



# **DHS PEACE OFFICER GUIDE**

Rules and Regulations  
Department of Homeless Services  
Police Operations



**DHS**

**PEACE OFFICER  
GUIDE**

Rules and Regulations  
Department of Homeless Services  
Police Operations

**ISSUED TO:**

RANK \_\_\_\_\_ NAME \_\_\_\_\_

SS# \_\_\_\_\_ SHIELD # \_\_\_\_\_ DATE \_\_\_\_\_

SIGNIATURE \_\_\_\_\_

**ISSUED BY:**

RANK \_\_\_\_\_ NAME \_\_\_\_\_

SIGNIATURE \_\_\_\_\_

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- II. DHS Absence Control Program – Policies & Procedures
- III. DHS Non-Managerial Performance Evaluation – Policy & Procedure (Rev.02/01)
- IV. NYC Regulations for City Vehicle Drivers
- V. NYC Equal Employment Opportunity Policy

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **100-01****INTRODUCTION**

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**INTRODUCTION:**

The purpose of the Peace Officer Guide for the New York City Department of Homeless Services (DHS) Police Operations:

The DHS Peace Officer Guide provides rules and regulations for DHS Police Operations, promulgated relative to the work assignments and duties, job functions and rules of conduct for peace officers of all ranks.

The provisions contained herein are intended to insure uniformity of methods and procedures, provide basis for guidance and discipline and to enhance the efficient performance of duty. They are designed to guide officers in carrying out the duties and responsibilities imposed by law and DHS.

However no manual or guide can be all-inclusive. Officers are expected to exercise sound judgment using the fundamental principles contained in the mission statement of DHS and the values of peace officers when specific topics are not contained herein.

The material in this guide is classified in major categories and is arranged in loose-leaf form to facilitate the addition and removal of pages when regulations are amended. As new directives are issued or existing procedures changed, officers will be issued revision updates to be inserted in this guide.

This guide, containing the rules and regulations of the DHS Police, is an integral part of the administrative process and represents the exercise of a lawfully delegated function. Any violation can be made the subject of disciplinary action.

Each peace officer is an employee of DHS. The exercise of his / her functions and duties shall be limited to the hours, premises, locations and business of DHS.

Each peace officer is responsible to maintain an updated DHS Peace Officer Guide and to present it upon demand by any ranking officer for inspection. Familiarization and compliance herewith by each member of the DHS Police will not only provide a proper foundation for sound administration and effective, efficient police service, but will enable each officer to fulfill his / her professional responsibilities to the people of the City of New York.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **100-02**

<b>INTRODUCTION</b>			
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**MISSION STATEMENT OF THE DEPARTMENT OF HOMELESS SERVICES:**

**The mission of the Department of Homeless Services is to overcome homelessness in New York City.** DHS prevents homelessness wherever possible and provides short-term emergency shelter and re-housing support whenever needed. These goals are best achieved through partnerships with those we serve, public agencies and the business and nonprofit communities.

**VALUES OF THE DHS PEACE OFFICERS:**

In partnership and with the cooperation of the providers we serve, we pledge to:

- Protect life and safeguard persons on the premises
- Preserve the public peace
- Prevent crime
- Detect, warn and if necessary, arrest offenders
- Guard and protect DHS property
- Enforce laws, ordinances and pertinent regulations
- Demonstrate sound judgment at all times
- Use moderation whenever possible
- Use the minimum amount of physical contact necessary to accomplish the mission
- Maintain a higher standard of integrity than is generally expected of others because much is expected of us
- Value human life, respect each individual and render our services with courtesy, pride and civility.

**MISSION STATEMENT OF THE D.H.S. OFFICE OF SECURITY:**

Our mission, in cooperation and partnership with the providers we serve, is to support the delivery of vital social services by creating the safest environment possible for our clients, staff and the community. We pledge to maintain the public peace, value human life, respect each individual and render our services with courtesy, pride and civility while maintaining the highest standard of integrity.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. 100-03

<b>ROLE OF THE DHS PEACE OFFICERS</b>			
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**I. SECURITY AND EMERGENCY OPERATIONS DIVISION MISSION STATEMENT**

**Our mission, in cooperation and partnership with the providers we serve, is to support the delivery of vital social services by creating the safest environment possible for our clients, staff and the community. We pledge to maintain the public peace, value human life, respect each individual and render our services with courtesy, pride and civility while maintaining the highest standard of integrity.**

**II. ACCESS CONTROL**

*The primary function of the DHS Police at most shelter facilities is access control. By controlling access to the facility, safety can be enhanced by ensuring only authorized persons enter; reducing the possibility of weapons and contraband entering the shelter and keeping other items which are prohibited or dangerous from entering.*

*All persons entering a DHS facility must be properly identified and documented, if necessary. DHS Police, contracted private security guards, shelter program staff, or any combination thereof may perform this function.*

*The screening of persons and their possessions (using metal detectors, x-ray machines and physical searches / pat-downs) is used to reduce the possibility of weapons and contraband entering the facility. **This is clearly the most important duty of DHS officers.** Proper screening is the single most effective way of improving safety and security within the shelters. Officers who become distracted or complacent in performing their screening duties put themselves, clients, shelter staff and visitors in serious danger. The importance of effective screening cannot be emphasized enough.*

**III. MAINTAINING ORDER**

*The secondary function of the DHS Police is order maintenance. In order for the vital social services of this agency to be delivered effectively to clients, order and peace at the facilities must be maintained.*

*Thousands of persons seek shelter and services from the DHS each year. Processing, qualifying and placing these persons in appropriate facilities is, at times, a complex and frustrating procedure for clients. This added stress, coupled with common pre-existing conditions such as mental illness, substance or alcohol dependency and ethnic or cultural differences, often exposes DHS officers to a chaotic, seemingly unending array of crisis and situations.*

*Keeping the peace and maintaining order in such a complex, diverse environment is a challenging, yet rewarding task. Understanding the role of the DHS Police in the social service model is essential.*

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<b>ROLE OF THE DHS PEACE OFFICERS</b>			
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**IV. LAW ENFORCEMENT & SOCIAL SERVICES**

*Unlike most other police agencies, the DHS Police operate within a social service model. We do not serve a strictly a law enforcement function, but rather a function to ensure the safe, secure delivery of vital social services. Our goal is not to arrest all violators of the law, but rather use the law, when appropriate, to maintain safety and security of our facilities so these services can be delivered.*

*There are times when an arrest, though authorized by law, may not be made by a DHS officer. This option is called discretion, and discretion is much more widely used in the social service model than general law enforcement.*

*Officers must understand that this agency may opt to use administrative sanctions in combination with or in place of criminal prosecution, in certain situations.*

*A DHS Police supervisor verifies all arrests made by officers. The supervisor responds to the scene, evaluates the situation and the options available and applies the appropriate law enforcement or social service solution to the incident. If necessary, the supervisor confers with shelter program staff or other administrators to determine the appropriate action to take.*

*Using this system, the delicate balance between law enforcement and social service is effectively maintained.*

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<b>PUBLIC RELATIONS / COMMUNITY POLICING</b>			
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Public relations and Community Policing, as they relate to DHS Police operations is the sum total of the attitudes, impressions and opinions of the clients, staff and general public and their relationship with the peace officers employed by DHS.

The success of the DHS Police in the performance of their duties will most often be measured not by mere crime statistics, but rather by the perception of the safe environment the officers foster and by the degree of support and cooperation they receive by the people at the locations where they serve. It is of paramount importance, therefore, for DHS officers to secure the confidence, respect and approval of the public they serve.

The most important factor in gaining good will and confidence of the public is an attitude of courtesy professionalism and respect. Courtesy, patience and tact are the characteristics of the experienced, competent officer when dealing with clients, staff and the general public.

DHS officers are expected to demonstrate the knowledge, expertise, technique and capacity to provide a wide range of services necessary in a modern social service environment.

Each member of the service must be imbued with a spirit of strong motivation and be prepared by study training and self-discipline to meet the responsibilities of police service. Self confidence is so essential for accomplishment and comes from the experience gained through the diligent performance of duty.

DHS Police personnel must exemplify an attitude of professionalism at all times to garner public approval and praise. The courage an officer displays in moments of danger, or a calm, objective approach at the scene of chaos or disorder, can instantly reassure a traumatized victim. Sympathetic caring when dealing with children or rendering aid to the injured, elderly or infirm begets sincere admiration. Firmness and good judgment in carrying out one's duty will merit public respect.

The people we serve are generally peaceful. While the enforcement of numerous regulations is necessary to ensure the safety, health and comfort of all persons seeking and providing services, an officer who follows the model of using courtesy, professionalism and respect will ultimately be able to enforce such regulations while gaining the understanding, support and admiration of the majority of the person's the officer comes in contact with.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **100-05**

<b>LAW ENFORCEMENT CODE OF ETHICS</b>			
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## **LAW ENFORCEMENT CODE OF ETHICS**

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

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

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

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

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **101-01**

<b>DUTIES AND RESPONSIBILITIES</b>			
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**PEACE OFFICER / DETECTIVE**

1. Perform duty in uniform as directed by competent authority.
2. Proceed to post, vehicle or assignment as directed by supervising officer.
3. Comply with meal and post relieving points as directed by supervising officer.
4. Report to desk officer when entering or leaving police operations during tour of duty indicating reason for presence therein.
5. Be aware of, and inspect, post or assignment for conditions requiring attention.
6. Report immediately to desk or supervising officer any unusual crime, occurrence or condition, dangerous conditions, anything likely to cause public inconvenience, interruption of service or anything of an irregular or offensive nature.
7. Render all necessary police service in his/her assigned area and as otherwise directed.
8. Protect DHS personnel and property as assigned.
9. Operate agency equipment following manufacturer's directions or as instructed.
10. Familiarize self with the everyday routine of people residing, doing business, or frequenting the post.
11. Investigate suspicious conditions and circumstances on the post.
12. Give attention to hazardous conditions.
13. Call the desk, or supervising officer when detained at court or elsewhere.
14. Maintain an activity log as per P.O.G. 113-04 "ACTIVITY LOGS"
15. Preserve completed activity logs and produces them as required by competent authority.
16. Maintain records and submit written reports as directed; report to appropriate headquarters by phone or other system as directed.
17. Monitor portable radio and respond as directed.
18. Do not leave post until you have been relieved or otherwise directed.
19. Patrol posts, which may include institutional ground and DHS property, buildings, surrounding street location or DHS business only.
20. Take necessary action to maintain order, prevent theft, and destruction of property, and guard against acts of vandalism, nuisances and violations of DHS regulations.
21. Submit PEACE OFFICER MONTHLY ACTIVITY REPORT to the designated sergeant by the third day of the month for the previous month.
22. Make arrests on DHS premises only under the following circumstances:
  - a. He / She has reasonable cause to believe that a person has committed an offense in his presence while he / she is on duty and the offense has occurred on DHS premises, locations or business of DHS.
  - b. He / She has reasonable cause to believe that a person has committed a crime on DHS premises, locations, or business of DHS.
23. The exercise of a Special Officer's functions and duties shall be limited to the hours, premises, locations and business of DHS.

**NOTE:**

***The Department of Homeless Services will not indemnify, extend leave credits or overtime compensation to its employees for any off-duty activity. Furthermore, this Agency will not accept liability for any act by a Special Officer not expressly permitted by this manual or which does not take place during the hours of employment or in the place of employment.***

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **101-02**

<b>DUTIES AND RESPONSIBILITIES</b>			
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**RADIO MOTOR PATROL OPERATOR**

1. Operate vehicle only when assigned, properly licensed and designated as an agency Motor Patrol Operator and only for OFFICIAL BUSINESS.
2. Comply with all regulations in CITY VEHICLE DRIVER HANDBOOK and DHS DRIVER'S MANUAL.
3. Inspect vehicle to insure it is in serviceable condition and enter in activity log findings, mileage and amount of fuel in the tank.
4. Wear seat/safety belts at all times.
5. Operate vehicle assigned at a slow, safe rate of speed.
6. Operate vehicle with headlights on at all times.
7. Use AGENCY VEHICLE UTILIZATION RECORD to document each trip, printing clearly each caption. Deliver completed RECORD to supervisor for closing verification and filing and open a new RECORD, when required.
8. Report to Operations Desk dispatcher via radio:
  - a. At beginning of tour, indicating RMP number, operators shield number, vehicle mileage and vehicle condition.
  - b. Immediately prior to each departure of a trip, indicating RMP number, destination and purpose of trip.
  - c. Upon arrival at each destination, indicating RMP number, present location, and current status.
  - d. At end of tour, indicating RMP number, location where vehicle is being secured, vehicle mileage and condition.
9. Do not use vehicle to pursue motor vehicles.
10. Do not operate any portable electronic device (cell phone, blackberry, PDA, mobile computer, etc.) while operating motor vehicle or engage in any activity that distracts attention from the safe and legal operation of the vehicle.
11. Monitor radio and respond when summoned.
12. Obey all traffic control devices and regulations.
13. Park vehicle in legal parking spaces only.
14. Use caution when approaching intersection or making turns.
15. Do not respond to radio runs unless specifically directed by operations.
16. Operate the vehicle for the entire tour or as designated by supervisor.
17. Proceed to an emergency scene with due caution.
18. Take vehicle out of assigned area only when:
  - a. Directed by competent authority,
  - b. Engaged in official business,
  - c. Servicing, repairing or cleaning is required, with permission of supervising officer or Operations Desk dispatcher.
19. Constantly patrol assigned area.
20. Do not unnecessarily leave the vehicle unattended:
  - a. Remove the keys and lock the vehicle.
  - b. Do not leave portable radio or Nextel radiophone in the vehicle.

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**RADIO MOTOR PATROL OPERATOR****(continued)**

21. Sign out vehicle at the beginning of tour and in at the end of tour in command log.
22. Notify supervising officer when vehicle requires scheduled maintenance, repairs or is in need of replacement parts or accessories including tires and lights.
23. Operate vehicle in a manner to avoid injury to person or damage to property.
23. Take care of vehicle and accessories, equipment and tools assigned.
24. Cooperate with other operators of same vehicle to which assigned in care, maintenance cleaning of exterior and interior, fueling, and keeping the vehicle in proper operating condition.
25. Make minor repairs when possible.
26. Deliver the vehicle for regular preventive maintenance inspection as scheduled.
27. Do not tow, or boost another vehicle without specific guidance from supervisor.
28. Perform duties of RADIO MOTOR PATROL RECORDER when none is assigned.

**NOTE:**

*Perform these duties in addition to duties for Peace Officers/Detectives*

*a*

*Wearing safety belts reduces the extent and severity of injuries and saves lives when involved in motor vehicle accident. Therefore, the wearing of safety belts is required by all operators, and passengers in agency vehicles at all times.*

*recorders*

*Agency vehicle operators are responsible for payment and adjudication of all summonses, including parking violations and tow fees, DOT Red Light Violations and associated fines, and penalties received in connection with the operation of an agency vehicle.*

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **101-03**

<b>DUTIES AND RESPONSIBILITIES</b>			
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**RADIO MOTOR PATROL RECORDER**

1. Ride in the front seat of Radio Motor Patrol Vehicle, except when transporting prisoner, emotionally disturbed person, etc. if vehicle is not equipped with passenger partition.
2. Wear seat/safety belts at all times.
3. Monitor and operate two-way radio while vehicle is in motion.
4. Notify Operations Desk dispatcher via radio of the presence of prisoner, emotionally disturbed persons, non-members of the service etc:
  - a. At the time such person enters vehicle, including gender, beginning trip mileage, gender of person and destination.
  - b. Upon arrival at destination and discharge of passenger, including arrival mileage.
  - c. Record all information in ACTIVITY LOG.
5. Prepare all necessary reports and records connected with action taken jointly with operator, while assigned as recorder.
6. Physically exit vehicle and assist/direct operator of vehicle whenever vehicle is operated in reverse gear or any time requested by operator.
7. Do not engage in any activity that distracts the attention of the operator from the safe and legal operation of the vehicle.
8. Assist operator in care, maintenance, cleaning of exterior and interior, fueling, inspection and keeping the vehicle in proper operating condition.

**RADIO MOTOR PATROL VEHICLE PASSENGER**

1. Ride in any seating position of vehicle, excluding the front driver or front passenger seats.
2. Wear seat/safety belts at all times.
3. Do not engage in any activity that distracts the attention of the operator from the safe and legal operation of the vehicle.
4. Assist operator in care, maintenance, cleaning of exterior and interior, fueling, inspection and keeping the vehicle in proper operating condition.

**NOTE:**

*Perform these duties in addition to duties for Peace Officers/Detectives*

*a*

*recorders*

*Wearing safety belts reduces the extent and severity of injuries and saves lives when involved in motor vehicle accident. Therefore, the wearing of safety belts is required by all operators, and passengers in agency vehicles at all times.*



**DHS PEACE OFFICER GUIDE**PROCEDURE No. **101-04**

<b>EMERGENCY OPERATIONS UNIT</b>			
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**TASK FORCE UNIT**

Task Force units are organized within undisclosed patrol locations and specialize in rapid mobilization for police presence and disorder control. The Task Force can quickly respond to an incident location and mobilize to disperse disorderly groups, provide internal & perimeter security or discreet observation outpost(s). The Task Forces also assist other units in a variety of different elements such as in wide area searches for missing persons, escaped prisoners, locker searches, Access Control search checkpoints, and supplemental vertical patrol in high crime shelter facilities. The Task Force Unit is under the direct auspices of the DHS Deputy Commissioner of the Security and Emergency Operations Division/ DHS Police.

Officer/ detective chosen for this unit must exemplify commitment to the agency mission, Integrity, Respect and Civility.

DHS Task Force officers will wear a unique uniform and perform specialized tours as directed by the Deputy Commissioner.

**NOTE:** *Perform these duties in addition to duties for Peace Officers/Detectives*

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **101-04**

<b>EMERGENCY OPERATIONS UNIT</b>			
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**WARRANT ENFORCEMENT SQUAD**

Warrant Enforcement Squad is organized within undisclosed patrol location and specialize in locating, tracking and arresting clients with active warrants, conducting surveillance(s), participating in interagency warrant "sweeps" or raids, following the mandates of the courts and maintain extensive records. Warrant Enforcement Squad is under the direct auspices of the DHS Deputy Commissioner of the Security and Emergency Operations Division/ DHS Police.

Officer/ detective chosen for this unit must exemplify commitment to the agency mission, Integrity, Respect and Civility.

DHS Warrant Enforcement officers will wear a unique uniform and perform specialized tours as directed by the Deputy Commissioner.

**NOTE:**

*Perform these duties in addition to duties for Peace Officers/Detectives*

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **101-05**

<b>CLIENT RELATIONS TEAM</b>			
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**CLIENT RELATIONS TEAM**

Client Relations Team (CRT) consisting of, the client relations officers, tour sergeant(s) and site commander will comprise the Client Relations Team at each command. The goal is to improve relations between DHS Peace Officers, clients, staff and the local community. The client relations officers are bound to the rules of confidentiality. All issues of police corruption or malfeasance that are uncovered will be reported directly to the office of the Inspector General.

Client relations officers will wear a unique uniform and perform specialized tours as directed by the Director of Peace Officers.

The duties of the Client Relations Officer are as follows:

1. Attend Client Advisory Board meetings, client house meetings and facility staff meetings and assist in fostering mutual cooperation, respect and support.
2. Forward a monthly report of meetings, programs and activities to the Assistant Commissioner, including the specific number of tours assigned to CRT duties, through the Client Relations Team Sergeant and Operations Captain.
3. Establish personal contacts with client, staff, civic and community groups within the shelter and vicinity and attend meetings as directed.
4. Perform other client relations duties as directed by site commander or Client Relations Team sergeant.
5. Act as liaison between Client Advisory Boards, clients, staff, community and the site commander.
6. Inform site commander and Client Relations Team sergeant of new/revised activities or incidents that affect client/officer relations.
7. Maintain a close liaison with clients active in shelter activities who serve as "leaders" among client populations.
8. Maintain an open and constructive avenue of communication with other peace officers and supervisors to allow for the exchange of ideas and information between clients/staff/community and peace officers.
9. Maintain daily contact with the tour sergeant to combine efforts for attention to areas of sensitive complaints and the needs of clients.
10. Visit and speak with local community neighbors to address problems and concerns regarding shelter operations.
11. Assist in investigating incidents and conditions that may lead to client unrest.
  - a. Respond to locker searches, disorders and other unusual incidents as directed by competent authority.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **101-05**

<b>CLIENT RELATIONS TEAM</b>			
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**CLIENT RELATIONS TEAM**

12. Assist site commander and facility director in:
  - a. Keeping peace officers and staff members informed of client relations issues.
  - b. Developing and implementing client relations programs and activities.
13. Assist agency training coordinator and Office of Client Advocacy in developing peace officer client relations in-service training, including the use of guest speakers.
14. Maintain liaison with program staff and caseworkers to administer to the needs of special clients.
15. Review the Command Log, Police Service Reports and other command records to maintain a knowledge of incidents or interactions that may require follow-up in order to improve client/officer relations.
16. Assist clients/staff/community in filing formal complaint against peace officers when intervention/mediation by client relations officer and/or supervisor is unable to resolve issue.
17. Perform other duties as directed by platoon sergeant, site commander or other competent authority when staffing levels of peace officers fall below minimum level.

**NOTE:** *Perform these duties in addition to duties for Peace Officers/Detectives*

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **101-06**

<b>FIELTRAINING OFFICER</b>			
Date Issued	Date effective	Revision Number	Page of Pages
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**FIELD TRAINING OFFICER**

The goal is to train new officers to maintain the integrity, professionalism, values and goals of the Department/Agency by assuring that all rules, regulations and laws are followed so, that accountability and public trust are preserved. The secondary goal is to assist in improving existing personnel job performance. By this instruction The Field Training officer supports the Field Training Team to Maintain a relationship between DHS Police and the constituent population by demonstrating courteous and cooperative behavior when interacting with clients, visitors and staff; enthusiastically promoting the Agency's goals and priorities in compliance with all policies and procedures. Field Training team will consist of: all Field training officers, tour sergeant(s) and site commander at all commands. The Field training team will meet once a month to discuss strategies to improve personnel job performance.

Field Training Officers will wear a unique uniform and perform specialized tours as directed by the Director of Peace Officers.

1. The F.T.O. will submit a biweekly or monthly progress report for each person he/she is assigned to train, to the site commander.
2. Instruct in DHS Police & Agency general orders, policies, procedures and protocols.
3. Test officers in NYS laws and ordinances knowledge.
4. Teach proper inspection and care of agency issued equipment.
5. How to conduct patrol in assigned areas.
6. Drill responding to calls regarding assaults, Emotionally Disturbed Persons, intoxication, sexual assaults, burglaries, thefts, aided cases, deceased persons, and client disputes.
7. Perform enforcement, including investigations; apprehends persons for arrest drills.
8. Instruct officers to communicate effectively, both orally and in report writing.
9. Conduct drills in DHS & NYPD Police arrest paperwork and summons.
10. Teach property safeguard protocols and voucher paperwork
11. Evidence handling, collection and NYPD/PETS voucher process.
12. How to provide testimony in formal court proceedings.
13. Locker search procedures at command and at Locker search details off site.
14. Nonintrusive work observation and evaluation.
15. Provide feedback to Sergeants and Command superiors to assist in team development.
16. Serves in a limited supervisory capacity in the absence of the Sergeant or other higher ranking officer.
17. Provides feedback to Inspector General and/or agency Internal Review Board.

