found or confiscated weapon.
- b. Officers bringing weapons into custody shall inspect them to ensure their safe storage. All firearms shall be unloaded before storage.
- c. The recovering officer shall check all confiscated or found weapons against NCIC/VCIN files.
- d. All firearms confiscated and held as evidence shall have a "clearing house form" completed and included with the packaging.
- e. Firearms and knives are to be packaged in corresponding cardboard boxes which can be obtained from the Stafford County Sheriff's Office.
- f. Firearms are to be packaged separately and all firearms will be made safe prior to packaging. The firearms will have the chamber open and blocked to ensure that the firearm is safe.

2. Drugs and Narcotics

- a. All personnel are required to utilize the following procedures with respect to the seizure/confiscation of controlled drugs and narcotics.
  - i. The recovering officer shall ensure against contamination of the suspected narcotic or controlled drug by any other substance or foreign body.
  - ii. All suspected drugs or narcotics must be placed in a plastic evidence bag and then double bagged in a second plastic evidence bag.

- iii. The second plastic evidence bag shall be sealed with the self-adhesive seal with the flap of seal initialed by the officer.
- iv. The front of the second plastic evidence bag shall be completed with the pertinent information.

### 3. Glass Items

- a. When glass evidence items (e.g. smoking devices, glass container with pills, etc..) are collected, the officer shall place that item into a rigid container.
  - i. Rigid containers examples can be as follows:
    - 1) Item placed in sealed plastic evidence bag and then in a sealed cardboard box with evidence tag affixed to the outside.
    - 2) Item placed in a rigid plastic specimen jar and then in a sealed evidence bag with completed information.

### 4. Alcohol

- a. All evidence and property consisting of alcoholic beverages and their containers must be sealed so that there is no chance of leakage while in custody.
- b. It is the Commonwealth's Attorney's opinion and advice that alcoholic beverages seized should not all be considered contraband.
  - i. Contraband alcoholic beverages would be those seized from those persons that are under age, where the person's possession of alcoholic beverages is in itself illegal (refer to Article 4, § 53, 55, 62).
  - ii. Alcoholic beverages seized or recovered which are not contraband or used for evidence, should be returned to owner.

Most cases related to alcohol can be pursued in a criminal proceeding by photographic and testimonial evidence in lieu of seizing bottles of alcohol.

### 5. Recovered Stolen Vehicles

- a. The processing of any recovered stolen vehicle is the responsibility of the Stafford County Sheriff's Office.
- b. Any officer locating a recovered stolen vehicle shall notify SCSO dispatch and request a supervisor respond to the incident location.

## S. Preservation and submission of evidence to the forensic laboratory

### 1. Responsibility for requesting lab examinations

- a. Under normal circumstances, the responsibility for the submission and request for lab examination will lie with the officer who actually processed the scene and took custody of the evidence.

## 2. Preservation of perishable or deteriorating items

- a. When a rapidly deteriorating item of evidence has been collected (for example, a liquid sample of semen, a blood-soaked shirt, etc.), it should be transported to the Stafford County Sheriff's Office as soon as possible.
- b. Any time an officer transports a perishable item to the Sheriff's office for immediate storage, SCSO dispatch should be called first so they can have a supervisor assist with the storage of the item.

## 3. Request for Laboratory Examination

- a. Any evidence submitted to the Divisions of Forensic Science, will be accompanied by a completed Request for Laboratory Examination Form. The Division of Forensic Science automatically will supply written results on all requested examinations.
- b. The bottom part of the request form is reserved for documentation of chain of custody, and must be completed by the relinquishing officer as well as the receiving person at the lab.

## T. Legal requirements

Officers need to understand several important legal principles regarding the legal use of physical evidence. As noted above, officers must exercise a chain of custody of all evidence.

### 1. Definition

A chain of custody is the series of documented links between the time the evidence was obtained until presented in court. The links are officers who handled the evidence, and where and when they did so.

### 2. The most crucial principle for the collection and handling of evidence is the exclusionary rule.

- a. The exclusionary rule requires that evidence seized or discovered in violation of the suspect's Fourth, Fifth, and Sixth Amendment Rights cannot be admitted in court.

**AQUIA HARBOUR POLICE DEPARTMENT  
POLICY AND PROCEDURES**

**POLICY: 15-01 ELECTRONIC DATA COMMUNICATIONS**

**EFFECTIVE DATE: 09/03/2024**

**REVIEW DATE: 06/01/2026**

**AMENDS/SUPERSEDES:**

**APPROVED:**

*Bryan Cameron*

Chief of Police

**I. POLICY**

The availability and use of the personal computer within the work environment have provided many opportunities for enhancement of productivity and effectiveness. These technologies also entail the opportunity for rapid transfer and broad distribution of sensitive information that can also have damaging effects on this agency, its members, and the public if not managed properly. Therefore, it is the policy of this agency that all members abide by the guidelines set forth herein when using personal computers and the services of both internal and external databases and information exchange networks, and where applicable, voice mail, and related electronic messaging devices.

**II. PURPOSE**

It is the purpose of this policy to provide all members of the Agency with guidance on the proper use of personal computers and related electronic messaging systems utilized in this agency for purposes of disseminating electronic mail and utilizing services of the Internet.

**III. DEFINITIONS**

**Electronic Messaging Device (EMD):** For purposes of this policy, electronic messaging devices include Personal Computers (PC), Mobile Data Terminals (MDTs), issued work cellphones, electronic mail systems, voice mail systems, paging systems, electronic bulletin boards and Internet services, mobile digital terminals, and facsimile transmissions.

**Electronic Data Communications (EDC):** For the purposes of this policy, electronic data communication is defined as sending, receiving and/or forwarding emails utilizing an agency owned computer.

## IV. PROCEDURES

### A. General

1. The following procedures apply to all department issued media which are:
  - a. Accessed on or from departmental premises;
  - b. Accessed using department computer equipment or department paid access methods;
  - c. Communications that make reference to the department in a manner; and/or
  - d. Used in a manner that identifies the employee with the department.
2. Officers will not attempt utilize Computer Aided Dispatch System (CAD), LINX, or any other form of electronic data storage, investigative files, personnel files, or general files for queries, review, or access unless there is a need to know related to an employee's official duties. Information obtained or access electronically, in written or printed form, or by any other means from any of these sources by any Aquia Harbour Police Department employee in the performance of their official duties, or by virtue of their official position shall not be released to the public or any other agencies without the approval of the Chief or designee.
3. Transmission of electronic messages and information on communications media provided for employees of this agency shall be treated with the same degree of propriety, professionalism, and confidentiality as official written correspondence, or verbal communication.
4. All EMDs and their contents are property of this agency and intended for the use in conducting official business. Members are advised that they do not maintain any right to privacy on EMD equipment or its contents. The Chief or his designee will monitor information contained on EMDs and may require members to provide passwords to files that have been encrypted or password protected. Any unauthorized use of these devices is subject to revocation and possible disciplinary actions.

### B. Network Server

The Aquia Harbour Property Owners Association maintains a network server that expands the use of personal computers used by the Aquia Harbour Police Department.

This enables uses of personal computers to communicate through electronic mail, access the World Wide Web through the internet, and utilize additional files for data storage and retrieval.

1. Electronic Mail (Email)

- a. Email on the Association's network server is not private and could potentially constitute a public record under the Virginia Freedom of Information Act.
- b. Email messages should be for the purpose of conducting official agency business or communication with outside resources.
- c. Inappropriate email messages may cause an employee to be subject to discipline.
- d. Email messages that received should be deleted after it has served its purpose. E-mail messages that are needed for further use should be moved to a secure location on the hard drive.
- e. Email messages that contain programs that will execute in memory will not be opened and executed on Police Department computers without prior permission in writing from the Chief. Such files may carry viruses capable of causing damage to computer hardware or software.

2. World Wide Web (Internet)

- a. The use of the association server to access the internet must support the organizational objectives of the Police Department.
- b. Police Department members who access the internet must abide by copyright, contract, and other local, state, and federal laws, as well as department policies.
- c. Police Department personnel shall not use EMDs to "browse" any sites containing pornographic material, unless such use is in direct connection with an authorized criminal investigation. Authorization must be obtained in writing form from the Chief before such investigation can commence.
- d. At no time, will programs that will execute memory be downloaded from

the internet or any other online source, without prior permission in writing from the Chief.

#### C. PERSONAL COMPUTER USE (Desktop, Tablet, Laptop)

1. All department personnel will be given training on the proper operation of the personal computer and related software.
2. Police Department members shall understand and comply with the copyright laws and specific license agreements of all association software which they use and which they have access.
3. Maintenance, hardware enhancements, and software are the responsibility of the systems administrator. At no time, will personnel install or remove computer hardware or software without the approval of the systems administrator.
4. No software programs of any type will be loaded into any Police Department computer unless the owner of the software produces the license and obtains approval for the use of the software.
5. Under no circumstances will personnel give or sell a copy of department software to another person. Violation will result in disciplinary actions.
6. At all times, Police Department computers will be available for maintenance and inspection purposes.

#### D. WIRELESS COMMUNICATIONS

Wireless communications refer to all devices that transmit voice, data, or signals via radio signal. These devices include telephones, cellphones, computers, tablets, and radio transmitters.

1. Radio: Police radio transmitters shall be used in the manner prescribed by the communications guidelines as published and directed by the Chief.
2. Departmental Cellular Telephones: These devices are issued to carry out the mission of the Police Department and are not "personal telephones." Personal telephone calls, except from immediate family, under urgent situations, shall not be received on these phones. Officers shall not provide the telephone number of these phones to any person except in the course of business.

- a. Officers should make every effort to refrain from using cellular telephones while operating a vehicle. It is understood that this is not always possible because of the need for information necessary to the work at hand; however, officers should be aware that the operation of the vehicle is the prime responsibility and using a cellular telephone is a distraction.
  - b. Officers are required to keep their work phones on them at all times in the event of an emergency activation of recall.
3. Personal Cellular Telephones: Officers who have personal cellular phones may utilize their personal phones only in conformance with section 2a above. Personal telephone calls, except from immediate family, under urgent situations, shall not be received during business hours.
4. Wireless Computers: As a general policy, officers operating department vehicles equipped with computer terminals should refrain operating these terminals while the vehicle is in motion. There are times, however, when the need for information is critical to the performance of duty. In these cases, officers are advised to use extreme caution when and how they operate the terminal while the vehicle is in motion.
5. Tablets: Officers who are issued tablets may utilize them only in conformance with policies outlined in this regulation.
6. **Any member having any of the above mentioned items shall refrain from using them while in the Stafford County Judicial Center and will keep said devices on silent or vibrate mode.**