**NOTE:**

*Perform these duties in addition to duties for Peace Officers/Detectives*

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **101-07**

<b>DUTIES AND RESPONSIBILITIES</b>			
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**BICYCLE PATROL UNIT**

Bicycle Patrol Unit officers will wear a unique uniform and perform specialized tours as directed by the Director of Peace Officers. The duties of the Bicycle Patrol Officer are as follows:

1. Operate bicycle only when assigned, properly licensed and designated as an agency Bicycle Unit Officer and only for OFFICIAL BUSINESS.
2. Comply with all regulations in DHS Police Bicycle Patrol guidelines and NYS Police Bicycle Training protocols.
3. Inspect bicycle to insure it is in serviceable condition and enter in activity log findings and serviceability.
4. Wear seat/safety helmet at all times.
5. Operate bicycle assigned at a safe rate of speed.
6. Operate bicycle with headlights at times of low light visibility.
7. Report to Command Desk supervisor via radio:
  - a. At beginning of tour, indicating unit number, operators shield number, bicycle and condition.
  - b. Immediately prior to each departure of a patrol, indicating unit number, destination and purpose of patrol.
  - c. Upon arrival at each destination, indicating unit number, present location and current status.
  - d. At end of tour, indicating unit number, location where bicycle is being secured and condition.
8. Do not use bicycle to pursue motor vehicles.
9. Do not operate any portable electronic device (cell phone, blackberry, PDA, mobile computer, etc.) while operating bicycle or engage in any activity that distracts attention from the safe operation.
10. Monitor radio and respond when summoned.
11. Obey all traffic control devices and regulations.
12. Use caution when approaching intersection or making turns.
13. Do not respond to radio runs unless specifically directed by DHS supervision.
14. Operate the bicycle for the entire tour or as designated by supervisor.
15. Proceed to an emergency scene with due caution
16. Take bicycle out of assigned area only when:
  - a. Directed by competent authority,
  - b. Engaged in official business,
  - c. Servicing, repairing or cleaning is required, with permission of supervising officer.
17. Constantly patrol assigned area.
19. Do not unnecessarily leave the bicycle unattended:
  - a. Secure the bicycle only in designated area(s).
  - b. Do not leave portable radio or Nextel radiophone on the bicycle

**NOTE:**

***Perform these duties in addition to duties for Peace Officers/Detectives***

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **102-01**

<b>DUTIES AND RESPONSIBILITIES</b>			
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**SERGEANT - PATROL SUPERVISOR**

1. Supervise all police field operations within the command during tour of duty.
2. Immediately respond to and direct activities at incidents involving any arrests, summons, weapons (firearms, knives, etc.), disputes, serious incidents and emergencies. Make appropriate Activity Log entries.
3. Conduct roll call if directed by platoon commander or requested by desk officer.
4. Confer with site commander, platoon commander, duty supervisor and other supervisors concerning trends observed and other matters of mutual interest and importance.
5. Respond to and conduct investigation of incidents involving injuries to members of the service or damage to agency property.
6. Visit various post locations at different times during tours to ascertain that uniformed members of the service are performing duty satisfactorily.
7. Conduct investigations and submit reports as required.
8. Maintain activity log and make entries listing times, names and assignment of officers/posts visited.
9. Be cognizant of crimes and other conditions within command and instruct peace officers concerning activities that affect their posts.
10. Patrol command in uniform and equipped with a portable radio and Nextel radiophone.
11. Account for and visually inspect all agency vehicles assigned to command each tour and report results to desk officer for documentation in command log.
12. Visit officers assigned to fixed posts, foot patrol and radio motor patrol frequently and at irregular intervals during tour and document visit by reviewing and signing Activity Log of each member.
13. Supervise the Access Control Screening area and officers assigned to that function when not performing other patrol supervisor duties.
14. Insure that radio messages directed to member assigned to vehicle or post are acknowledged.
15. Perform desk duty, or assign a competent officer to desk duty when desk officer is unavailable due to vacation, sick report, etc.
16. Direct RMP units and foot posts to resume patrol when services are no longer required.
17. Report dereliction of duty to the platoon commander or duty supervisor.
18. Keep Desk Officer and/or Platoon Commander notified of current matters of importance.
19. Notify Duty Supervisor and Operations Desk of pertinent information and serious incidents.
20. Notify desk officer of location where meal will be taken and relieve desk officer for meal when designated.
21. Reassign uniformed members assigned to RMP duty/special posts when weather or road conditions make assignment dangerous.
22. Review activity reports of officers, make required entries in timekeeping/payroll records and deliver to the commanding officer.
23. Supervise officer's performance of duty, test officer's knowledge of facility conditions and closely evaluate his activity and submit performance evaluations of the officer's.
24. Submit to commanding officer in writing, recommendations for special assignment, or change in assignment of member under his supervision.
25. Monitor and maintain attendance and punctuality records.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **102-01****DUTIES AND RESPONSIBILITIES**

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**SERGEANT - PATROL SUPERVISOR (continued)**

26. Prepare and maintain bulletin boards and insure that displayed items are current and authorized.
27. Visit all areas of command utilized by peace officers (e.g. access control area(s), male and female locker rooms, restrooms, break or meal rooms, CCTV areas, etc) at least twice per tour (during 1<sup>st</sup> & 4<sup>th</sup> hour) and inspect for cleanliness and serviceability.
  - a. Take immediate corrective actions to address unsatisfactory conditions.
  - b. Inspect for and immediately remove any offensive or inappropriate material posted in areas.
  - c. Inspect the condition of all field equipment, including x-ray machines, walk-through metal detectors, hand-held metal detectors, radiation meters, security signage, and other field equipment for serviceability and general operation and make command log entry of findings.
  - d. Notify Platoon Commander/Duty Supervisor and Operations Desk of any field equipment not in-service or requiring repairs.
28. Distribute Peace Officer Guide Revision notices and other Department directives as required.
29. Schedule adequate coverage of positions under his / her supervision.
30. Perform other assignments as directed by the site commander and /or the duty supervisor.
31. Supervise the preparation and submission of reports using standardized forms, review for accuracy and completeness.
32. Make evaluation of reported acts of outstanding and meritorious performance by subordinate officers and submit reports for agency recognition.
33. Be directly responsible for the discipline and efficiency of patrol staff in enforcing laws and agency rules and regulations.
34. Supervise the fire guard inspections:
  - a. Have inspecting member of the service make all appropriate entries in inspection reports.
  - b. Make command log entry indicating that the fire guard inspections were performed.
  - c. File inspection reports in appropriate location.
35. May make an arrest on DHS property only under the following circumstances:
  - a. He /She has reasonable cause to believe that a person has committed an offense in his/her presence while he/she is on duty and the offense has occurred on DHS premises.
  - b. He/she has reasonable cause to believe that a person has committed a crime on DHA premises.
36. The exercise of a Sergeant's functions and duties should be limited to the hours, premises, locations and business of DHS.

**NOTE:**

*The Department of Homeless Services will not indemnify, extend leave credits or overtime compensation to its employees for any off-duty activity. Furthermore, this Agency will not accept liability for any act by a Sergeant not expressly permitted by their manual or which does not take place during the hour of employment or in the place of employment or locations and business of DHS.*



**DHS PEACE OFFICER GUIDE**PROCEDURE No. **103-01**

<b>DUTIES AND RESPONSIBILITIES</b>			
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**LIEUTENANT-PLATOON COMMANDER**

1. Responsible for all command operations during the tour performed.
2. Perform duties as desk officer as outlined in P.O.G. 102-02 "Sergeant-Desk Officer" when performing duty with only one sergeant on a tour.
3. Perform field duties as specified in step 24 (page 2) when performing duty with two or more sergeants on a tour.
4. Identify conditions to be addressed by members working the platoon on a continuing basis.
5. Allocate all resources available for the platoon including Client Relations Team Officers, Field Training Officers, Radio Motor Patrol Operators and Bike Patrol Officers.
6. Make entry in command log, in own handwriting, when reporting on or off duty, when leaving and returning to site for any reason. Indicate reason and manner of travel.
7. Perform duty in uniform, equipped with portable radio and Nextel.
8. Supervise desk officer and patrol supervisors for compliance with agency directives.
9. Advise and confer with designated site commander and platoon commanders from other tours on matters of importance, unusual arrests or occurrences, personnel and integrity concerns and other conditions requiring attention.
10. Confer with platoon commander or sergeants from previous tour at start of tour, and relieving platoon commander or sergeants at end of tour.
11. Ensure radio transmissions affecting command are monitored at all times.
12. Cause necessary changes or adjustments to roll call assignments at beginning of tour.
  - a. Schedule meal periods for supervisors assigned to the platoon so that a supervisor is available at all times.
  - b. Grant tour changes and excusals for members of the platoon when appropriate.
13. Supervise roll call.
  - a. Personally inspect the outgoing platoon to ensure the personal appearance of members meet agency standards.
  - b. Conduct Roll Call Training.
  - c. Instruct and question members relative to command conditions.
  - d. Ensure members are aware of agency policies and procedures.
  - e. At least once per month, conduct roll call without the presence of squad sergeants and confer directly with officers and detectives regarding issues affecting their rank(s).
14. Ensure all personnel of the platoon are properly supervised and performing duty in a satisfactory manner.
  - a. Evaluate effectiveness of posts and assignments.
  - b. Review performance of officers and confer with squad sergeants as necessary.
  - c. Conduct interviews personally with personnel assigned to the platoon performing in an unsatisfactory manner.
  - d. Review and forward all disciplinary notices prepared by sergeants for action.
15. Prepare quarterly reviews and annual evaluations of platoon sergeants.
16. Inspect the command facility each tour and record results in command log
17. Be responsible for proper maintenance of Police Service Report Index and PSR reports.
18. Evaluate training needs and confer with platoon sergeants and field training officers as required.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **103-01**

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**LIEUTENANT-PLATOON COMMANDER (continued)**

19. Inspect and sign ACTIVITY LOG of sergeants daily.
20. Maintain personal ACTIVITY LOG.
21. Perform duties of LIEUTENANT – DUTY SUPERVISOR when designated by competent authority.
22. FIRST PLATOON-Review reports and forms prepared for the previous twenty-four (24) hours.
23. SECOND PLATOON-Be responsible for maintenance and daily inspection of agency vehicles.
24. Perform the following field duties when designated:
  - a. Divide one's time and movement during tour between the field and command office, as needs dictate.
  - b. Respond to incidents and post assignments unannounced to observe performance of sergeants and officers.
  - c. Confer with program staff regarding facility conditions on a routine basis.
  - d. Respond to and direct police activities at serious incidents and emergencies.
  - e. Ensure that all arrests are verified, processed expeditiously and under proper supervision.
  - f. Perform tour and tasks as designated by competent authority.

**NOTE: The Department of Homeless Services will not indemnify, extend leave credits or overtime compensation to its employees for any off-duty activity. Furthermore, this Agency will not accept liability for any act by a Lieutenant not expressly permitted by their manual or which does not take place during the hour of employment or in the place of employment or locations and business of DHS.**

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **103-02**

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**LIEUTENANT - SITE COMMANDER**

1. Command and be responsible for all police operations at a facility or similar unit, including, but not limited to:
  - a. Proper performance of functions designated for command.
  - b. Efficiency and discipline of personnel under his command.
  - c. Informing members of command of current directives and orders.
  - d. Serviceability, proper care and use of equipment assigned to his/her command.
2. Make entry in command log, in own handwriting, when reporting on or off duty, when leaving and returning to site for any reason. Indicate reason and manner of travel.
3. Upon assignment to command review all personnel records and assignments of officers and supervisors within command.
4. Instruct and frequently test the knowledge of members of command, re; their duties and responsibilities.
5. Investigate and report on conditions and activities of command.
6. Examine and maintain all log books and records of the command. Forward copies of reports, records and documents as directed.
7. Perform duties of LIEUTENANT – PLATOON COMMANDER when performing duty with only one sergeant on the same tour.
8. Perform duties of LIEUTENANT – DUTY SUPERVISOR when designated by competent authority.
9. Make frequent personal inspections of the uniforms, equipment and general appearance of members of the command at outgoing tour changes and on patrol.
10. DO NOT delegate administrative tasks normally reserved specifically for site commanders.
11. Inspect police operations facility frequently to insure cleanliness, orderly condition and that assigned equipment is accounted for and in good condition.
12. Designate manner in which members of command proceed to assignments, e.g. radio motor patrol vehicle, in personal vehicle or on foot.
13. Review activity of members of command each month.
14. Investigate a report of neglect of duty by subordinates.
15. Assign officers proportionately to tours and days off according to the needs of the command. Members having special qualifications are to be assigned to permit the greatest use of abilities.
16. Assign personnel to specific patrol and staff functions, as needed.
17. Design and provide a formal orientation program for newly assigned sergeants, and peace officers including interviews, introductions, and various facility and post conditions, problems, policies, boundaries, crime, local police jurisdiction facilities, area hospitals, etc.
18. Consult with immediate supervisor(s) of member before recommending or granting change of post, tour assignment and promotion.
19. Be thoroughly familiar with confidential performance profile (folder) of subordinate members.
20. Have confidential performance profile (folder) forwarded to member's new commanding officer, in an envelope marked "confidential" when member is transferred.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **103-02**

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**LIEUTENANT - SITE COMMANDER (continued)**

21. Prepare and forward weekly payroll documents as needed. Insure that subordinates are submitting payroll documents in a timely manner.
22. Personally prepare required Command Status (Com-Stat) reports and attend weekly Com-Stat meetings as directed.
23. Monitor the disciplinary process within the command and make recommendations to ranking officers for initiating of formal disciplinary action.
24. Maintain patrol coverage by supervising officers, insuring a supervisor is assigned each tour.
25. Monitor overtime expenditures and maintain accurate records of overtime use.
26. Make entry in command log when reporting on or off duty, when leaving or returning from site for any reason. Indicate reason and manner of travel.
27. Perform duty in uniform, equipped with portable radio and Nextel radiophone.
28. Utilize resources of command to cope efficiently with existent problems and accomplish the mission of the command and the agency. Authorize overtime only when necessary and monitor and distribute overtime fairly among members of the command.
29. Act as the senior problem-solving coordinator for the command. As such, be responsible for:
  - a. Identify operational issues and quality of life problems affecting the command.
  - b. Meet regularly with program staff to discuss identified issues and problems.
  - c. Design a response to the issues utilizing command resources or other agency resources, based on existing practices or protocols.
  - d. Seek suggestions/direction from Command Staff personnel for issues beyond the scope of jurisdiction.
30. Cooperate with other units to accomplish the mission of DHS.
31. Confer at least bi-weekly with the DHS facility director regarding conditions, strategies, policy and other issues relative to police services and site security.
32. Monitor the evaluation process. Review performance evaluations submitted by subordinates carefully and have subordinates justify the rating given to officers assigned to their tours.
33. Prepare written instructions for sergeants and peace officers to be read at roll call.
34. Closely monitor the performance of and personally direct the functions of officers assigned to specialized command assignments, (i.e. Client Relations Team officers, Field Training Officers, Bike Patrol officers and RMP operators.)
35. Act as the command's primary training instructor and coordinate field and formal training programs.
  - a. Confer frequently with command supervisors to identify training needs.
  - b. Implement training directives of peace officer/agency programs.
  - c. Utilize roll call training to instruct officers to resolve issues and problems affecting command.
  - d. Coordinate the assignment of members of the command to training and ensure written notifications are made and acknowledged for assignments to training.
  - e. Maintain attendance records and ensure that all members of the command are trained within each training cycle and maintain status as a NYS Peace Officer AND qualification to carry authorized weapons.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **103-02**

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**LIEUTENANT - SITE COMMANDER (continued)**

36. Supervise the maintenance of the police operations library.
37. Apportion communications equally among sergeants for investigation.
38. Keep platoon commanders and sergeants informed of facility conditions and other pertinent matters.
39. Supervise the bi-annual uniform inspections and verify completion for all members assigned to command.
40. Personally contact members of the command out on leaves of absence or extended sick leave, every 2 weeks, checking officer's status, needs and estimated date of return to work.
41. Verify that "Five Day Letters" are prepared and forwarded for delivery if a member assigned to command fails to report to work for five consecutive tours or shifts. Process copies of letters forwarded as required.
42. Check property log books, property on hand and the disposal of same. Insure property on hand is secured and access is limited to supervisor on duty.
43. Inspect and review sergeant's activity logs.
44. Develop and review facility security plan. Maintain liaison with NYPD personnel assigned to local precinct.
45. Perform duties as desk officer as outlined in P.O.G. 102-02 "Sergeant-Desk Officer" when performing duty with only one sergeant on a tour.
46. May make an arrest on DHS property only under the following circumstances: 1] He /She has reasonable cause to believe that a person has committed an offense in his/her presence while he/she is on duty and the offense has occurred on DHS premises.... 2] He / She has reasonable cause to believe that a person has committed a crime on DHS premises.
47. The exercise of a Lieutenant's functions and duties should be limited to the hours, premises, locations and business of DHS.

**NOTE:**

*The Department of Homeless Services will not indemnify, extend leave credits or overtime compensation to its employees for any off-duty activity. Furthermore, this Agency will not accept liability for any act by a Captain not expressly permitted by their manual or which does not take place during the hour of employment or in the place of employment or locations and business of DHS.*

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **103-03**

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**LIEUTENANT – DUTY SUPERVISOR**

1. Responsible for all police operations, citywide, during the tour performed.
2. Perform duty in uniform, equipped with citywide radio, Nextel radiophone, and patrol in agency vehicle.
3. Make entry in command log, in own handwriting, when reporting on or off duty, when leaving or returning to site for any reason. Indicate reason and manner of travel.
4. Personally confer with outgoing duty supervisor (previous tour) regarding conditions, ongoing incidents, arrests, EDPs etc. and coordinate duty supervisor vehicle transfer.
5. Supervise all personnel performing duty, including Radio Motor Patrol Operators, Task Forces, Operations Desk and special details/assignments.
6. Respond to major incidents or unusual occurrences.
7. Visit all facilities, including task force assignment locations and Operations Desk, when performing patrol duty.
8. Inspect and sign command log of all sites visited.
9. Monitor the assignment of Radio Motor Patrol resources via radio and coordinate with the Operations Desk to ensure efficient and timely transportation operations.
10. Review and approve the re-assignment of extra personnel resources to other commands for the tour to ensure adequate security coverage, when necessary.
11. Keep the Operations Desk advised of the status of police operations and direct appropriate notifications be made to superior officers as necessary.
12. Personally confer with sergeants regarding arrests and summonses issued during tour and verify all such enforcement actions prior to processing.
13. Monitor the status of all prisoners being processed or emotionally disturbed persons in custody of members of the service to ensure efficiency and adherence to established protocols.
14. Confer with NYPD precinct desk officer any time the status of an arrest, EDP, or other enforcement action is changed or voided at the precinct. Respond to the precinct involved, if required. Include details of incident conferral in written report to the Inspector, at the end of the tour or immediately, if warranted.
15. Visit officers assigned to hospital and special posts at least once on each tour.
16. Personally supervise and review the preparation of required agency reports involving workers compensation injuries and vehicle accidents involving agency vehicles and deliver them to the Operations Desk prior to completion of tour of duty.
17. Personally confer with incoming duty supervisor (next tour) regarding conditions, ongoing incidents, arrests, EDPs etc. and coordinate duty supervisor vehicle transfer.
18. Submit report to the Inspector via the Operations Desk at end of tour, including:
  - a. Visits to facilities and supervision of sergeants
  - b. Observations and corrective action taken
  - c. Major incidents or unusual occurrences
  - d. Radio calls/assignments responded to
  - e. Recommendations to improve security / police services.

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**LIEUTENANT – DUTY SUPERVISOR (continued)**

**NOTE:** *Lieutenant-Site Commanders or Lieutenant-Platoon Commanders (if on-duty and working at his/her command) will respond to and perform the duty supervisor functions at situations occurring at their assigned command. Under normal operations, Lieutenant - Duty Supervisors should not need to respond to or supervise operations when a member of the same rank is on duty at their assigned command. Lieutenant-Duty Supervisors may respond to assist their counterparts, if requested or directed by a higher ranking member.*

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **104-01**

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**CAPTAIN – DUTY SUPERVISOR**

1. Responsible for all police operations, citywide, during the tour performed.
19. Perform duty in uniform, equipped with citywide radio, Nextel radiophone, and patrol in agency vehicle.
20. Make entry in command log, in own handwriting, when reporting on or off duty, when leaving or returning to site for any reason. Indicate reason and manner of travel.
21. Personally confer with outgoing duty supervisor (previous tour) regarding conditions, ongoing incidents, arrests, EDPs etc. and coordinate duty supervisor vehicle transfer.
22. Supervise all personnel performing duty, including Radio Motor Patrol Operators, Task Forces, Operations Desk and special details/assignments.
23. Respond to major incidents or unusual occurrences.
24. Visit all facilities, including task force assignment locations and Operations Desk, when performing patrol duty.
25. Inspect and sign command log of all sites visited.
26. Monitor the assignment of Radio Motor Patrol resources via radio and coordinate with the Operations Desk to ensure efficient and timely transportation operations.
27. Review and approve the re-assignment of extra personnel resources to other commands for the tour to ensure adequate security coverage, when necessary.
28. Keep the Operations Desk advised of the status of police operations and direct appropriate notifications be made to superior officers as necessary.
29. Personally confer with sergeants regarding arrests and summonses issued during tour and verify all such enforcement actions prior to processing.
30. Monitor the status of all prisoners being processed or emotionally disturbed persons in custody of members of the service to ensure efficiency and adherence to established protocols.
31. Confer with NYPD precinct desk officer any time the status of an arrest, EDP, or other enforcement action is changed or voided at the precinct. Respond to the precinct involved, if required. Include details of incident conferral in written report to the Inspector, at the end of the tour or immediately, if warranted.
32. Visit officers assigned to hospital and special posts at least once on each tour.
33. Personally supervise and review the preparation of required agency reports involving workers compensation injuries and vehicle accidents involving agency vehicles and deliver them to the Operations Desk prior to completion of tour of duty.
34. Personally confer with incoming duty supervisor (next tour) regarding conditions, ongoing incidents, arrests, EDPs etc. and coordinate duty supervisor vehicle transfer.
35. Submit report to Inspector, via the Operations Desk, at end of tour, including:
  - f. Visits to facilities and supervision of sergeants
  - g. Observations and corrective action taken
  - h. Major incidents or unusual occurrences
  - i. Radio calls/assignments responded to
  - j. Recommendations to improve security / police services.



**DHS PEACE OFFICER GUIDE**PROCEDURE No. **104-01**

<b>DUTIES AND RESPONSIBILITIES</b>
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**CAPTAIN - SITE COMMANDER**

1. Perform duties as listed in P.O.G. 103-02 "Lieutenant-Site Commander" when designated as CAPTAIN –SITE COMMANDER.
2. Schedule and assign LIEUTENANT-PLATOON COMMANDERS to available shifts based on needs of the service.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **104-02**

<b>DUTIES &amp; RESPONSIBILITIES</b>			
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**DEPUTY INSPECTOR - SITE COMMANDER**

1. Perform duties as listed in P.O.G. 103-02 "Lieutenant-Site Commander" when designated as  
DEPUTY INSPECTOR –SITE COMMANDER.
2. Schedule and assign LIEUTENANT-PLATOON COMMANDER to available shifts based on needs of the service.

**DEPUTY INSPECTOR – AREA / BOROUGH COMMANDER**

1. Utilize resources to administer, assign, control, coordinate, discipline, evaluate, guide, motivate, supervise and train all personnel assigned to command(s) to efficiently deliver police / security services and to ensure the mission of the program is achieved.
  - a. Develop plans, establish liaisons and implement strategies in the furtherance of achieving the mission of the commands.
2. Develop plans and strategies for policing special events and details.
3. Supervise performance, assignments and excusals of site commanders to ensure adequate coverage is maintained.
4. Submit report each Tuesday morning to the Deputy Chief showing proposed work schedule for Sunday through Saturday of the following week.
5. Provide formal training indoctrination program for newly assigned site commanders/platoon commanders within the command(s).
6. Conduct investigations and perform other duties as assigned by superiors.
7. Prepare, review and sign reports as required.
8. Oversee all disciplinary matters of command(s) within jurisdiction.
9. Monitor, review and analyze overtime with the goal of maximum utilization of limited resources.
10. Review evaluation process for lieutenants and prepare evaluations for captains.
11. Oversee field operations and administrative operations of all sites within command.
12. Study deployment of personnel and recommend redeployment when indicated.
13. Perform duty in uniform, equipped with portable radio and Nextel radiophone.
14. Make entry in command log, in own handwriting, when reporting on or off duty, when leaving or returning to site for any reason. Indicate reason and manner of travel.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **104-03**

<b>DUTIES &amp; RESPONSIBILITIES</b>			
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**INSPECTOR**

1. Perform duty as the second-highest ranking peace officer in the New York City Department of Homeless Services - Executive Officer to the Deputy Chief and all uniformed ranks.
2. Utilize resources to administer, assign, control, coordinate, discipline, evaluate, guide, motivate, supervise and train all personnel assigned to command(s) to efficiently deliver police / security services and to ensure the mission of the program is achieved.
  - b. Develop plans, establish liaisons and implement strategies in the furtherance of achieving the mission of the command.
3. Develop plans and strategies for policing special events and details.
4. Supervise performance and assignments of site commanders to ensure adequate coverage is maintained.
5. Submit report each Tuesday morning to the Director concerned showing proposed work schedule for Sunday through Saturday of the following week.
6. Be primarily responsible for the development and execution of all training for peace officers of all ranks:
  - a. Coordinate the scheduling of training for newly hired peace officers.
  - b. Coordinate annual refresher training and develop appropriate topics for the available blocks of discretionary training.
  - b. Design, schedule, conduct and review formal training for supervisors of all ranks on an ongoing basis.
  - c. Attend available training seminars on topics appropriate for law enforcement and social service personnel.
  - d. Research and prepare course outlines and lesson plans for all training programs.
  - e. Train and certify as a NYS Police Instructor and maintain qualification while assigned to rank of Inspector.
  - f. Coordinate the designation, assignment and activities of DETECTIVE-FIELD TRAINING OFFICERS.
  - g. Provide formal training indoctrination program for newly assigned site commanders/platoon commanders within the command(s).
7. Review Duty Supervisor Activity Reports.
8. Process Requests for Transfers from officers of all ranks and make recommendations for re-assignment to Deputy Chief.
9. Coordinate the assignment and utilization of agency vehicles assigned to the program and coordinate and assign qualified, licensed officers as Radio Motor Patrol Operators. Provide appropriate training, if available.
10. Conduct weekly Command Status (Com-Stat) Meetings.
11. Conduct investigations and perform other duties as assigned by superiors.
12. Prepare, review and sign reports as required.
13. Oversee all disciplinary matters of command(s) within jurisdiction.
14. Monitor, review and analyze overtime with the goal of maximum utilization of limited resources.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **104-03**

<b>DUTIES &amp; RESPONSIBILITIES</b>			
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**INSPECTOR (continued)**

15. Review evaluation process for captains and prepare evaluations for deputy inspectors.
16. Oversee operations and administrative operations of all sites within command.
17. Study deployment of personnel and recommend redeployment when indicated.
18. Represent the organization at meetings, conferences and ceremonies and liaise with local law enforcement organizations and other agency divisions or city departments, when directed.
19. Perform duty in uniform, equipped with portable radio and Nextel radiophone.
20. Make entry in command log, in own handwriting, when reporting on or off duty, when leaving or returning to site for any reason. Indicate reason and manner of travel.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **104-04**

<b>DUTIES &amp; RESPONSIBILITIES</b>			
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**DEPUTY CHIEF**

1. Perform duty as the highest ranking peace officer in the New York City Department of Homeless Services - Commanding Officer for all uniformed ranks.
2. Utilize resources to administer, assign, control, coordinate, discipline, evaluate, guide, motivate, supervise and train all personnel assigned to the peace officer program to efficiently deliver police / security services and to ensure the mission of the program is achieved.
  - a. Plans, directs and coordinates the activities of peace officer personnel in preserving order, protecting life and property, and enforcing laws and regulations in agency facilities.
3. Supervise performance, assignments and excusals of Inspectors and Deputy Inspectors to ensure adequate coverage is maintained.
4. Submit report each Tuesday morning to the Director showing proposed work schedule for Sunday through Saturday of the following week.
5. Supervise the preparation of the CAPTAINS/LIEUTENANTS WORK SCHEDULE, including the designation of a Duty Supervisor for each tour.
6. Coordinate and monitor special units, including:
  - a. Task Forces
  - b. Client Relations Team
  - c. Operations Desk
  - d. Bike Patrol Unit
7. Review recommendations of the Inspector and approve all transfer requests.
8. Review the development, implementation and effectiveness of in-service training programs.
9. Review reports of investigations submitted by supervising officers.
10. Establish a system for the orderly safeguarding, cataloging and storage of documents and records from police operations and fulfill requests for records from official channels.
11. Prepare, review and sign reports as required.
12. Review all disciplinary matters and make appropriate recommendations to the Director.
13. Monitor, review and analyze overtime with the goal of maximum utilization of resources.
14. Review evaluation process for Deputy Inspectors and prepare evaluations for Inspectors.
15. Oversee field operations and administrative operations of all sites.
16. Study deployment of personnel and recommend re-deployment when indicated.
17. Coordinate recommendations for the purchase of equipment and supplies.
18. Perform duty in uniform, equipped with citywide radio and Nextel radiophone.
19. Make entry in command log, in own handwriting, when reporting on or off duty, when leaving or returning to site for any reason. Indicate reason and manner of travel.
20. Represent the organization at meetings, conferences and ceremonies and liaise with local law enforcement organizations and other agency divisions or city departments.
21. Attend weekly Command Status (Com-Stat) meetings with ranking officers to review operations and communicate directives and policies of the program.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-01**

<b>GENERAL REGULATIONS</b>			
<b>ORDER OF RANK- REQUIRED COURTESIES</b>			

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**ORDER OF RANK**

1. The order of rank in the DHS Police service is:
  - a. Commissioner
  - b. Deputy Commissioner
  - c. Assistant Commissioner
  - d. Director
  - e. Deputy Chief
  - f. Inspector
  - g. Deputy Inspector
  - h. Captain
  - i. Lieutenant
  - j. Sergeant
  - k. Peace Officer/Detective
2. Honorary Chaplains and Honorary Surgeons have the ceremonial rank of Inspector.
3. Seniority in rank among members of the same rank is determined by date of hire in that rank or title.
3. At an incident, the senior uniformed member will direct and coordinate police operations pending the arrival of a supervisor.
4. Supervisory officers will respond to all incidents. They will assume command of the incident, make necessary notifications to the Operations Desk and keep ranking officers (lieutenants and above) informed of all facts.
5. Ranking officers will respond to all serious or sensitive incidents, and the highest ranking officer at the scene will assume command. He/she will conduct the investigation or direct remediation of the situation and keep the Operations Desk and senior executives of the division informed of all facts.

**REQUIRED COURTESIES**

1. Tender and return hand salute as prescribed by U.S. military regulations.
2. Salute:
  - a. Commissioner, Deputy Commissioner, Assistant Commissioner and Director in civilian clothes.
  - b. Supervisory officer in uniform
  - c. United States Flag as it passes
  - d. Police desk when entering command
3. Salute flag when national anthem is played. If flag is not visible, face band, etc. and salute.
4. Supervisory officers return hand salute promptly. Persons in civilian attire shall not return hand salute.
5. Salute is not required at large assemblies except when addressed by or addressing a supervisory officer. Salute is not required if it interferes with police duty.
6. Remove hat and stand at attention in the office of Commissioner, Deputy or Assistant Commissioner, Director or ranking officer.
7. Order "Attention" when Commissioner, Deputy or Assistant Commissioner or Director, or Deputy Chief enters room unless otherwise directed.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-02**

<b>GENERAL REGULATIONS</b>			
<b>COMPLIANCE WITH ORDERS- FITNESS FOR DUTY</b>			

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**COMPLIANCE WITH ORDERS**

1. Be familiar with contents of DHS Peace Officer Guide and revise as directed
2. Obey lawful orders and instructions of supervisory officers.
3. Be governed by orders affecting another rank when temporarily assigned to perform the duties of that rank, except as otherwise indicated.
4. Be punctual in reporting for duty, reporting to assignments and other scheduled appearances.
5. Maintain required certifications and licenses, including NYS Peace Officer certification, including authorization to carry all required weapons, fireguard or fire safety coordinator license and NYS driver's license, if designated as an agency vehicle operator.
6. Keep agency locker neat, clean and secured with approved combination lock (without identifying serial number or master key over-ride.)
7. Affix rank, name and shield number to outside of locker.
8. Provide commanding officer with a telephone number and residence address for the purposes of emergency notifications and update any changes immediately.
9. Always request appointment with Commissioner, Deputy or Assistant Commissioners or Director prior to appearing at office.

**FITNESS FOR DUTY**

1. Be fit for duty at all times while working or when reporting for work.
2. Do not consume intoxicants while in uniform, on duty in uniform or civilian attire or in an agency facility.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-03**

<b>GENERAL REGULATIONS PERFORMANCE ON DUTY</b>			
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**PERFORMANCE ON DUTY**

1. Perform tours of duty with regular days off as prescribed by the Site Commander, any notices to report shall have the force and effect of orders.
2. Shall without delays, proceed to locker area, prepare for tour of duty by wearing prescribed uniform of the day, body armor and carrying required equipment.
3. Record attendance using prescribed agency procedure. (Punch time clock or utilize electronic system).
4. Report to roll call and receive instructions from Site Commander, supervising officers or other competent authority.
5. Familiarize him/herself with location conditions by examination of bulletin board and current orders prepared during his/her absence or since his/her previous tour of duty.
6. Promptly obey all lawful orders and perform all duties as directed by the Site Commander, supervising officer or other competent authority.
7. Proceed directly to post.
8. Inspect post and all accessible areas.
9. Immediately report to his/her supervisor anything of an irregular or offensive nature, anything likely to cause public inconvenience, disruption of service or any dangerous conditions.
10. Patrol all areas of his/her assigned post.
11. Remain on post until properly relieved, unless otherwise ordered.
12. Take meal period in area designated, when remaining in DHS facility.
13. Make accurate, concise entries in Department records in chronological order, without delay using black ink. Do not skip lines or pages.
14. Sign Department records or forms with full first name middle initial and surname.
15. Make corrections on Department records by drawing an ink line through incorrect matter. Enter correction immediately below and initial change.
16. Use numerals when entering dates on department forms, e.g., 12-01-99.
17. Answer telephone promptly stating in a courteous manner: DHS Police, command, rank or title and surname.
18. Be responsible for humane treatment and safekeeping of prisoners in custody or detained in department facility over which member has control.
19. Maintain Department property issued or assigned for use in serviceable condition.
20. Deliver recovered property, property removed from a prisoner, an emotionally disturbed person, intoxicated or incapacitated person to the desk officer of police operations were obtained unless otherwise directed.
21. Announce presence before entering a locker room, dormitory, lavatory, utilized by members of the opposite sex, except in an emergency. In addition, be accompanied by member of said opposite sex, if practicable.



**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-03**

<b>GENERAL REGULATIONS PERFORMANCE ON DUTY</b>			
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**PERFORMANCE ON DUTY**  
(continued)

22. Operate department vehicles only when assigned and designated an agency Motor Vehicle Operator.
23. Be constantly alert, noting everything that occurs within sight or hearing.
24. Familiarize him/herself with the location of fire alarm boxes, telephones (public and facility), fire extinguishers, first aid kits and other emergency controls on post.
25. Become acquainted by sight with all persons employed or conducting business in the post area.
26. Perform patrol unless otherwise directed, or assigned a fixed post.
27. Inspect entire post without unnecessary delay, noting any conditions requiring his/her attention or other patrol action.
28. Prevent any unauthorized person who has in his possession a dangerous weapon, as defined in the Penal Code, to enter or remain on the premises of the location.
29. Prevent unauthorized persons from entering or remaining in agency' premises not open to the public.
30. A DHS Officer shall not be excused for meal for a period over 30 minutes during his/her tour.
31. The meal periods assigned for each post shall be rotated daily.
32. A DHS Officer attending court, appearing before a Grand Jury, District Attorney, etc., shall take his meal period during the time the court or the other body recesses for that purpose if at that time his case is not on or scheduled.
33. A DHS Officer, who takes his meal period and remains on DHS premises, shall not consider himself relieved from his/her obligations during this meal period.
34. When an officer is relieved by another officer at the end of tour, meal period or other relief, he/she shall, upon being relieved, transmit to the relieving officer all information pertaining to the post or assignment, and record the rank, name and shield, time and date.
35. Courteously and clearly state your rank, name, shield number and command, or otherwise provide them, to anyone who requests you to do so.
36. Be courteous and respectful at all times.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-04**

<b>GENERAL REGULATIONS PROHIBITED CONDUCT</b>			
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**PROHIBITED CONDUCT**

1. Consuming intoxicants in uniform, whether on or off duty or when on duty in civilian attire.
2. Bringing or permitting an intoxicant to be brought into an agency building, facility, booth or vehicle, except in the performance of duty.
3. Entering premises serving intoxicants, except for meal period or performance of duty.
4. Carrying a package, umbrella or cane, etc. while in uniform, except in performance of duty.
5. Riding in any vehicle, except agency vehicle to which assigned, while on duty in uniform, except when authorized or in an emergency.
6. Using agency or police logo for any reason, (including the production of business cards, parking permits, plaques, stickers or any items of clothing) unless authorized by the Deputy Commissioner in writing.
7. Wearing any item of apparel, on or off duty, which contains an agency or police logo or shield, or identifies the wearer with the NYC Department of Homeless Services Police, unless approved by the Deputy Commissioner in writing.
8. Displaying any agency or police logo, patch, plaque, sticker, card or item of clothing in a private vehicle or any other location for any reason.
9. Remaining in DHS facility past expiration of his/her tour.
10. Engaging in card games, use of any gaming device(s) or other games of chance while on duty or in an agency facility.
11. Engaging in illegal gambling while on duty or in an agency facility.
12. Holding lengthy or idle conversations with officers assigned to adjoining posts or with others that distract attention or affect performance of duties.
13. Operating any personal electronic device (mobile phone, blackberry, PDA, audio/video device, computer, etc.) while on duty, except when on meal period or authorized break.
14. Intentionally making a false official statement.
15. Using discourteous or disrespectful remarks regarding any person's ethnicity, race, gender or sexual orientation.
16. Divulging or discussing official business, except as authorized.
17. Engaging in conduct prejudicial to good order, efficiency or discipline of the agency.
18. Chewing gum or using tobacco in any form in public view while in uniform.
19. Occupying seat in a public conveyance, while in uniform, to the exclusion of paying passenger(s).
20. Rendering any service for private interest, while in uniform or while using any agency property or equipment to do so.
21. Possessing or displaying police shield or identification card or similar object, except for official duty or authorized by the Deputy Commissioner in writing.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-04**

<b>GENERAL REGULATIONS PROHIBITED CONDUCT</b>			
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**GENERAL REGULATIONS - PROHIBITED CONDUCT (continued)**

22. Using agency telephones, computers or other equipment except for official business.
23. Interfering with or attempting to influence the lawful business of any person on the agency's premises.
24. Sleeping, lounging or loafing while on duty.
25. Advising clients/applicants about social services procedures. The officer may however give general information or directions related to social services offered.
26. Knowingly associate with any person or organization:
  - a. Advocating hatred or oppression of, or prejudice toward, any racial or religious group.
  - b. Disseminating defamatory material
  - c. Reasonably believed to be engaged in, likely to engage in, or to have engaged in criminal activities
  - d. Preventing or interfering with the performance of duty.
27. Making recommendation for or concerning any person or premises to any government agency in connection with issuance, revocation or suspension of any license permits.
28. Using personal card describing peace officer, or police operation business, address, telephone number or title except as authorized by the Deputy Commissioner.
29. Carry, possess or store any firearm, while on duty or in uniform or on agency premises, except those firearms authorized by the agency, and when properly trained and certified.
30. Carry, possess or store any weapon or device capable of causing injury, while on duty or in uniform or on agency premises, except those weapons authorized by the agency, and when properly trained and certified.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-05**

<b>PERFORMANCE ON DUTY PERSONAL APPEARANCE</b>			
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**PERSONAL APPEARANCE**

1. Be neat and clean.
2. Keep the uniform and equipment clean, well pressed and in good repair. Shoes must be shined and will not display a clearly visible company name or logo.
3. Keep uniform securely buttoned.
  - a. When short-sleeved shirt is worn, the top collar button may be left unbuttoned but all other buttons shall be fastened.
4. Prevent non-uniform items from showing above the uniform collar or below the sleeve.
  - a. Shirt sleeves must not be rolled up or folded.
5. Wear cap squarely on head, with center of visor directly over nose.
  - a. No hair is to show beneath the visor of the cap.
  - b. Caps must be worn when assigned to fixed posts, patrol or details.
  - c. Caps may be removed when riding in an agency vehicle.
  - d. Peace officers and detectives assigned to inside posts in uniform have the option of removing the cap during the period May 15 to October 15.
6. Wear hair of the head neatly groomed and tapered to the general shape of the head.
  - a. All regulations apply equally to male or female officers.
  - b. When in uniform, regardless of whether or not as cap is being worn, hair will not be worn so it falls over the eyebrows or reach the collar.
  - c. Extreme hair coloration of a non-natural shade is prohibited.
  - d. The length and bulk of the hair should not interfere with the wearing of headgear.
7. The hairstyle should allow for the uniform cap to be worn squarely on the head, without visible bulk.
8. Necessary hair holding devices, if used, must be unadorned and plain and be transparent or similar to the color of the hair. All such devices must be unobtrusive and concealed as much as possible. Hair scarves, beads, bows, large or decorated fabric covered elastic bands, clips or other similar ornamental items are not permitted.
9. Keep sideburns closely trimmed and not extending below the bottom of the lobe of the ear.
10. An officer shall have mustaches neatly trimmed and not extending beyond the corner of the mouth nor drooping below the corner of the mouth.
11. Officers must be clean-shaven. Beards, goatees and clefs are not permitted.
12. In the interest of safety, do not wear jewelry, rings, necklaces, bracelets, earrings, body piercings or other personal adornments while on duty, on any part of the visible body.
  - a. A wristwatch with a band of a conservative color, such as navy, black, brown, yellow or white metal or similar colors may be worn.
13. Fingernails must be neatly trimmed and extend no longer that ¼ inch from the fingertip.
  - a. Nail polish may be worn only if it is clear or of a natural or conservative color.
  - b. Designs or decorations on nails are prohibited.
14. Only cosmetics of a natural or conservative color/amount shall be permitted.
15. Eyewear will be of conservative style and color. No neon or brightly colored frames may be worn. Eyeglass straps may be worn, but must be black.
16. All visible tattoos must be covered, either by cosmetics, uniform items (long sleeve shirt and tie) or by sports wraps of a neutral or skin-toned color.
17. When performing duty in civilian attire, (e.g. training, court, etc.) wear appropriate casual business attire that presents a professional law enforcement image.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-06**

<b>GENERAL REGULATIONS USE OF FORCE</b>			
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**I. PURPOSE**

To provide guidelines to DHS Peace Officers regarding the use of force and ensure that each use of force is properly reported and documented.

**II. POLICY**

The primary duty of all DHS Peace Officers is to protect human life, including the lives of individuals being taken into custody. The federal and state standards by which use of force is measured is based on the basic premise of objective reasonableness. The amount of force that is used by officers shall be the amount of force that is objectively reasonable under the circumstances for the officer involved to effect an arrest, prevent an escape, or in defense of themselves or others. If the force used is unreasonable under the circumstances, it will be deemed excessive and in violation of Agency policy.

When appropriate and consistent with personal safety, DHS Peace Officers will use de-escalation techniques to safely gain voluntary compliance from a subject to reduce or eliminate the necessity to use force. In situations in which this is not safe and/or appropriate, DHS Peace Officers will use only the reasonable force necessary to gain control or custody of a subject.

All DHS Peace Officers are responsible and accountable for the proper use of force. The application of force must be consistent with existing law and with Agency policies, even when Agency policy is more restrictive than state or federal law. Depending on the circumstances, both federal and state laws provide for criminal sanctions and civil liability against law enforcement officers when force is deemed excessive, wrongful, or improperly applied. Excessive force will not be tolerated. DHS Peace Officers who use excessive force will be subject to Agency discipline, up to and including dismissal.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-06**

<b>GENERAL REGULATIONS USE OF FORCE</b>			
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**III. DEFINITIONS**

**DE-ESCALATION** - Taking action in order to stabilize a situation and reduce the immediate threat so that more time, options, and/or resources become available (e.g., tactical communication, requesting a supervisor, an/or additional officers). The goal is to gain the voluntary compliance of the subject, when appropriate and consistent with personal safety, to reduce or eliminate the necessity to use force.

**OBJECTIVELY REASONABLE STANDARD** – An objective standard used to judge an officer’s actions. Under this standard, a particular application of force is judged through the prospective of a reasonable officer facing the same set of circumstances, without the benefit of 20/20 hindsight, and be based on the totality of the facts that are known to that officer at the time that the force was used.

**EXCESSIVE FORCE** – Use of force deemed by the investigating supervisor as greater than that which a reasonable officer, in the same situation, would use under the circumstances that existed and were known to the officer at the time force was used.

**PHYSICAL INJURY** – Impairment of physical condition or substantial pain.

**SERIOUS PHYSICAL INJURY** – Physical injury that creates a substantial risk of death, or causes death, or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.

**CHOKEHOLD** – A chokehold shall include, but is not limited to, any pressure to the throat or windpipe, which may prevent or hinder breathing or reduce intake of air.

**ACTIVE RESISTING** – Includes physically evasive movements to defeat an officer’s attempt at control, including bracing, tensing, pushing, or verbally signaling an intention to avoid or prevent being taken into or retained in custody.

**ACTIVE AGGRESSION** – Threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.

**PASSIVE RESISTANCE** – Minimal physical action to prevent an officer from performing their lawful duty. For example, a subject failing to comply with a lawful command and stands motionless and/or a subject going limp when being taken into custody.

**RESISTING ARREST (NYS PENAL LAW)** – A person is guilty of resisting arrest when he/she intentionally prevents or attempts to prevent a police officer or peace officer from effecting an authorized arrest of themselves or another person.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-06**

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**IV. DETERMINING THE OBJECTIVE REASONABLENESS OF FORCE (includes, but not limited to)**

- a. The nature and severity of the crime/circumstances
- b. Actions taken by the subject
- c. Duration of the action
- d. Immediacy of the perceived threat or harm to the subject, the officer, and/or bystanders
- e. Whether the subject is actively resisting custody
- f. Whether the subject is attempting to evade arrest by flight
- g. Number of subjects in comparison to the number of officers
- h. Size, age, and condition of the subject in comparison to the officer
- i. Subject's violent history, if known
- j. Presence of hostile crowd or agitators
- k. Subject apparently under the influence of a stimulant/narcotic, which would affect pain tolerance or increase the likelihood of violence.

**V. PROHIBITED USES OF FORCE****DHS Peace Officers shall not:**

- a. Use a chokehold
- b. Use any level of force to punish, retaliate or coerce a subject to make statements
- c. Use any level of force on handcuffed or otherwise restrained subjects unless necessary to prevent injury, escape or to overcome active physical resistance or assault. A Conducted Energy Device (CED) should never be used in CARTRIDGE or DRIVE STUN mode on a rear-cuffed prisoner as per P.G. 105-09, "Use of Conducted Energy Device (CED)."
- d. Connect or tie rear-cuffed hands to cuffed or restrained ankles or legs
- e. Transport a subject facedown
- f. Use force to prevent a subject from swallowing alleged controlled substance or other substance, once a subject has placed suspected controlled substance in his or her mouth, or forcibly attempt to remove substance from subject's mouth or other body cavity.

**NOTE:** Any violations of the above force prohibitions may be reviewed on a case-by-case basis by DSS Legal to determine whether, under the circumstance, the actions were reasonable and justified. The review may find that, under exigent or exceptional circumstances, the use of the prohibited action may have been justified and within guidelines.

When a DHS Peace Officers observes or suspects that a prisoner has ingested a narcotic or other dangerous substance, the prisoner will be transported from the place of arrest **DIRECTLY** to the nearest hospital facility.

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**VI. DUTY TO INTERVENE**

All DHS Peace Officers must intervene to stop another officer from using excessive force. Failure to intervene in the use of excessive force, or report excessive force, or failure to request or to ensure timely medical treatment for an individual is serious misconduct that may result in criminal and civil liability and will result in Agency discipline, up to and including dismissal. If a DHS Peace Officer becomes aware of the use of excessive force or failure to request or to ensure timely medical treatment for an individual, the officer must report such misconduct to their immediate supervisor, DHSPD Management and/or DSS Legal.

**VII. PROCEDURE** (When an officer must gain compliance, control, or custody of an uncooperative subject)**DHS PEACE OFFICER**

1. Take necessary action to protect life and personal safety of all persons present, including subjects being taken into custody.
2. Utilize de-escalation techniques when appropriate and consistent with personal safety, which may reduce or eliminate the need to use force and increase the likelihood of gaining the subject's voluntary compliance.
3. Isolate and contain the subject, if appropriate.
4. Immediately request the site supervisor to respond, as soon as appropriate and safety permits.
5. Request additional officers, as necessary, to control situation.
6. Comply with *P.G. 110-02, "Mentally Ill or Emotionally Disturbed Persons,"* if the subject is acting in a manner that would lead the officer to believe that the subject is emotionally disturbed or under the influence of a mind-altering substance.

**NOTE:** *The officer should consider whether a subject's lack of compliance is a deliberate attempt to resist, or alternatively, an inability to comply, resulting from factors including, but not limited to, medical condition, mental impairment, developmental disability, physical limitation, language barrier, and/or drug interaction.*

**SUPERVISOR ON SCENE**

7. Assume command of the incident and coordinate the use of de-escalation techniques, if appropriate and consistent with officer safety.
8. Direct tactics to minimize the possibility of injury to officers, the subject, or bystanders.



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**DHS PEACE OFFICER / SUPERVISOR ON SCENE**

9. If the use of de-escalation and conflict resolution techniques fail to persuade an uncooperative subject to cooperate, the supervisor/officer present should, if appropriate and consistent with officer safety:
  - a. Advise the offender that he/she will be charged with the additional offense of resisting arrest
  - b. Devise a tactical plan with officers present to restrain the subject while minimizing the possibility of injury to the officers, the subject, and bystanders
  - c. Advise the offender that physical force or other devices (e.g., O.C. pepper spray, baton/asp, Taser) will be used to handcuff/restrain him/her before applying such force, if appropriate.

***NOTE:** Officers should not use O.C. Pepper Spray, Conducted Energy Device, or impact weapons on persons who are passively resisting.*

10. Apply no more than the reasonable force necessary to gain control.
  - a. Avoid actions that may result in chest compression, such as sitting, kneeling, or standing on a subject's chest or back, thereby reducing the subject's ability to breathe.
11. Assess the situation continually and adjust the use of force as necessary.

**DHS PEACE OFFICER**

12. Rear-cuff the subject, when practical.
  - a. If it is safer for the officer and the subject, the officer may front-cuff the subject initially, and then rear-cuff as soon as it is practical and safety allows.
  - b. If the officer has difficulty rear-cuffing a subject, Agency issued leg restraints or Velcro straps to immobilize the legs of a subject may be used as an effective tactic to gain control, limit the subject's ability to flee or harm other individuals, and allow the subject to be safely rear-cuffed with minimal force.

***NOTE:** If available, Agency issued alternative restraining devices should be used to restrain, or further restrain, subjects whose actions may cause injury to themselves or others.*

13. Position the subject to promote free breathing, as soon as safety permits, by sitting the person up or turning the person onto his/her side.
14. Observe the subject closely for injuries, signs of serious illness, or difficulty breathing.
15. If the subject is injured or ill, ensure subject receives proper medical attention.
16. Ensure subject receives immediate medical attention and provide first aid, if appropriate and properly trained, if subject is having difficulty breathing or demonstrates any potentially life-threatening symptoms or injuries.
17. Notify immediate supervisor and/or the duty supervisor regarding the type of force used, the reason force was used, and injury to any person involved.

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**VIII. REPORTING****DHS PEACE OFFICER**

18. Whenever any level of force is used, inquire if the subject requires medical attention and document response to inquiry in **ACTIVITY LOG and POLICE SERVICE REPORT**.
19. Document use of force in **ACTIVITY LOG and POLICE SERVICE REPORT**.

**IX. INVESTIGATION****DUTY SUPERVISOR**

20. Respond to the scene and conduct preliminary investigation.
  - a. Interview witnesses, including staff and clients
  - b. Review and obtain copy(s) of CCTV footage
  - c. If CED is used, comply with *P.G. 105-09 "Use of Conducted Energy Device (CED)"*
21. Immediately notify Zone Commander and DHS Management of the findings.
22. Generate a "**NON-LETHAL RESTRAINING DEVICE REPORT**", if not already completed.
  - a. If "Non-Lethal Restraining Device Report" was prepared, review for accuracy.
23. Contact DHS Operations to obtain a log number
  - a. Forward copy of "Non-Lethal Restraining Device Report", with log number.
24. Prepare report on typed letterhead, addressed to DHS Management.
  - a. Include preliminary findings and recommendations as to whether the use of force was within Agency guidelines and the tactics used by the involved member(s) were consistent with DHS Police Guidelines.
25. Sign and forward original report with the "Non-Lethal Restraining Device Report" to DHS Management.
  - a. Email a copy to DHS Management, Zone Commander, DHS Integrity Control Officer and Assistant Integrity Control Officer.
  - b. Summary of what happens after the report is received by DHS Management, et al.

**DHS MANAGEMENT**

26. Review investigative findings and confer with DSS Legal for final determination whether use of force was appropriate and in accordance with this procedure.
  - a. Report results of review to the Deputy Commissioner, DSS.
  - b. Recommend modification to existing training/tactics or the need for additional training relative to the use of force, when appropriate.
  - c. Recommend referral for disciplinary action in cases of inappropriate use of force, when appropriate.



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**NON-LETHAL RESTRAINING DEVICE REPORT (GRAPHIC)**



**NYC DHSPOLICE  
11-001  
NON-LETHAL RESTRAINING DEVICE REPORT**

**OPSDESK LOG #**

Date:	Time:	Command:	Type:	<input type="checkbox"/> Arrest	Device:	<input type="checkbox"/> Pepper Spray	
				<input type="checkbox"/> EDP		<input type="checkbox"/> Velcro Straps	
PSR #:	Location:					<input type="checkbox"/> Inside	
						<input type="checkbox"/> Outside	
Arrest #:	Pct:	Charges:					
Aided #:	EMS #:	Hospital:	Doctor's Name:		Status	<input type="checkbox"/> Admitted	
						<input type="checkbox"/> T & R	

**Supervisor Utilizing / Authorizing Device:**

Rank:	Last Name:	First Name:	Tax #:	Command:
Pepper Spray Serial #:		# of Bursts:	Duration:	Distance:
				Water Flush: ? Yes ? No
Velcro Straps Used:	<input type="checkbox"/> Chest/Arms	<input type="checkbox"/> Wrists	Other Restraints:	
	<input type="checkbox"/> Legs	<input type="checkbox"/> Ankles		

**EDP /Prisoner Information:**

Last Name:	First Name:	Age:	Sex:	DOB:
Address:	City:	State:	Zip:	Phone:
Client HA #:	Other ID:	Height:	Weight:	Build:

**Describe Actions of EDP / Prisoner Prior to Device Use:**

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**Describe Actions of EDP / Prisoner Post Device Use:**

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**Report Prepared By:**

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-07**

<b>GENERAL REGULATIONS OFF DUTY CONDUCT IN UNIFORM</b>			
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**CONDUCT WHEN OFF DUTY IN UNIFORM**

1. Whether worn on or off duty, the uniform of the Department of Homeless Services Peace Officer is a symbol of a professional law enforcement organization and its wearer's conduct must be representative of that image and standard at all times.
2. When attending or participating in parades, funerals, memorial services and other law enforcement related events in uniform, even when off duty, officers must:
  - a. Obtain written permission from their commanding officer prior to attendance.
  - b. Immediately report any corruption or serious misconduct observed.
  - c. Conduct themselves as if they were on duty.
  - d. Follow directions of ranking officers of this agency, if present.
  - e. Respect, cooperate with and follow the direction of personnel from other law enforcement agencies when present in that agency's jurisdiction.
  - f. If in a supervisory rank, never abrogate supervisory responsibilities, and take immediate and appropriate actions to address misconduct or inappropriate behavior by subordinates.
  - g. Wear uniform only for the duration of the official event, and change into civilian attire as soon as the event is over.
  - h. Do not wear uniform to parties, dinners, fund raising or social events, even after a parade, funeral, official event etc.
  - i. Be aware that any action taken while off duty, even if in uniform, may not be indemnified by the City of New York.
  - j. Assume all responsibility and liability associated with attending an event when off duty, even if in uniform.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-08**

<b>GENERAL REGULATIONS</b>			
<b>PUBLIC CONTACT</b>			

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**REQUIRED CONDUCT**

1. Courteously and clearly state his/her rank, name and shield number and command, or otherwise provide them, to any person requesting them.
2. Be respectful in his/her contact with others. Exercise tact, patience and courtesy under all circumstances, whether on patrol, conducting investigations, interviewing complainants, answering the telephone, personal inquiries or issuing instructions.
3. Refrain from talking for publications, being interviewed or making public speeches or statements or rendering personal opinions pertaining to official business, except as authorized.
4. Superior officers shall, by example, demonstrate and instruct subordinates in proper department and desirable attitudes in their dealings with the public and each other.

**PROHIBITED CONDUCT**

1. Using discourteous or disrespectful remarks regarding another person's ethnicity, race, religion, gender, gender identity/expression, sexual orientation or disability.
  - a. Members shall address the public using pronouns, titles of respect, and preferred name appropriate to the individual's gender identity/expression as expressed by the individual. The term "gender" shall include actual or perceived sex and shall also include a person's gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the legal sex assigned to that person at birth.
  - b. Generally, when addressing a person based on acquired identifying documentation, and either 1) such person provides their preferred name distinct from the name provided on the documentation or 2) there is reason to know the person's legal name is different than provided in the documentation, the DHS Peace Officer should address the person using their new legal name or preferred name. If the documentation could be associated with the person's previous legal name, this information should be used for confirmation of the identity of the person, but should not be used to address the person, particularly in a public space.
2. Knowingly associate with any person or organization:
  - a. Advocate hatred, oppression or prejudice based on race, religion, gender or sexual orientation.
  - b. Disseminating defamatory material.
  - c. Engaged in, likely to engage in or to have engaged in criminal activities.
  - d. Preventing or interfering with performance of duty.
3. Divulging or discussing Department business, except as authorized.
4. Engaging in conduct prejudicial to good order, efficiency or discipline of the Department.
5. Making recommendation for or concerning any policies, eligibility requirements, programs or other available social services to clients or applicants for services of the Department, except for referring them to the appropriate staff person or office for said matter.
6. Smoking in public view while in uniform.
7. Using a personal card describing police business, address, telephone number, email address, title/rank except as issued/authorized by the Department.
8. Rendering any service or giving advice, making promises or false statements which interferes with proper performance of official duties.
9. Possessing or displaying police shield, ID card, placard, permit, patch, insignia or other object except as authorized by the Deputy Commissioner.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-09**

<b>USE OF CONDUCTED ENERGY DEVICE (CED)</b>			
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**I. PURPOSE:** To inform DHS Peace Officers of circumstances under which a Conducted Energy Device may be intentionally used and to record instances when a Conducted Energy Device has been used, intentionally or accidentally.

**II. SCOPE:** To provide for control and use of a Conducted Energy Device:

A Conducted Energy Device (“CED”) can be an effective means of subduing suspects and emotionally disturbed persons (“EDPs”) in a safe manner. A CED is classified as a less lethal device and is intended to provide a greater margin of safety for officers who might otherwise be forced to physically subdue a dangerous subject. Use of a CED constitutes physical force under the New York State Penal Law. Use of a CED is proper when used in accordance with Article 35 of the New York State Penal Law and agency policy.

A CED should only be used when a Peace Officer reasonably believes it is necessary to affect an arrest of an actively resisting suspect; for self-defense or defense of another from unlawful force, or to take an actively resisting emotionally disturbed person into custody. In many cases, a CED will reduce or eliminate the need for substantial physical force to effect an arrest or gain custody. It will often reduce the potential for injuries to officers and suspects that may result from physical restraint and it should be regarded as a possible alternative to such force and restraint, where practical.

A CED shall not be used in Probe/Deployment Mode or Drive Stun Mode in situations that do not require the use of physical force or when a person is rear cuffed. A CED may be used in arrest or custodial restraint situations where physical presence and/or verbal commands have not been, or would not be, effective in overcoming physical resistance.

Officers are not authorized to carry or use the CED during off duty hours, unless authorized by NYPD Management.

**III. DAILY TASER DISTRIBUTION:**

**A. SUPERVISOR/ASSIGNED DISTRIBUTION OFFICER**

1. Distribute Tasers to command personnel
2. Prior to assignment, inspect CED to ensure operability.
  - a. Point CED in safe direction.
  - b. Remove cartridge from CED.
  - c. Place safety in the “off” position.
  - d. Ensure the laser is visible, battery status light indicates device is energized, and camera is operable.
  - e. Conduct spark test.
  - f. Replace battery as necessary.
  - g. Re-inspect CED after battery pack is replaced.
  - h. Place safety in the “on” position.
  - i. Attach cartridge to CED.
3. Make appropriate entries in Taser Utilization Log. Taser Utilization Log pages will be headed as follows:

**THURSDAY APRIL 17<sup>th</sup> 2018**

RANK	FIRST NAME	LAST NAME	TASER SERIAL #	CAMERA #	CARTRIDGE #	TIME OUT	SIGNATURE	TIME IN	SIGNATURE
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**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-09****USE OF CONDUCTED ENERGY DEVICE (CED)**

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**SUPERVISOR/ASSIGNED DISTRIBUTION OFFICER (CONTINUED)**

4. Make entries in the Command Log accounting for all Tasers assigned to the command.

**EXAMPLE:**

0750	All Tasers are assigned and accounted for as follows:
	Taser # 12345 is assigned to SGT John Doe
	Taser # 23456 is assigned to PO Jane Doe
	Taser # 45678 is secured at command

5. At conclusion of member's tour, collect CED and make appropriate entries in Taser Utilization Log and Command Log to account for return of CED.

**B. ALL DHSPD PERSONNEL ASSIGNED A TASER**

1. CED must be carried in an approved holster, attached to the duty/equipment belt on the side of the non-dominant hand, and secured to person. The Taser will be worn to cross drawn.
2. Make an Activity Log entry when a Taser is signed out and signed back in, include the Taser serial number and condition of the Taser.
3. Inform immediate supervisor if Taser and/or camera requires repair/replacement.

**IV. VERBAL AND VISUAL WARNINGS:**

A verbal warning of the intended use of the CED should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is for the following:

1. Provide the individual with a reasonable opportunity to voluntarily comply.
2. Provide other officers and individuals with a warning that a CED may be deployed.

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and practical under the circumstances, the officer may, but is not required to, display the electrical arc (provided there is not a cartridge loaded into the CED) or the laser in a further attempt to gain compliance prior to the application of the CED. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision. The fact that a verbal and/or other warning was given or reasons it was not given shall be documented by the officer deploying the CED.

**V. USE OF THE CED:**

As with any law enforcement equipment, the CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely approach the subject within the operational range of the CED. Although the CED is generally effective in controlling most individuals, officers should be alert to the potential for failure and be prepared with other options. CEDs should only be used against person(s) who are actively physically resisting, exhibiting active physical aggression, or to prevent individuals from physically injuring themselves or other person(s) actually present. The Taser should be aimed at center mass and not pointed at any person's head. Officers will not discharge two (2) CEDs simultaneously on a subject.

The Taser is a non-lethal weapon that can injure an individual if not handled properly. The weapon should never be pointed at in anyone's direction while being tested. The weapon should never be pointed at a DHS Officer or any other person that does not pose an imminent threat to you or another. The weapon should remain off and holstered all other times.

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**A. FACTORS TO DETERMINE REASONABLENESS OF FORCE:** The application of the CED is likely to cause intense, but momentary, pain. As such, officers should carefully consider and balance the totality of circumstances available prior to using the CED including, but not limited to, the following factors:

- a. The conduct of the individual being confronted (as reasonably perceived by the officer at the time).
- b. Officer/subject factors (i.e., age, size, relative strength, skill level, injury/exhaustion, number of officers vs. subject(s)).
- c. Influence of drugs/alcohol (mental capacity).
- d. Proximity of weapons.
- e. The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- f. Time and circumstances permitting, the availability of other options (what resources are reasonably available to the officer under the circumstances).
- g. Seriousness of the suspected offense or the reason for contact with the individual.
- h. Training and experience of the officer.
- i. Potential for injury to citizens, officers and suspects.
- j. Suspect's history of violence, if known.
- k. Risk of escape.
- l. Other exigent circumstances.

**B. APPLICATION OF THE DEVICE:** Authorized personnel may use the CED when circumstances known to the individual officer at the time indicate that such application of the CED is reasonable to control a person in any of the following circumstances:

- a. The subject is violent or physically resisting.
- b. The subject who, by words or actions, has demonstrated an intention to be violent or to physically resist and who reasonably appears to present the potential to harm officers, him/herself, or others.
- c. Absent meeting the conditions set forth in (a) or (b) above, or a reasonable belief that an individual has committed or threatened to commit a serious offense, mere flight from pursuing officers shall not serve as good cause for the use of the CED to apprehend an individual.

When practicable, the officer should give a verbal warning of the intended use of the CED device followed by a reasonable opportunity to voluntarily comply.

The officer must be able to articulate a reasonable belief that other available options appeared ineffective, impractical or would have presented a greater danger to the officer, the subject or others.

CEDs will not automatically stop all subjects, and even when it does incapacitate, the effects are temporary. Officers should therefore be ready to use appropriate restraint options and tactics.

The CED shall not be used to torture, psychologically torment, elicit statements or to punish any individual. It is strictly prohibited to use the CED on persons as a form of coercion, punishment and/or who passively resist (e.g. – going limp, offering no active physical resistance).



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- C. MULTIPLE APPLICATIONS OF THE DEVICE:** When a CED is used against a subject it shall be for one (1) standard discharge cycle and the officer using the CED must then reassess the situation. Only the minimum amount of cycles necessary to place the subject in custody shall be used.

However, if the first application of the CED appears to be ineffective in gaining control of an individual and if circumstances allow, the officer should consider the following before additional applications of the CED:

- a. Whether the probes or darts are making proper contact.
- b. Whether the application of the CED is interfering with the ability of the individual to comply.
- c. Whether verbal commands, other options or tactics may be more effective.

This, however, shall not preclude any officer from deploying multiple, reasonable applications of the CED device on an individual.

- D. SPECIAL DEPLOYMENT CONSIDERATIONS:** The use of the CED should generally be avoided in the following situations unless the totality of the circumstances indicate that other available options reasonably appear ineffective, impractical, or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the CED:

- a. Pregnant females;
- b. Elderly individuals or obvious juveniles;
- c. Individuals who are handcuffed or otherwise restrained;
- d. Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any flammable material; or
- e. Individuals whose position or activity may result in collateral injury (e.g. falls from height, operating vehicles).

**NOTE:** Because the application of the CED in the drive-stun mode (i.e. direct contact without darts) relies primarily on pain compliance and requires close proximity to the subject, additional caution should be exercised. The application in drive-stun mode should be limited to brief applications in which pain compliance would reasonably appear necessary to achieve control.

- E. TARGETING CONSIDERATIONS:** While manufacturers generally recommend that reasonable efforts should be made to target lower center mass and to avoid intentionally targeting the head, neck, chest and groin, it is recognized that the dynamics of each situation and officer safety may not permit the officer to limit the application of the CED darts to a precise target area. When practical, discharge the CED at the subject's back. The CED should not be intentionally aimed at an individual's groin. Officers should take prompt and ongoing care to monitor the condition of the subject if one or more darts strikes the head, neck, chest or groin until he/she is released to the care of paramedics or other medical personnel.

**NOTE:** Officers should be aware of the line of sight of the attached camera during use of the CED. **Any purposeful attempt to block the camera will result in disciplinary action.**

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**F. PROTOCOL AFTER USING CED:**

1. Restrain individual and secure CED.
  - a. Effect arrest of criminal suspect against whom CED was used, for crime which initiated use of the CED. Add resisting arrest charge, when appropriate.
  - b. Comply with **Peace Officer Guide 112-09, "Release of Prisoners,"** if arrested person did not commit the crime or no crime was committed.
  - c. Comply with **Peace Officer Guide 110-02 "Mentally Ill or Emotionally Disturbed Persons,"** when appropriate.
2. Request response of Emergency Medical Service (EMS), if person received a CED discharge.
  - a. Any person who has been struck by a CED dart or who has had a CED used on him or her in touch stun mode must be examined at a medical facility.
3. Render reasonable aid as necessary.
4. Break the CED wire by hand approximately four (4) to six (6) inches from the dart, taking into account the circumstances including the status of the subject.
  - a. Any dart that has penetrated the skin of any person will only be removed by a certified instructor or medical personnel.
5. Safeguard CED cartridge.

**NOTE:** If a CED was discharged and the darts did not make any contact with the subject (e.g. skin, clothing, etc.), the wire connecting the dart to the cartridge may be broken by hand. The dart portion shall be disposed of in a 'sharps' container and the spent cartridge may be disposed of in the trash and not invoiced. An investigation will still be conducted by the Duty Supervisor regarding the use of the CED.

**VI. DUTIES OF OFFICERS, SUPERVISORS & OTHER PERSONNEL (POST-CED USE):****A. ASSIGNED OFFICER**

1. Ride in the body of the ambulance with prisoner or aided.
2. Inform EMS and hospital staff that a CED has been used on the individual.
3. Photograph points of contact on subject's body resulting from CED darts or touch stun.
  - a. Photos should be taken in a manner to maintain the subject's privacy when appropriate (e.g., behind curtain, private room, etc.)
4. Prepare ON LINE BOOKING SYSTEM ARREST WORKSHEET (**PD 244-159**) and MEDICAL TREATMENT OF PRISONER (**PD 244-150**) in arrest situations.
5. Complete the AIDED REPORT WORKSHEET (**PD 304-152b**) in non-arrest situations (e.g., EDP).
  - a. List the time, doctor's name and diagnosis under "Details" caption.
6. Prepare PROPERTY CLERK'S INVOICE WORKSHEET (**PD 521-141a**).
  - a. Cartridge used will be placed in a Plastic Security Envelope, include photographs, when applicable.
  - b. Ensure PROPERTY CLERK'S INVOICE number is documented on appropriate forms prepared.

**NOTE:** Darts will not be invoiced but should be disposed of in a 'sharps' container by medical personnel. Officers should refrain from handling a dart that has been removed from a subject.

**B. SUPERVISOR ON SCENE**

1. Take command of the incident.
2. Notify Operations Desk and request the response of the Duty Supervisor.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-09**

<b>USE OF CONDUCTED ENERGY DEVICE (CED)</b>			
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3. Make appropriate command log entries and notifications to program staff.
  4. Identify witnesses and record names in command log and on "Police Service Report."
  5. Prepare a "Non-Lethal Restraining Device Report" and "Police Service Report."
  6. Forward completed "Non-Lethal Restraining Device Report" and copies of all other forms to the Operations Desk by the completion of tour.
- C. DUTY SUPERVISOR**
1. Respond to the scene and conduct preliminary investigation.
    - a. Interview witnesses, including staff and clients
    - b. Review and obtain copy(s) of CCTV footage
  2. Immediately notify Zone Commander and DHS Management of the findings.
  3. Generate a "Non-Lethal Restraining Device Report", if not already completed.
    - a. If "Non-Lethal Restraining Device Report" was prepared, review for accuracy.
  4. Contact DHS Operations to obtain a log number
    - a. Forward copy of "Non-Lethal Restraining Device Report", with log number.
  5. Prepare report on typed letterhead, addressed to DHS Management.
    - a. Include preliminary findings and recommendations as to whether the use of the CED was within DHS Police Guidelines and the tactics used by the involved member(s) were consistent with DHS Police Guidelines.
  6. Sign and forward original report to DHS Management.
    - a. Email a copy to DHS Management, Zone Commander, DHS Integrity Control Officer and Assistant Integrity Control Officer.
  7. Secure Conductive Energy Device from supervisor on the scene or member involved.
    - a. Document chain of custody on Transmittal Form.
  8. Place the Conductive Energy Device inside a sealable property/evidence bag.
    - a. Include the following copies: CCTV video, Non-Lethal Device Report, Type Letterhead of Preliminary Investigation, all associated documents (Command Log, PSR, memo books entries) and Transmittal Form.
  9. Seal the Property Evidence Bag
    - a. Staple the original Transmittal Form and a copy of the "Non-Lethal Restraining Device Report" to the outside of the Property Evidence Bag.
    - b. Have Conductive Energy Device delivered to Security Office at 33 Beaver Street, to be placed in the safe awaiting pickup by the DHS Integrity Control Officer or Assistant.

**When the CED is deployed in CARTRIDGE or DRIVE STUN mode, the Supervisor on scene/Duty Supervisor will secure the CED so the device can be uploaded for review.**

- D. OPERATIONS DESK OFFICER**
1. Maintain a log of all arrest and aided incidents where a CED was discharged.
    - a. Assign a consecutive serial number to each discharge incident.
    - b. Record pertinent details in appropriate captions in log; include date, time, arrest or EDP, command of occurrence, discharging officer name, supervisor on scene name, duty supervisor name, and recording officer name.
  2. Produce and forward copies of reports and documents, as appropriate.
  3. File original reports and documents in a location available for review as needed.
  4. Transmit informational email to NYPD Management, Zone Commander, responding Duty Supervisor and Site Commander, include pertinent details of the incident.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **105-09****USE OF CONDUCTED ENERGY DEVICE (CED)**

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**E. INTEGRITY CONTROL OFFICER/ASSISTANT**

1. Retrieve CED Device from safe
  - a. Document Chain of custody on the Transmittal Form.
2. Deliver CED to DHS OIT for footage download.
3. Review all CED footage downloaded from the device.
  - a. Notify DHS Management of investigative findings and recommendations.
  - b. Prepare report of findings and recommendations, addressed to DHS Management

**F. NYPD MANAGEMENT**

1. Review investigative findings and confer with DSS Legal for final determination whether use was appropriate and in accordance with this procedure.
  - a. Report results of review to the Deputy Commissioner, DSS.
  - b. Recommend modification to existing training/tactics or the need for additional training relative to the use of a CED, when appropriate.
  - c. Recommend referral for disciplinary action in cases of inappropriate use of the CED, when appropriate.

**VII. MEDICAL TREATMENT:**

Absent extenuating circumstances or unavailability, only qualified, trained personnel, including certified Officer and paramedics, should carefully remove CED darts from a person's body. Used CED darts shall be considered a sharp biohazard, similar to a used hypodermic needle. Universal precautions should be taken accordingly.

If the CED darts have penetrated a sensitive area (head/neck/groin/breast), they should be removed only by trained medical personnel. All persons who have been struck by CED darts or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- a. The person is suspected of being under the influence of controlled substances and/or alcohol.
- b. The person may be pregnant.
- c. The person reasonably appears to be in need of medical attention.
- d. The CED darts are lodged in a sensitive area (e.g., groin, female breast, near the eyes).
- e. The person requests medical treatment.

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death and should be examined by qualified medical personnel as soon as practicable. Any individual exhibiting signs of distress after such an encounter shall be medically cleared prior to booking.

If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included if possible. The transporting officer shall inform any person receiving custody or any person placed in a position of providing care that the individual has been subjected to the application of the CED.

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**VIII. TRAINING:**

In addition to the initial department-approved training required to carry and use a CED, any personnel who have not carried a CED as a part of their assignment for a period of six months or more shall be recertified by a department approved CED instructor prior to again carrying or using the device. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Coordinator. The Training Coordinator should ensure that all training includes the following:

- a. A review of this policy;
- b. A review of the Use of Force Policy [Peace Officer Guide 105-06]
- c. Target area considerations, to include techniques or options to reduce the intentional application of probes near the head, neck, chest, and groin;
- d. De-escalation techniques; and
- e. Removal of probes from non-sensitive areas as a result of a deployment.

**IX. ANNUAL AND BI-ANNUAL INSPECTION:**

The designated Equipment Coordinator shall conduct a complete inspection and inventory of all Department CED's annually and report to NYPD Management, via chain of command. Such inventory may be conducted during monthly Department training.

**X. ADDITIONAL DATA**

If the preliminary investigation uncovers evidence of misconduct or misuse (including accidental discharges), the member will not be permitted to carry a Taser until the investigation is complete and the member has received re-training, when deemed appropriate. The only CED authorized for use is the type issued to peace officers by DHS. ***Officers are not permitted to alter the CED or the attached camera in any way.***

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **106-01**

<b>GENERAL UNIFORM REGULATIONS</b>			
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**GENERAL UNIFORM REGULATIONS**

1. Maintain, at own expense, such articles of uniform and equipment prescribed for his/her rank, position and duty.
2. Utilize annual allowance to assist in the purchase, maintenance and replacement of such articles.
3. Wear uniform only after inspected by supervisor or competent authority.
4. Do not modify prescribed uniform in any manner except when specifically authorized by higher authority.
5. Do not wear distinguishable items of uniform with civilian clothing.
6. Do not wear uniform, shield, or display identification cards while participating in a rally, demonstration or other public assemblage except as authorized by the agency.
7. Wear uniform of the day or other uniform specified by Duty Supervisor.
8. Wear department issued protective gloves at all times when conducting searches, screening for weapons or handling contraband.
9. Wear protective vest at all times when in uniform.
10. While performing duty in public (indoors or outdoors) in uniform, wear regulation seasonal hat, shirt, trousers and all required equipment.
11. Wear the prescribed uniform when appearing in court, or at the office of a captain or above, director, assistant commissioner, except if off duty, on sick report, or if excused by competent authority.
12. Wear optional short sleeved uniform shirt and remove cap when assigned indoors and directed by the duty supervisor:
  - a. Between the period May 15 and October 15.
  - b. When the temperature for a specific tour is predicted to be 70 degrees Fahrenheit or above.
13. Purchase regulation uniforms, hats, holsters, raingear, jackets, insignia, belts and all other items of uniform which are sewn or attached to the uniform, only as authorized.
14. Wear shield and nameplate at all times while in uniform on outermost garment.
15. Wear nameplate ¼ inch below and centered under shield on outermost garment.
16. Wear authorized breast bars at all times while in uniform
17. DHS Peace Officers are responsible for the proper care and authorized use of his/her uniform.
18. The uniform shall not be altered in any way except to assure proper fit.
19. Uniforms shall be kept cleaned and pressed and in good serviceable condition, with the leather and metal portions suitably cleaned and polished.
20. While performing office duty, a member of the force shall wear regulation uniform with tie, unless otherwise authorized by competent authority.
21. DHS Peace Officers shall wear the prescribed uniform, including insignia and emblems, and carrying the prescribed equipment while on duty except when assigned to special units or when otherwise excused by competent authority.
22. No distinguishable part of the uniform shall be worn in public with civilian clothing.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **106-02**

<b>UNIFORM CLASSIFICATIONS</b>			
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**DRESS UNIFORM – CLASS “A”:**

8 POINT CAP  
 SUMMER BLOUSE  
 LONG SLEEVE SHIRT  
 REGULATION TIE  
 DRESS TROUSERS  
 HIGH GLOSS SHOES  
 WHITE GLOVES

**PATROL UNIFORM, WINTER – CLASS “B”:**

8 POINT CAP  
 LONG SLEEVE SHIRT  
 REGULATION TIE  
 DUTY TROUSERS  
 BLACK SHOES  
 DUTY BELT  
 PROTECTIVE VEST  
 DUTY GLOVES

OPTIONAL ITEMS:

V-NECK SWEATER OVER SHIRT  
 DUTY JACKET  
 TURTLENECK SHIRT AND DUTY JACKET  
 INCLEMENT WEATHER GEAR  
 BLACK BOOTS  
 TACTICAL PANTS

**PATROL UNIFORM, SUMMER – CLASS “C”:**

8 POINT CAP  
 SHORT SLEEVE SHIRT (NO TIE)  
 DUTY TROUSERS  
 BLACK SHOES  
 DUTY BELT  
 PROTECTIVE VEST  
 DUTY GLOVES

OPTIONAL ITEMS:

TACTICAL PANTS  
 BLACK BOOTS  
 INCLEMENT WEATHER GEAR  
 TACTICAL SHORTS

**ADMINISTRATIVE UNIFORM – CLASS “D”:**

LONG SLEEVE SHIRT  
 REGULATION TIE  
 DUTY TROUSERS  
 BLACK SHOES

OPTIONAL ITEMS:

SHORT SLEEVE SHIRT (NO TIE)  
 REGULATION GOLF SHIRT  
 TACTICAL PANTS/SHORTS  
 DUTY BELT  
 PROTECTIVE VEST  
 BASEBALL STYLE CAP

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **106-03**

<b>UNIFORMS</b>			
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**PEACE OFFICER****DRESS UNIFORM**

1. CAP – Navy blue, 8 point, with black strap and chrome cap device bearing shield number.
2. SUMMER BLOUSE – Navy blue with regulation gilt buttons and shoulder straps.
3. NAMEPLATE – Worn on outermost garment, centered ¼ inch below shield.  
Nameplates for peace officers are white metal, for detectives and ranking officers will wear yellow metal.
4. SHIRT – Navy blue, military type, long sleeve shirt with appropriate service stripes affixed.
5. TIE – Navy blue, breakaway type.
6. TIE CLASP – Regulation NYC DHS.
7. TROUSERS- Navy blue serge with ½ inch braid attached.
8. BELT – Black leather, 1 ½ inches wide with gunmetal buckle.
9. SHOES – Black high gloss (manufactured with the poromeric or clarion process) lace type, with flat soles and raised heels.
10. SOCKS – Only black socks will be visible when performing duty in uniform.
11. GLOVES – White cotton.

**DUTY UNIFORM**

1. CAP – Navy blue, 8 point, with black strap and chrome cap device bearing shield number.
2. DUTY JACKET – Waist length, navy blue, nylon with zip-out lining, knit wristlets, waistband and zip side vents, OR  
Hip length, navy blue, nylon with zip-out lining, concealed zipper front, gilt buttons and zip side vents.  
Either of these regulation jackets may be worn by officers performing patrol duty.
3. NAMEPLATE – Worn on outermost garment, centered ¼ inch below shield.  
Nameplates for peace officers are white metal, for detectives and ranking officers will wear yellow metal.
4. SHIRT – Navy blue, military type, long sleeve shirt with appropriate service stripes affixed.
5. TIE – Navy blue, breakaway type.
6. TIE CLASP – Regulation NYC DHS.
7. TROUSERS- Regulation navy blue trousers with ½ inch braid attached.
8. TROUSER BELT – Black leather, 1 ½ inches wide with gunmetal buckle.
9. DUTY/EQUIPMENT BELT – Black leather, 1 ½ inches wide with gunmetal buckle and required equipment.
10. SHOES OR BOOTS - Black, plain, smooth leather with flat soles and raised heels.  
Shoes/boots with visible lettering are not authorized. Black laces.
11. SOCKS – Only black socks will be visible when performing duty in uniform.



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**PEACE OFFICER (continued)**

1. PROTECTIVE VEST - Department issued ballistic protective vest, worn under uniform shirt.
2. GLOVES - Department issued cut-resistant black gloves.
3. INCLEMENT WEATHER GEAR – Regulation, 49 inches long black/high visibility yellow reversible waterproof, windproof, breathable laminate w/ 2” reflective stripe and cap cover. “DHS OFFICER” or rank in block letters on rear.

**DETECTIVE**

Uniform is the same as for peace officer, EXCEPT:

1. CAP – Gilt cap device without shield number.

**SERGEANT**

Uniform is the same as for peace officer, EXCEPT:

1. CAP – Gilt cap device without shield number and gilt chinstrap.
2. TROUSERS – 1 ¼ inch braid attached
3. INSIGNIA OF RANK – Three (3) pointed chevrons, worn on sleeves of all garments except inclement weather gear.

**LIEUTENANT**

Uniform is the same as for sergeant, EXCEPT:

1. CAP – Frame is covered with black mohair braid.
2. INSIGNIA OF RANK – Gilt bar, worn on:
  - a. Shoulders of duty jacket and summer blouse.
  - b. Collar of regulation shirt.
3. SHIRT – White, military type, long sleeve shirt with appropriate service stripes affixed.
4. SUMMER BLOUSE – Modified as follows:
  - a. 1 ¼ inch black mohair braid on sleeves.
  - b. Three (3) gilt buttons on cuffs.

**CAPTAIN**

Uniform is the same as for lieutenant, EXCEPT:

1. INSIGNIA OF RANK – Two (2) gilt bars, worn on:
  - a. Shoulders of duty jacket and summer blouse.
  - b. Collar of regulation shirt.

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**DEPUTY INSPECTOR**

Uniform is the same as for captain, EXCEPT:

1. CAP – Frame is covered in black velvet.
2. INSIGNIA OF RANK – Gilt oak leaf, worn on:
  - a. Shoulders of duty jacket and summer blouse.
  - b. Collar of regulation shirt.

**INSPECTOR**

Uniform is the same as for deputy inspector, EXCEPT:

1. INSIGNIA OF RANK – Gilt spread eagle, worn on:
  - a. Shoulders of duty jacket and summer blouse.
  - b. Collar of regulation shirt.

**DEPUTY CHIEF**

Uniform is the same as for inspector, EXCEPT:

1. CAP – Gilt spray design on visor.
2. SUMMER BLOUSE – Two (2) 1 ¼ inch black mohair braid on sleeves.
3. INSIGNIA OF RANK – One (1) gilt star, worn on:
  - a. Shoulders of duty jacket and summer blouse.
  - b. Collar of regulation shirt.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **106-04**

<b>UNIFORMS-INSIGNIA OF RANK</b>			
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**INSIGNIA OF RANK**

DEPUTY CHIEF



INSPECTOR



DEPUTY INSPECTOR



CAPTAIN



LIEUTENANT



SERGEANT



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<b>OPTIONAL UNIFORM ITEMS</b>			
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**OPTIONAL UNIFORM ITEMS MAY BE WORN, AT THE DISCRETION OF THE SITE COMMANDER OR WHEN AUTHORIZED BY THE DEPUTY CHIEF**

1. TACTICAL PATROL TROUSERS -Regulation full length navy blue with equipment pockets and tactical cut.
2. TACTICAL PATROL SHORTS – Half-length navy blue with equipment pockets and tactical cut.
3. EAR MUFFS - Black, headband type.
4. NAMEPLATE HOLDER – Black with slots for breast bars, if appropriate.
5. SHORT SLEEVE SHIRT – Navy blue or white (rank dependent), military type. Tie will not be worn and undershirt must not be exposed at the collar or sleeves.
6. TURTLE NECK SHIRT -Navy blue pullover turtle neck shirt, DHS Police emblem embroidered on the left side of chest, letters DHS embroidered in white on the collar. Turtle neck shirt will not be used as outermost garment, nor worn under the uniform shirt without tie, but may be worn under the duty jacket. Duty jacket must be worn at all times when turtle neck shirt is worn.
7. V-NECK SWEATER – Navy blue, acrylic or wool, waist length, vertical ribbed weave knit sweater with navy blue poly/cotton twill or cordura patch material over elbows, left breast and epaulets. Gold buttons on pointed epaulets. May be worn as outermost garment with uniform shirt and tie.
8. WINTER HAT - Black soft vinyl with black mouton trimming and cap devise affixed. Authorized for outdoor posts, when the temperature is expected to fall below 32 degrees Fahrenheit.
9. BASEBALL CAP – Navy blue, with DHS police logo embroidered on front, for authorized specialized units/assignments.
10. GOLF TYPE SHIRT – Navy blue or royal blue (assignment dependant) pullover, with shield of rank patch affixed to left side of chest; name/shield number patch affixed to right side of chest; DHS police shoulder patches affixed to both sleeves and appropriate block lettering (assignment dependent) on back, for authorized specialized units/assignments.
11. DETAIL JACKET – Two tone (navy blue and royal blue) regulation waist length, nylon with zip-out lining with shield of rank patch affixed to left side of chest; name/shield number patch affixed to right side of chest; DHS police shoulder patches affixed to both sleeves and appropriate block lettering (assignment dependent) on back, for authorized specialized units/assignments.
12. SPECIALIZED UNIFORMS – Worn by officers assigned to task forces, client relations teams, bike patrols and other designated units approved by the deputy chief.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **106-06**

<b>REQUIRED/OPTIONAL EQUIPMENT</b>			
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**REQUIRED EQUIPMENT**

Peace officers of all ranks performing patrol duty in uniform are required to carry or wear the following equipment, *as authorized or indicated*:

1. ACTIVITY LOG in leather binder.
2. ACTIVITY LOG inserts as directed.
3. Agency issued Motorola radio and swivel clip 2.5 for radio case.
4. Regulation handcuffs in leather case with key available.
5. Expandable baton and holster, when qualified and issued by agency.
6. Serviceable LED flashlight, under eight (8) inches long (2- AA batteries) and belt holder.
6. Serviceable and properly set time-piece or wristwatch.
7. DUTY/EQUIPMENT BELT – Black leather, 1 ½ inches wide with gunmetal buckle and required equipment.
8. Belt keepers (3).
9. Glove pouch w/ medical gloves.
10. Protective vest/body armor (worn under uniform shirt.)
11. Cut resistant black gloves.
12. DHS Police photo identification card
13. NYC Fireguard or Fire Safety license
14. NYS Driver's License (if applicable)
15. Black ink pen(s).
16. OC spray device (pepper spray) and holder, (sergeants and above) when qualified and issued by agency.
17. Key ring holder.
18. Overdose Prevention Rescue Kit, when qualified and issued by agency.

**OPTIONAL EQUIPMENT**

1. Foldable multi-tool or manually-activated foldable knife with single-edged blade length less than 3 ½ inches long and locking blade mechanism. Must be carried in non-descript belt holster with closeable cover and safety snap to prevent accidental dislodging. Pocket or belt clip carrying is prohibited.
2. Electronic control device (Taser) and holster, when qualified and issued by the agency.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **106-07**

<b>SHIELD AND IDENTIFICATION</b>			
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**PEACE OFFICERS OF ALL RANKS**

1. Wear shield at all times while in uniform on the outermost garment, except if the outermost garment has a shield patch attached or embroidered.
2. Wear nameplate centered ¼ inch below shield on outermost garment.
3. Carry DHS police photo identification card anytime shield is worn or carried on person, in or out of uniform.
4. Shield and identification card remain the property of the Department of Homeless Services and it is the officer's responsibility to safeguard at all times.
5. Immediately surrender shield and identification card to any supervisor or ranking officer, upon demand.
6. Do not alter or modify the shield or identification card as issued by the agency.
7. Immediately report the loss or theft of the shield and/or identification card to local police agency of the jurisdiction in the area where the card or shield was believed to be lost or stolen and obtain a copy of the report. Immediately notify a DHS Police supervisor at the officer's command or directly to the operations desk.
8. The replacement cost of the shield and/or identification card will be the responsibility of the officer to which assigned.
9. Disciplinary action may be initiated for the loss or theft of a shield or identification card.
10. The officer will be responsible for the replacement cost of any lost agency shield and/or identification, at the current market value.

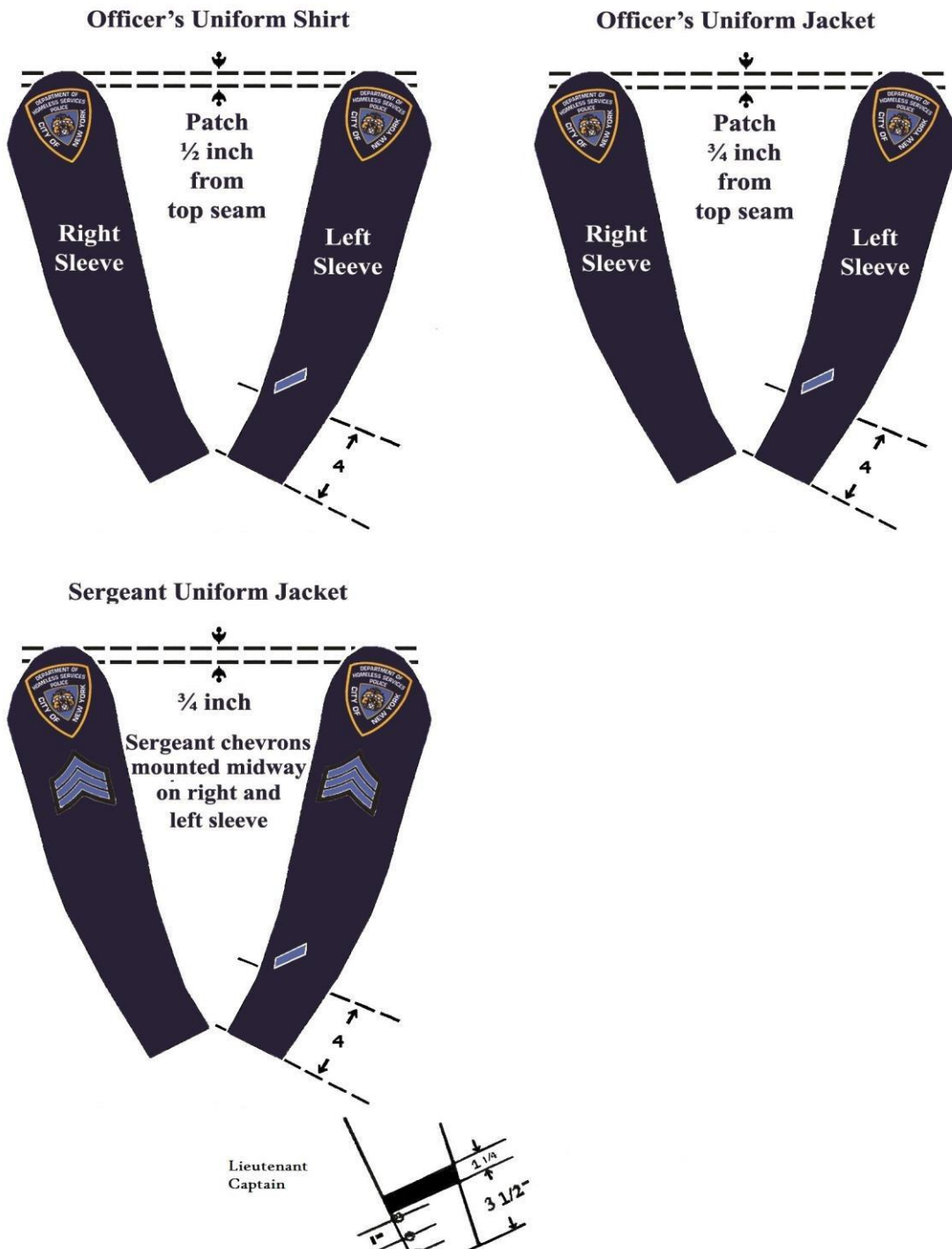


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PROCEDURE No. **106-08**

<b>EMBLEMS, INSIGNIA AND BREAST BARS</b>			
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**GRAPHIC OF UNIFORMS SHOWING LOCATION OF PATCHES, EMBLEMS, ETC.**





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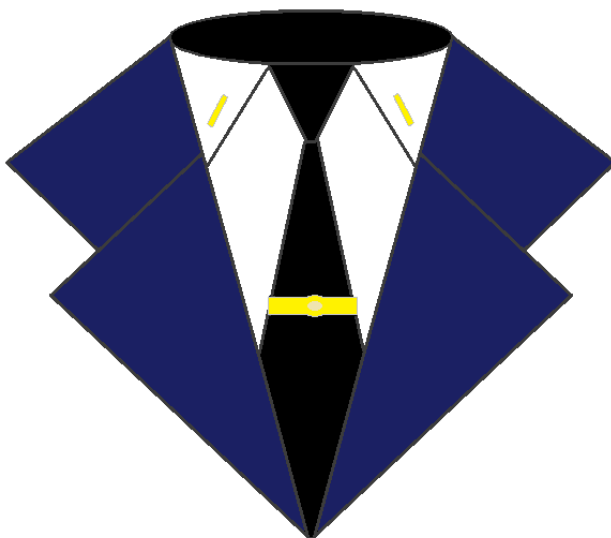
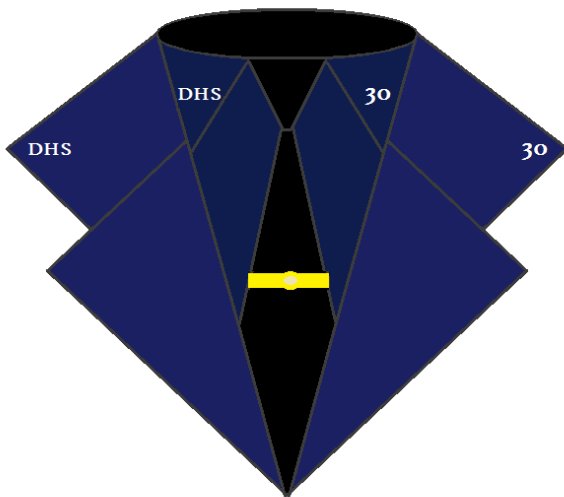
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**GRAPHIC OF UNIFORMS SHOWING LOCATION OF PATCHES, EMBLEMS, ETC.**

Uniform Shirt- Center command designation on collar one (1) inch from forward edge of collar and affix parallel to neckline.



Summer Blouse- affix command designation one and one quarter (1 1/4) inch up and in from collar as shown.



For lieutenants and above, designating rank shall be centered on collar points one (1) inch from the forward edge.

Sergeants and Police Officers will wear appropriate command designation (numerals, letter or insignia) on both sides of collar on the outermost garment except raincoat.



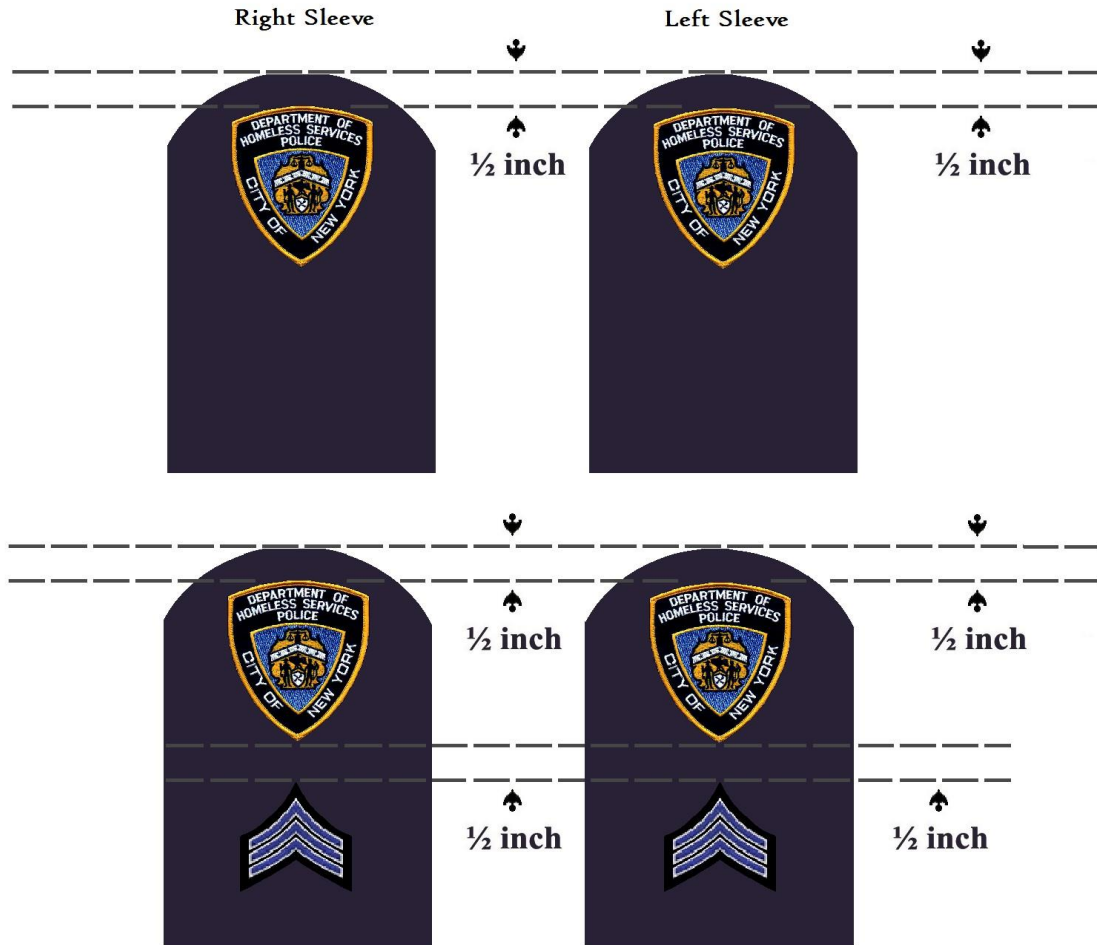


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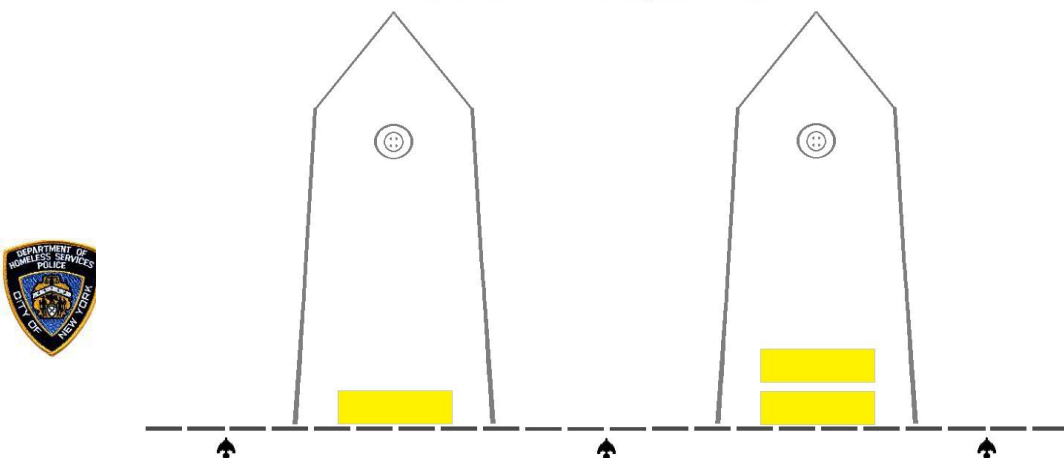
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**GRAPHIC OF UNIFORMS SHOWING LOCATION OF PATCHES, EMBLEMS, ETC.**



Shoulder Strap  
(Lieutenants and higher ranks)



## EMBLEMS, INSIGNIA AND BREAST BARS

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- DHS POLICE EMBLEM 1. The DHS Police Emblem patch will be worn on both left and right sleeves of all regulation uniform garments except turtle neck shirt.
- COLLAR INSIGNIA 1. Sergeants and officers will wear “DHS” collar insignia on left collar, command location collar insignia on right collar of both inner and outer garments, except raingear.
- SERVICE STRIPES/  
HASH MARKS 1. Each stripe represents five (5) years of service  
2. Service stripes / hash marks are affixed to the left sleeve of all garments except short sleeve shirts, turtle neck shirts and rain gear.  
3. Service stripes / hash marks may be worn six (6) months prior to the five year period represented, if the wearer desires.

### BREAST BARS/ MEDALS

Medal For Valor

(Dark Blue)



Commendation

(Orange, White & Dark Blue with green star)



Meritorious Duty

(Orange, White & Dark Blue with silver star)



Excellent Duty

(Orange, White & Dark Blue)



Unit Citation

(Light Blue w/ year)



Service Bar

(White w/ roman numeral)



A Breast Bar / Medal is worn horizontally centered ¼ inch above the center of the shield, when authorized. Additional bars, when authorized are worn with ¼ inch space between each award. An American Flag Pin, 1 inch x 1 inch, may be worn centered above all other insignia above shield. Flag pin breast bars and insignias of other nations / ethnicities are not permitted. Fraternal Order of Police members may wear official FOP breast bar directly above shield.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **106-09**

<b>PROTECTIVE VESTS / BODY ARMOR</b>			
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**PEACE OFFICERS  
ALL RANKS**

1. Must wear department issued protective vest / body armor at all times while on duty in uniform or performing enforcement duties in civilian clothes.
2. All protective panels must be properly inserted.
3. Protective vest / body armor must be maintained at the expense of the officer.
4. Protective vest / body armor must be presented for inspection when requested by a ranking officer.
5. Lost or stolen protective vests / body armor must be immediately reported to a supervisor and the local police jurisdiction. A copy of the local police report will be requested and delivered to the supervisor at the time of report. The protective vest / body armor must be immediately replaced at the expense of the officer.
6. Worn or damaged protective vests must be immediately replaced by the officer concerned at the expense of the officer.
7. Protective vests /body armor will not be replaced by this agency due to changes in the weight/size of the officer.
8. Wear appropriate undergarments under the protective vest to prevent vest from absorbing perspiration /body oils.
9. Do not wear protective vest when soaking wet, as the ability to protect the wearer is compromised while wet.

**CLEANING  
INSTRUCTIONS**

1. Officers must follow the manufacturer's instructions when cleaning /laundrying protective vests.
2. Failure to follow the manufacturer's instructions may compromise the vest's ability to protect the wearer.

**RESERVE  
SUPPLY**

1. The Director of Peace Officer maintains a reserve supply of protective vests / body armor for loan to officers whose vest is not serviceable.
2. Officers requesting loan of a protective vest from the reserve supply should contact the Director of Peace Officers with the correct size and type of vest. An appointment to pick-up the loaner vest will be scheduled if a reserve supply vest of the proper size is available.
3. Officers are required to properly launder the loaner protective vest prior to returning it to the reserve supply at the officer's expense.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **106-10**

<b>SEMI-ANNUAL UNIFORM / LOCKER INSPECTIONS</b>			
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**PURPOSE**  
uniform

Instruct Uniformed Members of Service of the rules and guidelines for semi-annual and locker inspections

1. Supervisors will perform uniform and locker inspections of the peace officers under their supervision semi-annually using the appropriate form.
2. Supervisors will physically inspect each item listed on the form and record as “serviceable” or “unserviceable” as appropriate. Peace officers will be given a reasonable period of time to replace items found “unserviceable.”
3. Items found to be “unserviceable” will be replaced at the officer’s expense within 2 weeks of date of inspection.
4. At the time of inspection, the supervisor will personally inspect the officer’s locker, ensuring that only authorized items are stored therein.
5. The inspection will include a test of the security of the locker and a physical inspection of the combination lock for serial numbers or master key hole.
6. Any locks that are found to have serial numbers or master key capability will be replaced immediately.
7. Supervisors will also insure that each locker is clearly marked with the officer’s name, shield number and shift.
8. Completed forms will be reviewed by the Site Commander for appropriate disciplinary action, when warranted.
9. Original reviewed forms will then be placed in a uniform inspection folder and a copy will be placed in each officer’s personal folder.
10. Inspections will be conducted and completed by January 31 and July 31 of each year.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **106-11**

<b>MOURNING BANDS/MEMORIAL BREAST BARS</b>			
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**PEACE OFFICERS  
ALL RANKS**

1. May wear plain black elastic mourning band, ½ inch wide, on shield, covering seal of the city, but leaving the shield number or rank designation visible, upon death of:
  - a. Active DHS Peace Officer-from time of death to 30 days after funeral.
  - b. Former DHS Peace Officer-from time of death to 2400 hours on the date of funeral.
  - c. Active Law Enforcement Officer-from time of death to 2400 hours on the date of funeral.
  - d. National Peace Officers' Memorial Day- May 15<sup>th</sup>-from 0001 hours to 2400 hours.
  
2. May wear memorial breast bars for deceased DHS Peace Officers above shield, below all other breast bars:
  - a. Members of deceased officer's command-for up to 3 years from date of death
  - c. Members of other commands-for up to 1 year from date of death.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-01**

<b>ON THE JOB INJURIES</b>			
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**PEACE OFFICER**

- 110) injuries sick
1. Immediately notify a supervisor of any injury sustained while on duty.
  2. Seek emergency medical attention, if necessary.
  3. Inform EMS and hospital staff that injury occurred while working.
  4. Keep the supervisor updated on changes of status or condition at the hospital while receiving medical treatment.
  5. Notify supervisor upon return to site from hospital or completion of care by EMS.
  6. Prepare "Employee Statement – Workers' Compensation Claim Initiation" (Form WCS-110) form and "Election of Option" (DP 2002) form prior to leaving the work location at completion of tour of duty.
  7. Complete "Assignment of Benefits" (DP 2010) form and have notarized ONLY for injuries resulting from automobile accidents and assaults.
  8. Complete all captions, printing legibly and sign and date where indicated on all forms.
  9. Submit completed forms to supervisor personally, prior to leaving work location at completion of tour of duty.
  10. Surrender to supervisor for safe keeping, shield and ID card if injury is likely to cause sick leave or medical leave.

**SUPERVISOR**

- officer
1. Respond to scene and investigate circumstances involving injury.
  2. Ensure that employee receives emergency medical attention.
  3. Interview witnesses present and direct each witness to prepare "Witness Statement" (WCS-120) form.
  4. Notify Duty Supervisor and Operations Desk of incident, nature of injury and emergency medical attention being provided, including hospital if injured officer is being removed by EMS.
  5. Assign an escort officer to accompany the injured officer to the hospital. If the injured officer is admitted to hospital, the escort officer shall obtain shield and ID card of injured officer and surrender to the supervisor.
  6. Direct employee to prepare required reports and forms upon completion of emergency medical assistance but prior to leaving work location at completion of tour of duty.
  7. Review "Employee Statement – Workers' Compensation Claim Initiation" (WCS-110) form and "Election of Option" (DP 2002) form.
  8. Review "Assignment of Benefits" (DP 2010) form ONLY if injury is a result of an automobile accident and assault.
  9. Review all "Witness Statement" (WCS-120) forms.
  10. Interview injured officer.
  11. Prepare "Supervisor's/Agency – REPORT OF INJURY" (WCS 100) form – all captions.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-01**

<b>ON THE JOB INJURIES</b>			
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**SUPERVISOR  
(Continued)**

12. Prepare "C-2 Addendum" to provide additional information on injury claims resulting from assault (Section A), or to and from work or during lunch break (Section B).
13. Utilize "C-2 Addendum" Section C to recommend that the claim be **CONTROVERTED**, if the circumstances render a case not compensable if injury was solely caused by:
- a. Intoxication
  - b. Willful intention of employee to bring about injury to him/herself or another
  - c. Travel to and from work
  - d. Off duty activity not pertaining to employment
  - e. Occurrence during unpaid lunch break
  - f. Personal disputes unrelated to work
14. Complete all captions, printing legibly and sign and date where indicated.
15. Submit completed forms as an entire package to the site commander or duty supervisor.

**SITE COMMANDER/  
DUTY SUPERVISOR**

1. Review all forms for accuracy and completeness.
2. Forward completed and reviewed forms as an entire package to the division personnel liaison.
3. Prepare "Employer's Report of Injured Employee's Change in Status Due to Injury" (C-11) to report employees return to work or increase/decrease in hours.
4. Submit C-11 to the division personnel liaison.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-02**

<b>REQUEST FOR TRANSFER</b>			
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**SCOPE**

When requesting transfer between work sites, commands or units:

**PEACE OFFICER**

1. Complete the REQUEST FOR TRANSFER form, including all applicable captions and listing the reason for the request.
2. Submit the form to immediate supervisor.

**SUPERVISOR**

1. Review the form for accuracy and completeness.
2. Recommend approval or disapproval.
3. If disapproval, indicate a reason for recommendation to disapprove.
4. Submit form to the Site Commander.

**SITE COMMANDER**

1. Review the requesting officer's personnel file, including evaluations, disciplinary record and attendance / lateness record and if necessary, interview the requesting member.
2. Recommend approval or disapproval.
3. If disapproval, indicate a reason for recommendation to disapprove.
4. Submit form to the Deputy Chief, through channels.

**DEPUTY CHIEF**

1. Review requests for transfers.
2. Confer with appropriate supervisors.
3. Meet weekly with Director of Peace Officers to consider requests.
4. Notify submitting officer, through channels, of final action on request.

*Determination of transfers lies with the Deputy Chief and the Director of Peace Officers.*



**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-03**

<b>REQUEST FOR RDO/SHIFT CHANGE</b>			
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**SCOPE**

When requesting a change of RDO or shift:

**PEACE OFFICER**

1. Complete the REQUEST FOR RDO/SHIFT CHANGE form, including all applicable captions and listing the reason for the request.
2. Submit the form to immediate supervisor.

**SUPERVISOR**

1. Review the form for accuracy and completeness.
2. Recommend approval or disapproval.
3. If disapproval, indicate a reason for recommendation to disapprove.
4. Submit form to the Site Commander.

**SITE COMMANDER**

the

1. Review the requesting officer's personnel file, including evaluations, disciplinary record and attendance / lateness record and if necessary, interview the requesting member.
2. Approve or disapprove request.
3. If disapproved, indicate a reason for disapproval.
4. Notify submitting officer of final action on request.
5. Forward copy of completed request to the Inspector.

**INSPECTOR**

1. Review actions of Site Commander on request.
2. Confer with Site Commander, if necessary.

**NOTE:**

*Determination of RDO/Shift Changes lies with the Site Commander, in consultation with the Inspector, if necessary.*

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-04**

<b>OVERTIME</b>			
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**PEACE OFFICERS**

- assignment
1. Perform overtime only when authorized by a supervisor or competent authority.
  2. Employees mandated to perform overtime work are required to perform overtime as directed.
  3. Mandated overtime may be taken in cash or compensatory time, at the discretion of the employee performing the overtime, within governing guidelines.
  4. Employees volunteering to perform overtime work in another division must receive pre-approval from their site commander before work is performed.
  5. Employees with poor time and attendance records and poor performance may be precluded from performing overtime work.
  6. Compensation for overtime will be governed by the federal Fair Labor Standards Act, provisions of the Citywide Collective Bargaining Agreement, individual bargaining unit agreements and Mayoral and Comptroller's Directives.

**SUPERVISORS**

- consecutive
1. Authorize overtime only when the operational needs of the agency require employees to work additional hours beyond the work week.
  2. Notify Operations Desk and Duty Supervisor or Site Commander when overtime is required to cover minimum staffing levels or special assignments.
  3. All overtime must be approved before it is worked.
  4. Fairly distribute overtime among all staff, whenever possible.
  5. Limit overtime by an employee to prevent employee from working more than 16 hours.
  6. Properly record overtime used in command log and other records as directed.

**DUTY SUPERVISORS**

1. Re-assign staff among commands for a single tour of duty, when reasonable, to reduce the need for overtime.
2. Monitor use of overtime by supervisors during tour of duty.
3. Notify relief duty supervisor when officers on special assignments (arrest, EDP, court, hospitalized prisoner, training, etc.) should be relieved to reduce the need for overtime.

**SITE COMMANDERS**

- necessary.
1. Monitor overtime at command on a regular basis and adjust work schedules, as necessary.
  2. Prepare necessary weekly reports on overtime used.

**INSPECTOR**

- allotments.
1. Monitor overtime on a regular basis to ensure overtime usage is within budgeted allotments.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-05**

<b>AGENCY RECOGNITION</b>			
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**AGENCY RECOGNITION**

1. Whenever a supervisor of the DHS Police becomes aware of an act of exemplary service or bravery performed by a subordinate, and is recommended by the supervisor or another, that supervisor shall complete a REQUEST FOR AGENCY RECOGNITION (DHSP 200-001) form.
2. Prepare a separate REQUEST FOR AGENCY RECOGNITION for each officer involved in an incident who performs an exemplary act.
3. All captions are to be printed in black ink or typed. The descriptive REMARKS section should be concise and devoid of embellishment, and include the rank and name of the individual recommending the recognition.
4. Supervisors preparing the REQUEST will attach copies of all pertinent documentation, including arrest reports, complaint reports, incident reports, command log entries and memo book entries.
5. Completed REQUEST packages will be presented to the Site Commander.
6. The Site Commander will review the REQUEST for worthiness, accuracy and completeness; investigate the facts surrounding the incident by checking agency records, interviewing officers and supervisors involved, interviewing witnesses; and sign and forward the package to the designated CAPTAIN or Supervising officer.
7. The designated CAPTAIN or Supervising officer will assign an agency serial number for each REQUEST FOR AGENCY RECOGNITION. If more than one officer is being recommended in the same incident, the same agency serial number will be used. Each REQUEST of a multiple request incident will be numbered in consecutive order in the caption marked No. \_\_\_\_\_ of \_\_\_\_\_.
8. The designated CAPTAIN or Supervising officer after completing the agency recognition process will forward the package for final approval to the Director of Peace Officers.

Agency Recognition will be awarded in the following grades:

**Excellent Duty:**

Awarded for:

- a. An intelligent act materially contributing to a valuable accomplishment, OR
- b. Submission of a device or method adopted to increase efficiency in an administrative or tactical procedure, OR
- c. An act of valuable service demonstrating special faithfulness or perseverance, OR
- d. Highly credible acts of service over time.

**Meritorious Duty:**

Awarded for:

- a. Personal danger in the intelligent performance of duty, OR
- b. A highly credible unusual accomplishment

**Commendation:**

Awarded for an act of bravery intelligently performed involving personal risk to life.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-05**

<b>AGENCY RECOGNITION</b>			
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**AGENCY  
RECOGNITION  
(Continued)**

**Medal for Valor:**

Awarded for an act of extraordinary bravery intelligently performed in the line of duty at imminent and personal danger to life with knowledge of the risk, under circumstances evincing a disregard of personal consequences.

**Unit Citation:**

Awarded directly by the Assistant Commissioner to recognize the outstanding performance by an entire unit or site for implementing goals and objectives or other highly credible accomplishments over a period of time (calendar year).

**Letter of Recognition:**

Issued for acts which do not meet the minimum requirements for presentation of an Agency Recognition Award. The formal Letter of Recognition is permanently placed in the officer's personnel folder.

REQUESTS FOR AGENCY RECOGNITION will be reviewed and awarded by an Honor Committee composed of the Command Staff, Director of Peace Officers and the Assistant Commissioner.

Awards for Agency Recognition will be presented upon approval and be recognized annually at the Medal Day Ceremony.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-06**

<b>ZERO TOLERANCE – SUBSTANCE USE / POSSESSION</b>			
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**ZERO  
TOLERANCE  
POLICY**

As New York State Certified Peace Officers, members of the DHS Police are law enforcement officers, charged with the sworn duty of enforcing applicable laws including those involving the use, abuse, sale and possession of illegal substances.

As such, DHS Peace Officers are held to the same high standard as other law enforcement professionals: **zero tolerance of substance use, abuse, possession or sale.**

This zero tolerance policy includes conduct on or off duty, in or out of the workplace. This policy is necessary to ensure the integrity of the DHS Police, who are not only expected to confiscate and safeguard evidence and arrest violators of drug laws, but also be fit for duty at all times, capable of ensuring the safety and well being of DHS personnel and clients and operating motor vehicles in a safe manner.

The unauthorized use or ingestion of commercially available products or substances including foods, cosmetics and alleged health care products that contain or may contain illegal drugs (including marijuana) or their derivatives or active ingredients by any peace officer is prohibited. The unauthorized use or ingestion of these products would not be a valid defense for positive results on a drug test and would constitute sufficient cause for disciplinary action.

Officers found to be in violation of this policy will be subjected to immediate disciplinary action. The Deputy Commissioner, Office of Security, will, in all cases, seek immediate termination of peace officers in violation of this policy.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-07**

<b>DRUG SCREENING FOR PROMOTION</b>			
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**POLICY**

DHS has a substantial interest in ensuring that peace officers being considered for promotion maintain a high standard of integrity and comply with the **zero tolerance: substance use, abuse possession and sale** policy (P.O.G. 120-10) to ensure a safe and drug free environment.

Peace officers who are candidates for promotion must understand that drug screening is part of the candidate process for promotion. The tests will be administered not more than ninety (90) days prior to the promotion or not more than ninety (90) days after the promotion.

PRE-PROMOTION - Peace officers may withdraw as candidates for promotion with no penalty at any time prior to receiving notification to report for drug screening.

POST PROMOTION - Peace officers may request restoration to previous title with no penalty after being promoted but prior to receiving notification to report for drug screening.

Refusal to submit to drug screening for promotion after being notified to report for drug screening will result in disciplinary action. All candidates for promotion will be tested.

Drug screening tests for promotion will be conducted by personnel from privately contracted medical labs. Privacy and dignity will be protected. Urine specimens will be given in maximum feasible privacy. Hair will be taken from the least invasive part of the body available.

Candidates who are unable to provide the required specimens for any reason will not be considered for promotion.

Positive test results, which indicate illegal or illicit drug use or abuse, will result in immediate disciplinary action, including suspension and termination, if warranted.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-08****DRUG SCREENING FOR CAUSE**

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**POLICY**

DHS peace officers are held to the same high standard as other law enforcement professionals: **zero tolerance of substance use, abuse, possession or sale. (P.O.G. 107-06)**

The administration of drug-screening tests is the procedure utilized by this Department to detect the presence of drugs in the urine or hair of peace officers suspected of illegal drug use.

To balance the public interest in having a drug-free peace officer against the individual employee's right to privacy; drug screening tests will be administered when there is a reasonable suspicion to believe that an individual is illegally using drugs.

Reasonable Suspicion – Exists when evidence or information, which appears reliable, is known and is of such weight and persuasiveness to make a person reasonably suspect that a particular individual is illegally using drugs. A reasonable suspicion that a peace officer is illegally using drugs must be supported by specific articulable facts from which rational inferences may be drawn.

When reasonable suspicion does exist, the peace officer suspected of using drugs MUST provide the drug screening samples when directed; refusal will result in immediate disciplinary action, including termination, if warranted.

Approval of agency council from the DHS General Counsel must be obtained prior to administration of drug screening tests for cause.

Drug screening tests for cause will be conducted by personnel from privately contracted medical labs. Privacy and dignity will be protected. Urine specimens will be given in maximum feasible privacy. Hair will be taken from the least invasive part of the body available.

Positive test results, which indicate illegal or illicit drug use or abuse, will result in immediate disciplinary action, including suspension and termination, if warranted.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-09**

<b>PREGNANCY RELATED GUIDELINES</b>			
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**PURPOSE**

To establish protocols for uniformed peace officers with established reasonable accommodation for Pregnancy Status; to work in modified duties and uniform.

**DEFINITION**

Pregnancy Status: A uniformed peace officer who has obtained a medical pregnancy certification document(s) from a physician and has an approved request for reasonable accommodation to work in Division approved modified duties and uniform attire.

**PEACE OFFICER**

1. Request reasonable accommodation from Office of Diversity and Equal Opportunity Affairs.
2. Submit all required written medical documentation.
3. Upon approval of reasonable accommodation, the Deputy Chief or other competent authority will advise of modified assignment.
4. Perform non-enforcement duties as assigned. Utilize sick leave and other appropriate leaves when unable to perform duty due to illness or other physical condition as per department regulations.

**NOTES:**

*Pregnancy status is the only non-enforcement status for DHS peace officers. Officers on pregnancy status will not be assigned to annual recertification/weapons training.*



**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-10**

<b>ARREST OF DHS PEACE OFFICER</b>			
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**SCOPE**

Whenever a DHS peace officer is arrested for any reason:

**PEACE OFFICER  
ARRESTED**

1. Immediately notify arresting authority of position as New York State Peace Officer employed by New York City Department of Homeless Services.
2. Notify arresting authority that shield and ID card, if possessed, are property of the Department of Homeless Services.
3. Surrender shield and ID card in possession to arresting authority for safekeeping.
4. Request arresting authority to notify Operations Desk of circumstance of arrest and request duty supervisor to respond to retrieve shield and ID card.
5. Notify Operations Desk, duty supervisor and/or site commander, upon release from custody or court.
6. Report to the Office of Security at 0900 hours, next business day following release from custody.
7. Notify agency General Counsel as required by DHS Code of Conduct, section 4.7 and 4.8.

**DUTY SUPERVISOR  
SITE COMMANDER**

1. Respond to facility or precinct of arresting authority, if within NYC, and recover shield and ID card of arrested officer.
2. If outside of NYC, contact Deputy Commissioner for permission to leave city in an agency vehicle, if jurisdiction is within a reasonable driving distance.
3. Request copies of appropriate reports, forms etc. pertaining to arrest incident from arresting authority or jurisdiction.
4. Direct officer to report to the Office of Security at 0900 hours, next business day following release from custody.
5. Notify appropriate Division executives of pertinent facts via email or phone.
6. Deliver recovered shield / ID card and reports received to the Director of Peace Officers.

**DIRECTOR OF PEACE OFFICERS:**

1. Initiate disciplinary process, including suspension, if appropriate.
2. Monitor status of charges/court case and request final disposition documents from arrested officer upon completion of adjudication process.
3. Forward copies of disposition documents to General Counsel.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-11**

<b>REPORTING CORRUPTION AND/OR SERIOUS MISCONDUCT</b>			
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**SCOPE**

All DHS Peace Officers must be incorruptible. Honest officers must not tolerate officers who engage in corruption or serious misconduct. All officers have an absolute duty to report any corruption or serious misconduct of which they become aware.

**DEFINITION**

Corruption / Serious Misconduct: Any criminal activity or serious misconduct of any kind including, but not limited to: unnecessary or excessive use of force; abuse of authority; unlawful restraint; theft; accepting or soliciting a bribe or gratuity; perjury or other act that is committed by a DHS Peace Officer whether on or off duty. Upon observing, or becoming aware of corruption or serious misconduct or upon receiving an allegation of corruption or serious misconduct involving another officer:

**PEACE OFFICER**

1. Notify a supervisor or site commander immediately.
2. If the member's supervisor or site commander is the subject of the allegation or somehow involved in or aware of misconduct, notify any officer of greater rank than the supervisor.
3. If the allegation is extremely serious or sensitive in nature, the officer concerned can notify the Director of Peace Officers, Assistant or Deputy Commissioner of Security directly.
4. If an allegation is against oneself, immediately request a supervisor to respond to the scene.

**RECEIVING SUPERVISOR**

1. Interview the reporting officer or complainant; gather facts and pertinent evidence regarding the allegation.
2. Immediately make a telephone notification of the initial facts to the Director of Peace Officers.
3. Prepare a detailed written report and deliver to the Director of Peace Officers without delay.

**NOTE:** All DHS Officers having or receiving information relative to corruption or serious misconduct has the responsibility to report such information to the appropriate supervisor or authority. Failure to report corruption or serious misconduct is, in itself, an offence of serious misconduct and will be charged as such when uncovered during an investigation. Conduct designed to cover up acts of corruption, prevent or discourage its report, or intimidate those who would report it will be charged as well.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-12**

<b>SEPARATION FROM SERVICE</b>			
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**DEFINITIONS:**

Temporary Separation from Service: Any absence, leaves, suspension or de-scheduling, of 15 or more consecutive scheduled work days.

Permanent Separation from Service: Any resignation, termination, or change of title outside the peace officer titles with no expectation of returning to active duty.

When an officer is to be separated from service:

**PEACE OFFICER**

1. Follow instructions / directions of supervisor leave desk, personnel staff member, supervisor or other authorized person regarding terms of separation.
2. Complete all required forms, requests, timekeeping and leave documents and submit required documentation.
3. If separation is temporary, surrender shield and ID card to immediate supervisor prior to commencing separation or immediately upon reaching 15<sup>th</sup> work day absent.
5. If separation is permanent, surrender shield, ID card and all agency property (baton, equipment, ballistic vest, Peace Officer Guide, etc) to ranking officer prior to commencement of separation from service.

**SUPERVISOR**

1. Complete SEPARATION FROM SERVICE - EQUIPMENT RECEIPT form and safeguard surrendered property.
2. Inform separating officer of any items outstanding. Do not permit separating officer to leave facility without first surrendering shield and ID card.
3. Remind separating officer that any and all pending pay checks will be held until all agency property is returned.
4. Forward recovered property to the Office of the Director of Peace Officers with a copy of EQUIPMENT RECEIPT FORM.

If officer is returning from separation:

**RETURNING OFFICER**

1. Report to leave desk, personnel staff or legal staff as directed upon completion of separation from service.
2. Submit required forms and documentation, if any.
3. Obtain return to work authorization, if applicable.
4. Report to the Office of Security as directed to submit return to work authorization and retrieve Department property previously surrendered.
5. Report to work location on next regularly scheduled day of work or as directed by competent authority.
6. Notify site commander prior to scheduled return to duty.

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<b>SUMMARY DISCIPLINE FOR INFRACTIONS</b>			
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**PURPOSE**

To establish a uniform policy for the implementation of progressive discipline within the work place, without resorting to formal charges or a disciplinary trial. Summary discipline will be documented on a *Supervisor's Complaint Report (DHS PD 17-01)* to initiate the disciplinary process. Results of all disciplinary findings shall be documented on the *Summary Penalty Violation/Election Report (DHS PD 17-02)*. This procedure is not intended to replace non-disciplinary actions by supervisors *i.e.* verbal instruction, verbal warnings, written warnings, *etc.*

**INTRODUCTION**

The aforementioned list of Summary Discipline for Violations of Rules / Procedures enables DHS/DSS PD Supervisors to impose summary penalties without filing a formal disciplinary charge. All summary penalties must be documented on the attached form, reported to the DHS/DSS Management Team, and filed in the DHS/DSS PD Headquarters' Office. All officers shall have the right to have a union representative present during a summary penalty disciplinary conference. Documentation for all summary penalties imposed will be placed in the officer's personnel folder. The union will be provided with copies of any summary penalty discipline imposed by the DHS/DSS PD Management Team. Prior summary penalties for any offense may be introduced at subsequent disciplinary hearings.

These summary penalties apply to provisional, probationary, and permanent employees in DHS/DSS, holding the titles of Special Officer and Supervising Special Officer. They do not, however, confer contractual or Civil Service rights on provisional or probationary employees that they would otherwise not have. Summary penalties imposed by the DHS/DSS PD Supervisors and or designees for any Category "A" or "B" violation shall be subject to the existing collective bargaining agreements and Civil Service Law. As such, summary discipline procedures for provisional and probationary employees shall apply only in the instance of summary penalties, and shall not establish grievance rights for provisional and probationary employees where none otherwise existed.

Any Category "A" penalty, or any repeated Category "A" violation treated as a Category "B" with a penalty of five days or fewer, imposed against a permanent officer or a provisional officer with contractual disciplinary rights may be appealed pursuant to the contractual grievance procedure, and shall proceed directly to Step 2 of the grievance procedure. In grievances appealing summary discipline, the Union shall have the burden of proof.

Any summary penalty for a Category "B" sought to be imposed against a permanent officer or a provisional officer with contractual disciplinary rights, except repeated Category "A" violations treated as a Category "B" with a penalty of five days or fewer, shall be subject to the officer's right of refusal. If such officer refuses to accept the summary penalty, DHS/DSS may proceed to file formal disciplinary charges in accordance with existing collective bargaining agreements, which may result in the imposition of a more severe penalty. A probationary officer or provisional officer with no contractual disciplinary rights who refuses a summary penalty for a Category "B" of more than five days may be subject to immediate discharge or any other penalty DHS/DSS deems appropriate.

The decision to utilize summary discipline for Category "A" and "B" violations is within the sole discretion of DHS/DSS, and DHS/DSS may elect to forego summary discipline and file formal disciplinary charges as it deems appropriate.

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**RECORDING A VIOLATION ON A SUPERVISOR'S COMPLAINT REPORT (DHS PD 17-01)**

- A. When a DHS/DSS PD supervisor becomes aware of a violation of the rules or procedures by a member of DHS/DSS PD:
1. Inform the DHS/DSS PD member complained of that they will receive a **SUPERVISOR'S COMPLAINT REPORT (DHS PD 17-01)**.
  2. Prepare a **SUPERVISOR'S COMPLAINT REPORT (DHS PD 17-01)**.
  3. Obtain a serial number from DHS/DSS PD Headquarters for each **SUPERVISOR'S COMPLAINT REPORT (DHS PD 17-01)** prepared. If a serial number cannot be obtained immediately, obtain a serial number at the earliest opportunity.
    - a. Serial numbers shall begin with the number one (1) each year.
  4. Complete the information for the DHS/DSS PD member complained of on the **SUPERVISOR'S COMPLAINT REPORT (DHS PD 17-01)**.
  5. Under the details section, provide a synopsis of the incident that led to the violation.
  6. Endorse the completed **SUPERVISOR'S COMPLAINT REPORT (DHS PD 17-01)** under the caption *Supervisor Preparing Report*, and forward the report to the DHS/DSS PD Zone Commander for adjudication.

**ADJUDICATION PROCESS**

- A. When a DHS/DSS PD Zone Commander receives a completed **SUPERVISOR'S COMPLAINT REPORT (DHS PD 17-01)** by a supervisor from DHS/DSS PD:
1. Confer with the DHS/DSS PD Management Team before adjudicating the **SUPERVISOR'S COMPLAINT REPORT (DHS PD 17-01)** or recommending discipline.
  2. Conduct an investigation into the violation alleged and indicate a *preliminary disposition* of Unsubstantiated, Substantiated, Unfounded or Exonerated.
  3. Record the DHS/DSS PD member's disciplinary history for the last 12 months under the caption **SUBJECT'S PRIOR 12 MONTH DISCIPLINARY HISTORY**.
  4. Record the names of individuals interviewed during the preliminary investigation under the caption *Person(s) Interviewed* on the **SUPERVISOR'S COMPLAINT REPORT (DHS PD 17-01)**, if necessary.
    - a. If witnesses request to be anonymous, indicate anonymous under the caption *Person(s) Interviewed* and record their name(s) in a memo to file to facilitate further investigation, if necessary.
  5. Forward the complete **SUPERVISOR'S COMPLAINT REPORT (DHS PD 17-01)** to DHS/DSS PD Headquarters and proceed with the investigation as indicated in step "B" below.

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**B. DHS/DSS PD Zone Commander Findings:**

1. Record the results of the Investigation under the caption "***Summary of Investigation and Disposition of Complaint***" on the **SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02)**.
  2. Record the final disposition on the **SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02)**, under the caption *Final Disposition*, and make a recommendation regarding discipline under the caption *Disciplinary Penalty Recommended*.
    - a. Utilize the following disposition categories when indicating a final disposition: Unsubstantiated, Substantiated, Unfounded, Exonerated.
  3. If the *Final Disposition* is substantiated, the Zone Commander will complete the investigation within twenty-four (24) hours.
  4. If the final dispositions is Unsubstantiated, Unfounded or Exonerated advise the DHS/DSS PD member concerned and note the date and time of the conferral in the caption indicated on the form.
  5. Issue the completed **SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02)** to DHS/DSS PD member concerned, if the allegation is substantiated.
  6. Advise DHS/DSS PD member concerned that they have three (3) business days to choose an election option.
- *If additional space is needed utilize the **SUPPLEMENTAL SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02B)**.*

**ELECTION REPORT OPTIONS**

- A. When a DHS/DSS PD member is issued a completed **SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02)**.
  1. The DHS/DSS PD member concerned will notify a union representative of the **SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02)** issued.
  2. Review the election report options and within three (3) business days select an option of choice.
    - a. If DHS/DSS PD Member elects to accept the *Final Disposition* but elects to have the *Disciplinary Penalty* reviewed by the DHS/DSS PD Management Team or if the member declines the *Final Disposition* and the *Disciplinary Penalty Recommended* without a formal disciplinary hearing (Category "B" ONLY), have the DHS/DSS PD member initial next to the caption selected.
    - b. If a member selects one of the aforementioned options, under 2a, the member can elect to have a conference.
  3. Deliver completed **SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02)** to Zone Commander, who issued the summary discipline.

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- B. When a Member of DHS/DSS PD has selected an option on the **SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02)**.
1. Zone Commander will have the DHS/DSS PD member sign the **SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02)** in the presence of an independent witness if the DHS/DSS PD member elects to accept the *Final Disposition* and *Disciplinary Penalty Recommended*.
    - a. Forward adjudicated **SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02)** to DHS/DSS PD Headquarters.
  2. The Zone Commander will notify the DHS/DSS PD Management Team if the DHS/DSS PD member elects:
    - a. To accept the *Final Disposition* but elects to have the *Disciplinary Penalty* reviewed by the DHS/DSS PD Management Team.
    - b. To decline the *Final Disposition* and the *Disciplinary Penalty Recommended* without a formal disciplinary hearing (Category “B” ONLY).
  3. Forward the completed **SUMMARY PENALTY VIOLATION/ ELECTION REPORT (DHS PD 17-02)** to the DHS/DSS PD Headquarters.

**SCHEDULE CONFERENCE**

- A. When a DHS/DSS PD member has elected to schedule a conference.
1. The Zone Commander will notify DHS/DSS PD Management Team.
  2. DHS/DSS Management Team will advise the DHS/DSS PD member concerned of the conference date, time and advise the member to bring a union representative.
  3. The DHS/DSS PD Management Team will confer with the supervisor who prepared the **SUPERVISOR’S COMPLAINT REPORT (DHS PD 17-01)** and the **SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02)**.
  4. The DHS/DSS PD Management Team will conduct a hearing.
  5. The DHS/DSS PD Management Team will allow the DHS/DSS PD Member concerned to make a verbal or written statement regarding the discipline imposed.
  6. The DHS/DSS PD Management Team will render a decision regarding the appropriate disposition and penalty.
  7. If all parties agree to the *Final Disposition and Disciplinary Penalty Recommended*, or the parties are unable to agree and the DHS/DSS Management Team issues a penalty of five days or less, prepare a **SUPPLEMENTAL SUMMARY PENALTY VIOLATION/ELECTION REPORT-POST HEARING (DHS PD 17-03)** and forward to DHS/DSS PD Headquarters.
  8. Forward unresolved matters regarding a Category “B” violation only, to DHS/DSS legal for formal disciplinary action.

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**DISCIPLINARY PENALTY RECOMMENDED**

- A. When all parties agree to the *Final Disposition and Disciplinary Penalty Recommended*, or the parties are unable to agree and the DHS/DSS Management Team issues a penalty for a Category "A" violation or a repeated Category "A" violation treated as a Category "B" with a penalty of five days or fewer:
1. Forward a copy of the completed **SUMMARY PENALTY VIOLATION/ ELECTION REPORT (DHS PD 17-02)** to DHS/DSS Human Resources to have the appropriate time removed from the DHS/DSS PD member's city time records.
  2. Once time has been removed, DHS/DSS Human resources will forward a record of the removed time back to DHS/DSS PD Headquarters.
  3. File record of time removed **SUPERVISOR'S COMPLAINT REPORT (DHS PD 17-01)** and completed **SUMMARY PENALTY VIOLATION/ ELECTION REPORT (DHS PD 17-02)** in the DHS/DSS PD member's personnel folder.

**FORMS***SUPERVISOR'S COMPLAINTS REPORT (DHS PD 17-01)**SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02)**SUPPLEMENTAL SUMMARY PENALTY VIOLATION / ELECTION REPORT (DHS PD 17-02B)**SUPPLEMENTAL SUMMARY PENALTY VIOLATION/ ELECTION REPORT- POST HEARING (DHS PD 17-03)*



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**DEPARTMENT OF HOMELESS SERVICES POLICE**  
**SUMMARY DISCIPLINE FOR VIOLATIONS OF RULES/PROCEDURES**

**Purpose:** Category “A” & “B” discipline that can be written by a supervisor and will be adjudicated by a supervisor that is one rank above the initiating supervisor, in consultation with the next higher command.

**Category “A”:** At the discretion of the adjudicating supervisor, forfeiture of up to five (1-5) annual or compensatory leave days, or suspension without pay of up to five (1-5) work days, and/or a letter of reprimand to be placed in the officer’s personnel file, and/or mandatory re-training to ensure the member is apprised of the appropriate policies/procedures. Category “A” violations shall remain in an officer’s personnel file for at least one year. Upon conclusion of that one-year period, the officer may request the violation be removed from his personnel folder. Such request must be made in writing.

**Category “A” Violations:**

1. Absence from post or assignment.
2. Failure to attend roll call.
3. Failure to signal or signal improperly when driving a Department vehicle.
4. Improper uniform or equipment.
5. Failure to maintain neat and clean personal appearance.
6. Omitted **ACTIVITY LOG** entries.
7. Omitted entries in records, forms or reports.
8. Failure to submit reports in a timely manner.
9. Failure to make proper notifications.
10. Smoking as prohibited.
11. Unnecessary conversation.
12. Loss of **IDENTIFICATION CARD**.
13. Reporting late for duty
14. Failure to notify supervisor when leaving post for Department of Homeless Services or personal necessity.
15. Failure to make routine inspections and surveys as required.
16. Carrying packages, newspapers or other articles as prohibited while in uniform or Department of Homeless Service vehicle.
17. Unauthorized person riding in Department of Homeless Service vehicle.
18. Illegal parking a Department of Homeless Services vehicle.
19. Illegally parking a private vehicle in or around a shelter facility.
20. Failure to comply with proper driving rules and regulation while on duty.
21. Failure to lock an unguarded Department of Homeless Services vehicle.
22. Failure to notify supervisor of suspended license.
23. Failure to notify site commander when address, telephone number, or social condition changes.
24. Loss of summons or loss of summons book.
25. Failure to have locker secured or properly tagged.
26. Failure to sign in or out of court.
27. Failure to perform duties in connection with court appearances.

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28. Failure to properly perform or improperly perform patrol or other assignment.
29. Failure to make a timely notification to supervisor when requesting sick leave, as required.
30. Unauthorized use of Department of Homeless Services telephones.
31. Any other minor violation that, in the opinion of the Zone Commander is appropriate for discipline.
32. Reporting present for duty before the start of the regular tour without prior authorization from a supervisor of a higher rank.
33. Failure to document time appropriately in City Time (e.g. Manual punch, DCD, or overtime reports).
34. Failure to conduct a proper investigation.
35. Loss of a cap device.
36. Absent without authorization from their supervisor.
37. Failure to remain civil and respectful.
38. Utilizing any office space without permission or authority.
39. Occupying an unauthorized area of a facility (e.g., an administrative office) which may include lounging, sleeping, using facility telephones, etc.
40. Remaining in a place of assignment without authorization of a superior, while off duty.
41. Fail to give name, shield number and rank to a staff member, client, or general public.
42. Failure to respond to a fellow officer's radio call for relief, assistance, etc.
43. Leaving early or arriving late due to off duty employment.
44. Using any electronic/digital device (e.g., personal gaming device, MP3 player, personal digital assistant, Bluetooth headset, etc.) while on duty.

**NOTE:** *A cellular phone is authorized to be used when conducting official Department related business or on an assigned meal, or as otherwise authorized by a supervisor. The cellular phone must be carried in a concealed manner that does not interfere with authorized equipment.*

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**Category “B”** : At the discretion of the adjudicating supervisor, forfeiture of up to ten (1-10) annual or compensatory leave days, or suspension without pay of up to ten (1-10) work days and/or a letter of reprimand to be placed in the officer’s personnel file, and/or mandatory re-training to ensure the member is apprised of the appropriate policies/ procedures. Category “B” violations shall remain in an officer’s personnel file for at least three years. Upon conclusion of that three-year period, the officer may request the violation be removed from his personnel folder. Such request must be made in writing.

**Category “B” Violations:**

1. Sleeping while on Duty.
2. Consumption of intoxicants while in uniform or while on duty; however, *unfit for duty will be processed as formal discipline*.
3. Signing, swiping or otherwise certifying “in or out” for another officer.
4. Fraternalizing with staff or other officers while on duty (*i.e., Fraternalizing with a client at any time will result in formal discipline*).
5. Visiting unlicensed premise.
6. In a licensed premise prohibited from selling alcohol after 0400 hours.
7. Issuance of Criminal Court Summonses by a state, city, or county law enforcement.
8. Failure to safeguard property (i.e. Ballistic vest, shield, radio, OC spray, Taser, and baton).
9. Failure to immediately report a Department of Homeless Service vehicle accident.
10. Use of any Department of Homeless Service confidential computer system or database for other than official business.
11. Unauthorized use of a city owned vehicle.
12. Unauthorized use of agency equipment.
13. Engaging in disruptive, inappropriate, unprofessional, or detrimental conduct.
14. Engaging in outside employment without first obtaining joint authorization from the Zone Commander and DSS/DHS Management Team.

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**Second Category "A"**

- For the **same violation** listed under Category "A" will result in a Category "B", with an increased penalty from the previous violation.

**Third Category "A"**

- For any violation within a six (6) month period listed under Category "A" will result in a Category "B", with a minimum penalty of three (3) annual or compensatory leave days, or suspension without pay of three (3) work days.

**More than three (3) Category "A"**

- For any violation within a six (6) month period listed under Category "A" will result in a Category "B", with a penalty of a five (5) to ten (10) annual or compensatory leave days, or suspension without pay for up to five (5) to ten (10) work days.

**Second Category "B"**

- For the **same violation** will result in a Category "B", with a penalty of a five (5) to ten (10) annual or compensatory leave days, or suspension without pay for up to five (5) to ten (10) work days.

**More than two (2) Category "B"**

- For any violation within a six (6) month period listed under category "B" should be written as a Category "B" with a penalty of seven (7) to ten (10) annual or compensatory leave days, or suspension without pay for seven (7) to ten (10) work days.

**ADDITIONAL DATA:** Discipline not identified in the aforementioned list should be forwarded for formal disciplinary review.



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***SUPERVISOR'S COMPLAINTS REPORT (DHS PD 17-01)***

*To be prepared by Supervisor who becomes aware of a violation of the rules or procedures*

*Zone Commander Preliminary Investigation & recommended discipline*



**SUPERVISOR'S COMPLAINT REPORT**  
(DHS PD 17-01)

DHS Ser. No. \_\_\_\_\_

SCHEDULE:  A  B

From:

To:

Subject: **REPORT OF VIOLATION OF THE RULES AND PROCEDURES**

Member Complained Of:	Rank	Full Name	Shield Number	Facility Assigned
Location Where Violation Occurred		Time	Date	Day Of Week
Complainant (if any):	Name and Address		Telephone Number	

Details of Violation:

Rank/ Name of Supervisor Preparing Report: (Print)	Signature	Shield Number	Facility Assigned	Date
--	-----------	---------------	-------------------	------

**SUBJECT'S PRIOR 12 MONTH DISCIPLINARY HISTORY**

Final Disposition	Disciplinary Penalty Recommended	Total Number of Substantiated Infractions
Total time taken and/or other discipline imposed for all summary discipline		

**Note: More than Three (3) Category "A" - For any violation within a six (6) month period listed under category "A" should be written as a Category "B" with a penalty of a five (5) to ten (10) work day suspension without pay, or the forfeiture of five (5) to ten (10) annual or compensatory leave days. More than two (2) Category "B" - For any violation within a six (6) month period listed under category "B" should be written as a Category "B" with a penalty of a seven (7) to ten (10) work day suspension without pay, or the forfeiture of seven (7) to ten (10) annual or compensatory leave days.**

Preliminary Disposition

Unsubstantiated
  Substantiated  
 Unfounded / Exonerated

Person(s) Interviewed:

Rank/ Name of DHS Zone Commander (Print)	Signature	Zone No.	Date
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REPORT MUST BE TYPED



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**SUMMARY PENALTY VIOLATION/ELECTION REPORT (DHS PD 17-02)**

Zone  
Commander  
Investigative  
findings and  
recommended  
discipline

Complain off  
election  
options

\*INITIAL NEXT TO  
SELECTION\*

**SUMMARY PENALTY VIOLATION / ELECTION REPORT**  
(DHS PD 17-02)

DHS Ser. No. \_\_\_\_\_

Member's Name	Rank	Shield Number	Facility Assigned
Investigation has been completed concerning the violation charged herein. The finding and the disciplinary penalty recommended are indicated below. You may accept the final disposition and disciplinary penalty recommended, or accept the final disposition but appeal the proposed disciplinary penalty recommended to the DHS PD Management Team for final determination, or decline to accept the final disposition and the disciplinary penalty recommended without a formal disciplinary hearing (Category "B" with a ten day penalty ONLY). You must complete and return this form to the undersigned within three (3) working days.			
Summary of Investigation and Disposition of Complaint:			
Final Disposition		Disciplinary Penalty Recommended	
Rank / Name of DHS PD Zone Commander (Print)	Signature	Zone No.	Date

**ELECTION REPORT**

**TO BE COMPLETED BY OFFICER:**

The violation and Summary Penalty imposed or penalty recommended has been explained to me. I hereby elect the following:

I have elected to accept the final disposition and the disciplinary penalty recommended.

I have elected to accept the final disposition but elect to have the disciplinary penalty recommended reviewed by the DHS PD Management team.

I have Decline to accept the final disposition and the disciplinary penalty recommended without a formal disciplinary hearing (Category "B" with a ten day penalty ONLY).

Any decision arrived at relative to this case is apart from and does not preclude further exercise of management prerogative such as transfer, reassignment, etc.

Officer's Signature (Only required for Substantiated Disposition)	Date	Witnessed By: (Rank, Name, Shield)
Date:	Time:	Member Notified of the following disposition: <input type="checkbox"/> Unsubstantiated <input type="checkbox"/> Unfounded/ Exonerated

REPORT MUST BE TYPED



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***SUPPLEMENTAL SUMMARY PENALTY VIOLATION / ELECTION REPORT (DHS PD 17-02B)***



**SUPPLEMENTAL SUMMARY PENALTY VIOLATION/  
ELECTION REPORT**  
*(USE THIS FORM FOR ADDITIONAL INFORMATION UNDER THE DETAILS OF THE  
SUMMARY OF INVESTIGATION AND DISPOSITION OF COMPLAINT)*  
(DHS PD 17-02B)

DHS Ser. No. \_\_\_\_\_

Member's Name	Rank	Shield Number	Facility Assigned
---------------	------	---------------	-------------------

Investigation has been completed concerning the violation charged herein. The finding and the disciplinary penalty recommended are indicated below. You may accept the final disposition and disciplinary penalty recommended; or accept the final disposition but appeal the proposed disciplinary penalty recommended to the DHS PD Management Team for final determination; or decline to accept the final disposition and the disciplinary penalty recommended without a formal disciplinary hearing (Category "B" with a ten day penalty ONLY). You must complete and return this form to the undersigned within three (3) working days.

Summary of Investigation and Disposition of Complaint:

Final Disposition		Disciplinary Penalty Recommended	
Rank / Name of DHS PD Zone Commander (Print)	Signature	Zone No.	Date

REPORT MUST BE TYPED

*To be used if additional space is needed for Zone commander investigative findings*





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**SUPPLEMENTAL SUMMARY PENALTY VIOLATION/ ELECTION REPORT- POST HEARING  
(DHS PD 17-03)**



**SUPPLEMENTAL SUMMARY PENALTY VIOLATION / ELECTION REPORT – POST HEARING**  
(USE THIS FORM PURSUANT TO ALL PARTIES AGREEING ON FINAL DISPOSITION AND DISCIPLINARY PENAL RECOMMENDED)  
 (DHS PD 17-03)

DHS Ser. No. \_\_\_\_\_

Member's Name	Rank	Shield Number	Facility Assigned
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Investigation has been completed concerning the violation charged herein. The finding and the disciplinary penalty recommended are indicated below.

Summary of Investigation and Disposition of Complaint:

Final Disposition	Disciplinary Penalty Recommended
-------------------	----------------------------------

Rank / Name of DHS PD Management Member	Signature	Date
---	-----------	------

**TO BE COMPLETED BY OFFICER:**

The violation and Summary Penalty imposed or penalty recommended has been explained to me. I hereby elect the following:

I have elected to accept the final disposition and the disciplinary penalty recommended.

My decision arrived at relative to this case is apart from and does not preclude further exercise of management prerogative such as transfer, reassignment, etc.

Officer's Signature	Date	Witnessed By: (Rank, Name, Shield)
---------------------	------	------------------------------------

REPORT MUST BE TYPED

Prepared by  
DHS PD  
Management  
Team  
pursuant to  
conference

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **107-14**

<b>FITNESS FOR DUTY</b>			
Date Issued	Date effective	Revision Number	Page of Pages
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**PURPOSE:**

To investigate incidents or allegations concerning a member's fitness for duty.

**FITNESS FOR DUTY**

1. Be fit for duty while on duty or when reporting for work.
2. Do not consume intoxicants while on duty, whether in uniform or civilian attire.
3. Do not consume intoxicants in or around any DHS-HRA-DSS facility, building, shelter, or vehicle.
4. Do not be under the influence of intoxicants while on duty, whether in uniform or civilian attire.
5. Do not use, be under the influence or possess a controlled substance at any time, except when prescribed by a licensed practitioner as defined in NYS Public Health Law section 3302(28.)

**SCOPE:**

*All DHS peace officers are required to remain fit for duty as specified above, and are reminded of their absolute responsibility not to consume alcohol or controlled substance on duty or bring any alcoholic beverages and/or controlled substances into the workplace.*

*Any DHS peace officer found to be unfit for duty due to intoxication from alcohol or other substance may be immediately suspended and referred for disciplinary action. In addition, any misconduct involving a DHS peace officer while unfit for duty due to intoxication from alcohol or other substance may result in the member's termination from the agency.*

*DHS peace officers are also reminded of the agency's commitment to the counseling services available through the NYC Employee Assistance Program, 212-306-7660.*

**PROCEDURE:**

All DHS peace officers have a responsibility to immediately report when they suspect that another member is unfit for duty. A DHS supervisor who reasonably believes that a member is unfit for duty due to the effects of an alcoholic intoxicant or other substance is required to notify the zone commander/duty supervisor who will respond, conduct an investigation, and determine if the member is fit for duty.

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**DHS SUPERVISOR(S)**

1. Assess member's fitness for duty based on a number of factors including, but not limited to, the following:

- a. Smell of alcohol
- b. Unsteady gait
- c. Slurred speech
- d. Glassy/watery and/or bloodshot eyes
- e. Disheveled clothing
- f. Flushed face
- g. Lethargic or inhibited movements/motion
- h. Erratic and/or irrational behavior or actions

2. Request response of zone commander/duty supervisor.

3. Prepare Supervisor's Fitness for Duty Report.

- a. Direct witness(es) to prepare a witness statement, including the facts and circumstances that led them to believe the member was unfit for duty.

**NOTE:**

*ALL SUPERVISORS involved with the preliminary and final assessment of a member's fitness for duty will prepare a Supervisor's Fitness for Duty Report to document their independent assessment.*

**ZONE COMMANDER/DUTY SUPERVISOR**

4. Respond to the scene, conduct an investigation, and based on the factors, as indicated above, determine if the member is fit for duty.

- a. Review ALL evidence related to the fitness for duty investigation and/or other misconduct, including CCTV and related agency document(s).

5. If found UNFIT, the zone commander/duty supervisor making such determination will confer with DHS Management and DHS/DSS Discipline and DHS/DSS Legal to immediately suspend the member.

- a. If DHS/DSS Discipline and DHS/DSS Legal are not immediately available, the zone commander/duty supervisor will suspend the member, pending a conferral with the aforementioned departments during normal business hours.
- b. Safeguard member's agency property, including shield, ID, cap device, Taser, mace, baton, etc...
- c. Notify Operations Desk
- d. Make Command Log entry of member's duty status

6. Prepare Supervisor's Fitness for Duty Report

- a. Compile ALL Supervisor's Fitness for Duty Reports and witness statements from other members involved in the investigation, as indicated above.

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7. Prepare a typed report on **Letterhead** detailing observations and circumstances leading to the determination of unfitness, other misconduct committed by the member and action taken.
- a. Immediately forward, via email, to DHS Management, DHS/DSS Discipline, DHS/DSS Legal, Zone Commander, Site Commander, and DHS Investigations Unit/DHS Integrity Control Officer.
  - b. Forward ORIGINAL in a SEALED ENVELOPE to DHS Management, along with all Supervisor's Fitness for Duty Reports, witness statements and any other supporting documents/video obtained during the investigation.

**NOTE:** *ALL SUPERVISORS are reminded to maintain confidentiality when investigating these incidents and to ensure all parties involved maintain confidentiality as well.*

**DHS INVESTIGATIONS UNIT/INTEGRITY CONTROL OFFICER**

8. Forward above investigative package (Typed Letterhead, Supervisor's Fitness for Duty Reports, witness statements, CCTV video, etc.) to DHS/DSS Discipline and DHS/DSS Legal for further investigation and appropriate disciplinary action.

**ADDITIONAL DATA**

*DHS Security Operations encourages members to seek help in a supportive, confidential environment before the consequences of alcohol abuse requires the agency to take disciplinary action. Members whose alcohol consumption has caused problems for them or others are urged to seek counseling before they are responsible for a serious incident and the above disciplinary action becomes necessary. They can do so in complete confidence by calling the NYC Employee Assistance Program, 212-306-7660.*

*DHS peace officers are held to the same high standards as other law enforcement professionals: there is zero tolerance of substance use, abuse, possession or sale. Consistent with the provisions of DHS Peace Officer Guide Procedure 107-08, a drug screening test will be administered when there is reasonable suspicion that an individual is illegally using drugs.*

**FORMS**

***SUPERVISOR'S FITNESS FOR DUTY REPORT – PEACE OFFICER OBSERVED***



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**SUPERVISOR'S FITNESS FOR DUTY REPORT**  
PEACE OFFICER OBSERVED

Page 1 of 2

Rank	Name (Last, First, M.I.)	Command	Shield Number
Date of Birth	Last Tour Performed	Next Tour Scheduled	

**ALLEGED MISCONDUCT INCIDENT**

Date	Time	Address
------	------	---------

Narrative description as provided by complainant (Indicate additional narrative on rear of form)

**COMPLAINANT (If not a Supervisor)**

Name (Last, First, M.I.)	Address	Telephone Number
Relationship to Peace Officer (If any)	Date of Birth	Physical Condition (Injure, Intoxicated, etc.)

**WITNESS INFORMATION (Indicate additional witnesses on rear of form)**

Name (Last, First, M.I.)	Address	Telephone Number
Relationship to Member of the Service (If any)	Date of Birth	Physical Condition (Injure, Intoxicated, etc.)

Detailed statement of alleged misconduct

**SUPERVISOR'S OBSERVATION**

Date	Time	Location of Observation	Type of Location
------	------	-------------------------	------------------

**OBSERVATION (Check words describing conditions observed)**

<b>ODOR OF ALCOHOL ON BREATH</b>	None <input type="checkbox"/>	Faint <input type="checkbox"/>	Moderate <input type="checkbox"/>	Strong <input type="checkbox"/>
<b>COLOR OF FACE</b>	Normal <input type="checkbox"/>	Flushed <input type="checkbox"/>	Pale <input type="checkbox"/>	Other (Described) <input type="checkbox"/>
<b>CLOTHES</b>	Neat <input type="checkbox"/>	Disheveled <input type="checkbox"/>	Dirty <input type="checkbox"/>	Narrative Description of clothes worn <input type="checkbox"/>
<b>ATTITUDE</b>	Indifferent <input type="checkbox"/>	Cooperative <input type="checkbox"/>	Polite <input type="checkbox"/>	Talkative <input type="checkbox"/> Excited <input type="checkbox"/>
<b>ACTIONS</b>	Antagonistic <input type="checkbox"/>	Combative <input type="checkbox"/>	Profanity <input type="checkbox"/>	Hiccupping <input type="checkbox"/> Belching <input type="checkbox"/> Vomiting <input type="checkbox"/> Crying <input type="checkbox"/>
<b>EYES</b>	Apparently Normal <input type="checkbox"/>		Glassy/Watery <input type="checkbox"/>	Bloodshot <input type="checkbox"/>
<b>BALANCE/COORDINATION</b>	Steady <input type="checkbox"/>	Swaying <input type="checkbox"/>	Sagging <input type="checkbox"/>	Falling <input type="checkbox"/>
<b>SPEECH</b>	Normal <input type="checkbox"/>		Slurred <input type="checkbox"/>	Unintelligible <input type="checkbox"/>
<b>SUPERVISOR'S OVERALL DETERMINATION</b>	Fit for Duty <input type="checkbox"/>		Unfit for Duty <input type="checkbox"/>	

**SUPERVISOR INFORMATION**

Rank	Name (Last, First, M.I.) Print	Signature	Cmd
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**SUPERVISOR'S FITNESS FOR DUTY REPORT  
PEACE OFFICER OBSERVED**

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**Narrative description as provided by complainant**

**ADDITIONAL WITNESS INFORMATION**

Name (Last, First, M.I.)	Address	Telephone Number
Relationship to Member of the Service (if any)	Date of Birth	Physical Condition (Injure, Intoxicated, etc.)

Detailed statement of alleged misconduct

**ADDITIONAL WITNESS INFORMATION**

Name (Last, First, M.I.)	Address	Telephone Number
Relationship to Member of the Service (if any)	Date of Birth	Physical Condition (Injure, Intoxicated, etc.)

Detailed statement of alleged misconduct

**SUPERVISOR INFORMATION**

Rank	Name (Last, First, M.I.)	Print	Signature

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **108-01**

<b>ACCESS CONTROL POLICY</b>			
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**ACCESS CONTROL**

The term Access Control refers to the orderly process of properly identifying, documenting and security screening of persons entering DHS directly operated or funded facilities.

Complete Facility Access Guidelines are listed in DHS Procedure No. 10-210 issued October 20, 2009.

All persons entering DHS facilities must be properly identified, and generally fall within three (3) basic categories; Clients, Staff, & Visitors

**DEFINITIONS**

**Clients:** Persons seeking services at the DHS facility or residents thereof. Client's identity should be verified at the access control point as well as their authority to enter the specific facility. Clients may or may not be required to sign in, but all clients must voluntarily consent to the full screening process in order to be admitted to the facility.

**Staff:** Employees assigned to a facility on a full time basis, and are identified by a photo identification card of the agency or provider. All staff members are required to present their agency photo ID card upon entering the facility and display it on their outermost garment when inside the facility. Staff members are not required to sign in at the access control point, nor are they subject to personal or possession screening.

**Visitors:** Any individual who does not reside in the facility or is not assigned to the facility on a full time basis. This includes all DHS personnel not assigned to work at the facility on a full time basis. All visitors, with the exception of emergency responders (law enforcement, fire department and emergency medical services) must:

1. Present valid photographic identification.
2. Sign the visitor's log book, printing name, affiliation, person(s) intending to visit and time entering the facility.
3. Sign out of visitor's log book, including time, at completion of business.

All visitors must comply with the security screening process (metal detector and x-ray machine, if available) except judges, elected officials, emergency responders, and properly identified agency or provider staff.

Cameras and the taking of photographs are not permitted within facilities. Cameras must be surrendered at access control in order to enter facility. This ban does not apply to cellular phones equipped with cameras, but persons taking any photographs with any device will be expelled from

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **108-01**

<b>ACCESS CONTROL POLICY</b>			
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**DEFINITIONS**  
**(Continued)**

## Authorized Visitors:

1. Press/media representatives
2. Elected officials and their staff
3. Legal representatives of resident clients
4. Non-legal representatives of resident clients
5. Inspectors from the Office of Temporary and Disability Assistance (OTDA)
6. Emergency responders
7. Judges, court personnel and court-appointed monitors
8. City lawyers and senior City officials
9. Personal visitors of resident clients
10. Staff members of external organizations or workers performing services, improvements or repair work
11. Designated members of the Coalition for the Homeless

Notify shelter director or his/her designee immediately whenever an authorized visitor enters the facility, once they have provided photographic identification and signed into the visitor's log book. Request visitor to wait at the access control point until a staff member is available to escort them to their intended visitor. If visitor refuses, an officer may follow the visitor and report whereabouts of visitor to a supervisor (except in the case of designated member(s) of the coalition for the Homeless). Questions regarding facility access procedure should be directed to the facility director or designee, program administrator or the General Counsel at 212-361-7996.



**DHS PEACE OFFICER GUIDE**PROCEDURE No. **108-02**

<b>SECURITY SCREENING POLICY</b>			
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**PURPOSE** In order to improve safety and security within the shelter system, DHS requires that all visitors and clients entering agency facilities voluntarily submit to the full security screening process.

Complete guidelines are contained in DHS Procedure No. AS-98-401, Policy and Procedure for the Control and Confiscation of Contraband dated 8/1/97.

**DEFINITIONS**

**Security Screening:** Physical and mechanical search process to identify contraband. It integrates the use of walk-through metal detectors, x-ray machines, hand-held metal detectors and, if necessary, the physical searching of persons and possessions.

**Contraband:** Weapons, dangerous instruments, illegal drugs and drug paraphernalia, hazardous tools and utensils, hazardous materials, alcoholic beverages, replicas of lethal weapons, sanitary hazards and other goods and items that are prohibited in shelter facilities (e.g. incense candles, electrical appliances, cameras, food, etc).

**POLICY**

Signs describing this policy, as well as listing the prohibited items, are conspicuously posted at the entrances and security screening points in order to allow potential clients and visitors to be aware of the policy prior to entering the facility.

Clients and visitors have the right to refuse to voluntarily consent to the security screening process, refuse to submit personal items for inspection, or withdraw consent during the screening process, prior to an alarm sounding.

Clients and visitors who decline, refuse or withdraw consent to submit to the full security screening process will not be admitted into the facility.

Clients and visitors who fail to be completely cleared by the screening process, for whatever reason, will not be permitted to enter the facility until such time as they have been properly cleared.

Persons found in possession of unlawful items are subject to arrest and prosecution.

Persons found in possession of other contraband will have such items confiscated prior to entering the facility.

The goal of the security screening process is to prevent contraband items from entering the facility.

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<b>SECURITY SCREENING POLICY</b>			
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**PROCESS**

The security screening process consists of two basic functions:

1. The screening of the physical body of an individual and
2. The screening of items, bags, packages in his /her possession.

The screening of the physical body of an individual involves the use of walk-through metal detectors, hand-held metal detectors and, if necessary, the physical search / pat down of the person.

The screening of items involves the use of x-ray machines and, if necessary, the physical search of the items in a person's possession.

Tact, courtesy, thoroughness and caution are four very important fundamentals of the security screening process.

Most clients and visitors generally do not object to being screened, if it is done in a professional, courteous and reasonable manner. In fact, the majority of complaints concern security screening personnel who are discourteous, complacent or not paying attention to what they are doing.

**NOTE:**

*There are persons who are not subject to the DHS security screening process. Refer to POG 110-01 and DHS Procedure No. 10-210 for more information.*

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **108-03**

<b>MECHANICS OF ACCESS CONTROL MAGNOTOMETERS</b>			
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**METAL  
DETECTORS**

1. Magnetometers, commonly referred to as MAGS or walk through metal detectors are primary detection device used in agency facilities.
2. Persons being screened should be asked to remove jackets and any metal objects from their person prior to passing through detector.
3. Jackets should be x-rayed; removed items in the view of the person being screened.
4. Persons should walk slowly through the detector without pausing, turning or stopping.
5. Only one person at a time should pass through the detector.
6. Magnetometers are calibrated to a specific sensitivity and **SHOULD NOT** be changed by the operator.
7. In most cases, small metal objects such as belt buckles and jewelry should not cause the alarm to sound.
8. Any unusual pattern of metal detector alarms or lack of alarms should be immediately reported to the supervisor. This condition may be an indication that the sensitivity of the detectors needs to be adjusted.
9. If after two attempts to pass through the detector fails; a hand-held metal detector should be used to identify the specific cause of the alarm.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **108-04**

<b>MECHANICS OF ACCESS CONTROL X-RAY MACHINES</b>			
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**X-RAY  
MACHINES**

1. X-ray machines are utilized to scan all items that do not pass through the walk-through metal detectors, including jackets, bags, packages, etc.
2. The operator of the x-ray machine should adjust the monitor so that the brightness and contrast are set to provide the best possible image display.
3. Operators must check all items before passing them through the x-ray to ensure that they are safe to be x-rayed.
4. Never allow any part of a person's body to enter the x-ray machine or get caught in the conveyor belt.
5. It is very important that hand-carried items be placed on the conveyor belt in the proper position and spaced correctly to ensure individual, accurate viewing of items.
6. Only one item should be viewed at a time.
7. Operators must remain ever vigilant in closely monitoring the images displayed by the x-ray machine in order to ensure adequate detection of possible threats. No machine can replace the human element of keep observation and detection.
8. Concentrate and take the proper amount of time with each item. Remember – Your failure to identify a threat may result in a serious injury to someone.
9. Clients/Staff have the right to request that any item be physically inspected rather than x-rayed. **ANY ITEM NOT X-RAYED MUST BE PHYSICALLY INSPECTED.**
10. Operators must use the ***No Threat – Pass / Possible Threat – Physically Inspect / Obvious Threat – Call for Assistance*** system of classifying x-ray images.
11. Operators must maintain positive control of an item once a ***Possible Threat / Obvious Threat*** is identified. Stopping the conveyor belt and leaving the item inside the x-ray machine is one way of maintaining positive control until additional assistance arrives.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **108-05**

<b>MECHANICS OF ACCESS CONTROL</b>			
<b>SCANNING WITH HAND-HELD METAL DETECTORS-GRAPHIC</b>			

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**SCANNING  
HAND-HELD  
SCANNERS**

1. In the event an individual alarms two (2) times passing through a full body metal detector,  
a scan is done with a hand-held metal detector.
2. Clients / visitors have the right to refuse to refuse will not be permitted to enter the facility.
3. The hand-held metal detector works the same as the walk through detector, but is designed to identify the precise location of metal objects.
4. Hand-held metal scanners should be held one to inches away from the surface being scanned.  
The scanner should never come in contact with any part of a person's body.
5. Hand-held metal scanners should be conducted in the vicinity of the x-ray machine in order to allow the person to maintain visual contact with his/her other property being screened.
6. The hand-held metal detector should be tested prior to each scan. A discharged battery is the most common reason for test failure.
7. A malfunctioning hand-held metal detector should be immediately reported to the DHS Police supervisor.
8. When a hand-held metal detector alarm sounds, the operator should request that the client / visitor carefully produce the metal object, then RE-INSPECT the same area to verify that the item produced caused the alarm.
9. In the event the cause of an alarm cannot be identified, consent search / pat down should be conducted.
10. The source of all alarms MUST be positively identified before the client / visitor is permitted to proceed. The entire scan must be complete even if an initial source of alarm is identified. **DO NOT STOP THE SCAN UNTIL THE ENTIRE BODY IS COMPLETED AND CLEARED.** Remember- your failure to identify a threat result may in a serious injury to someone.

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<b>MECHANICS OF ACCESS CONTROL</b>			
<b>SCANNING WITH HAND-HELD METAL DETECTORS-GRAPHIC</b>			

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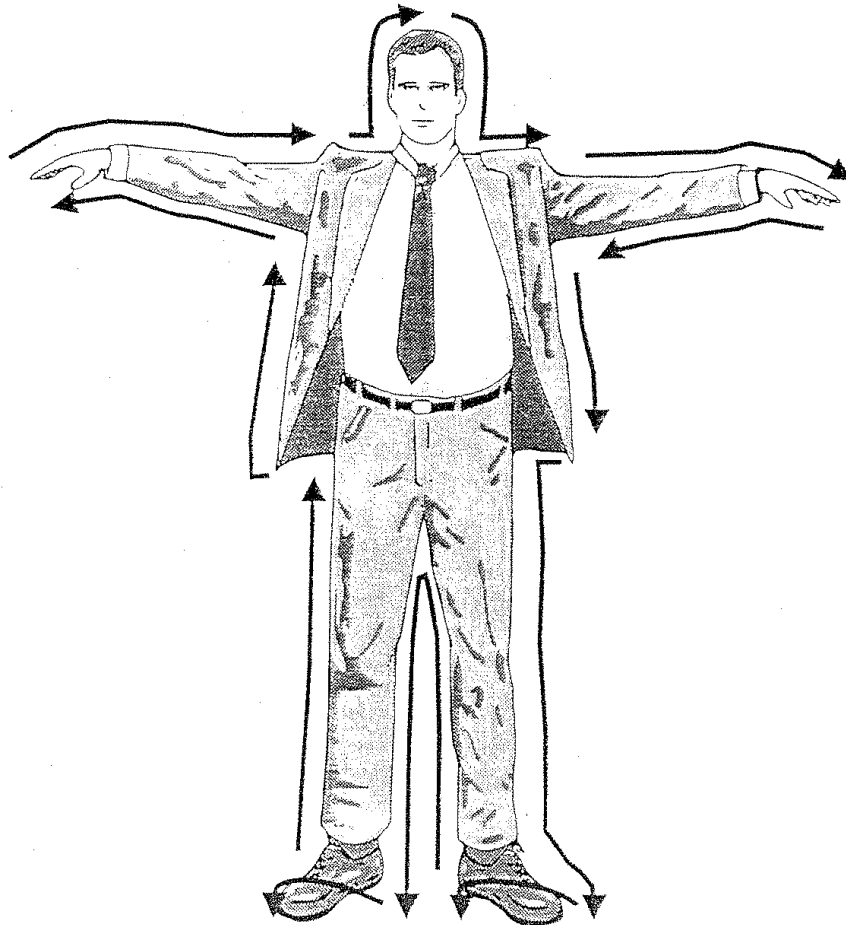
**MECHANICS OF ACCES CONTROL****SCANNING WITH HAND HELD METAL DETECTORS**

Begin at the top of the head, moving down and around the person's body in a clockwise direction until the individual's body has been completely outlined.

Then scan the front side of the body and then the rear side, giving special attention to the waist, underarm & ankle.

*(When scanning the front side of the body, never expose the back of your head to subject being scanned)*

**start at the top of the head, moving down and around the subjects body in a clockwise direction until the subjects body has been completely outlined.**



**DHS PEACE OFFICER GUIDE**PROCEDURE No. **108-06**

<b>MECHANICS OF ACCESS CONTROL PHYSICAL SEARCHES / PAT-DOWN</b>			
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**PHYSICAL SEARCHES**

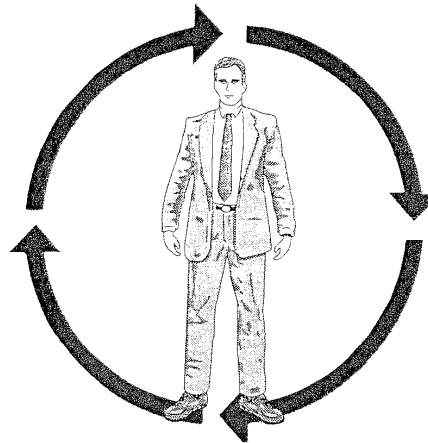
1. Clients / visitors have the right to refuse to voluntarily consent to a physical search / pat-down, prior to an alarm sounding. Those that refuse will not be permitted to enter the facility.
2. The consent search / pat-down must be conducted by an officer of the same sex unless the client / visitor agrees to waive this right.
3. In the event a same-sex officer is not available, a security guard or staff member of the same sex may be utilized to conduct the search.
4. The consent search / pat-down may be conducted in a private room if the nature of the search requires privacy. However, the individuals should not be separated from his / her other belongings.
5. The consent search / pat-down is only utilized to identify the source of metal detector alarms or obvious suspicious conditions.

**GRAPHIC****CONDUCTING A PAT-DOWN**

There are 2 types of pat-down searches, A WHOLE BODY PAT-DOWN SEARCH AND PAT-DOWN SEARCH LIMITED TO AREA OF AN ALARM. In both situations. Whenever possible the screener should use the back of his/her hand to conduct the search. In conducting a pat-down search a “common sense” approach must be applied to accommodate the person’s health, safety and dignity.

**SCREEN AROUND THE CLOCK**

A pat-down search path should be “clockwise around, then top to bottom on the person’s body. Pat-down searches must be performed using the same procedure every time to ensure that nothing is missed.



**MECHANICS OF ACCESS CONTROL  
PHYSICAL SEARCHES / PAT-DOWN**

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**PHYSICAL  
SEARCHES**

Officers conducting pat-down inspections should use the following procedures:

**HAIR AND NECK**

Persons with short hair only require visual inspection.

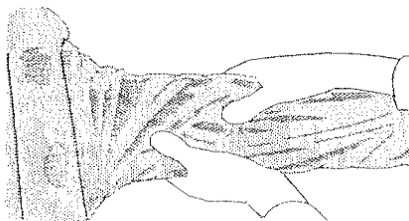
Persons with long hair or hair-styles, in which a weapon could be hidden, must have his or her hair and neck patted-down.

Persons wearing a turban, bandana or other head covering must remove it so the hair can be patted-down.

**SHOULDERS AND ARMS**

The officer should ask the search subject of search to raise to raise his/her arms to the side. If the subject is wearing short sleeves, it is not necessary to check further than end of the sleeve.

If the search subject wearing long sleeves should be patted-down encircling the persons nearest arm with the hands and fingers, moving from the shoulder downward to the bottom of the arm in one motion. Repeat the action on the other arm.





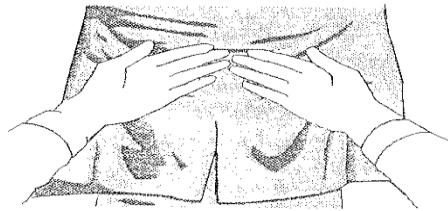
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**PHYSICAL  
SEARCHES****CHEST, UNDER ARMS AND BACK**

With the subjects arms still raised, use the backs of the hands. Start at the top of the shoulder and move the hands downward to the waist in overlapping paths, until the entire torso has been searched. When screening females, the pat-down must be conducted efficiently but very tactfully in the breast area.

The area of the back, near the waist, caused the curvature of the spine and the area under the armpits, where weapons can be concealed should receive special attention.



If the subject is wearing a suit coat, sport jacket or other light over-garment, pat-down the area of the garment that pulls away from the subjects' body.

**WAIST, THIGHS AND LEGS**

Place thumbs between the subjects' belt and waist and circle the waist.

If necessary, crouch or kneel and with the backs of the hands start at the waist and move them downward to the trouser cuffs or skirt hem in overlapping paths until the subjects entire lower body has been searched. Repeat for the other leg

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<b>MECHANICS OF ACCESS CONTROL PHYSICAL SEARCHES / PAT-DOWN</b>			
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**CROTCH**

With the search subjects' permission, the crotch area should be checked with a metal detector

**FEET & SHOES**

Normally, subjects should not be asked to remove their shoes. Screens should check shoe or boot bottoms and tops by hand. If concealment is suspected, the item in question should be x-rayed. Sandals do not require to be checked.

**PAT-DOWN SEARCH LIMITED TO AREA OF SPECIFIC ALARM**

When a hand-held scanner metal detector search of a subject cannot resolve the source of an alarm, a limited pat-down search is necessary. A limited pat-down search requires the consent of the subject. These searches should be limited to the area of the subjects body where the alarm cannot be resolved.

If the area of the search is not sensitive, with the subjects' permission the search may be conducted by an officer of the opposite sex.

**NOTE:**

**IF THE SOURCE OF THE ALARM CANNOT BE RESOLVED BY A PAT-DOWN INSPECTION NOTIFY THE SUPERVISOR IMMEDIATELY.**



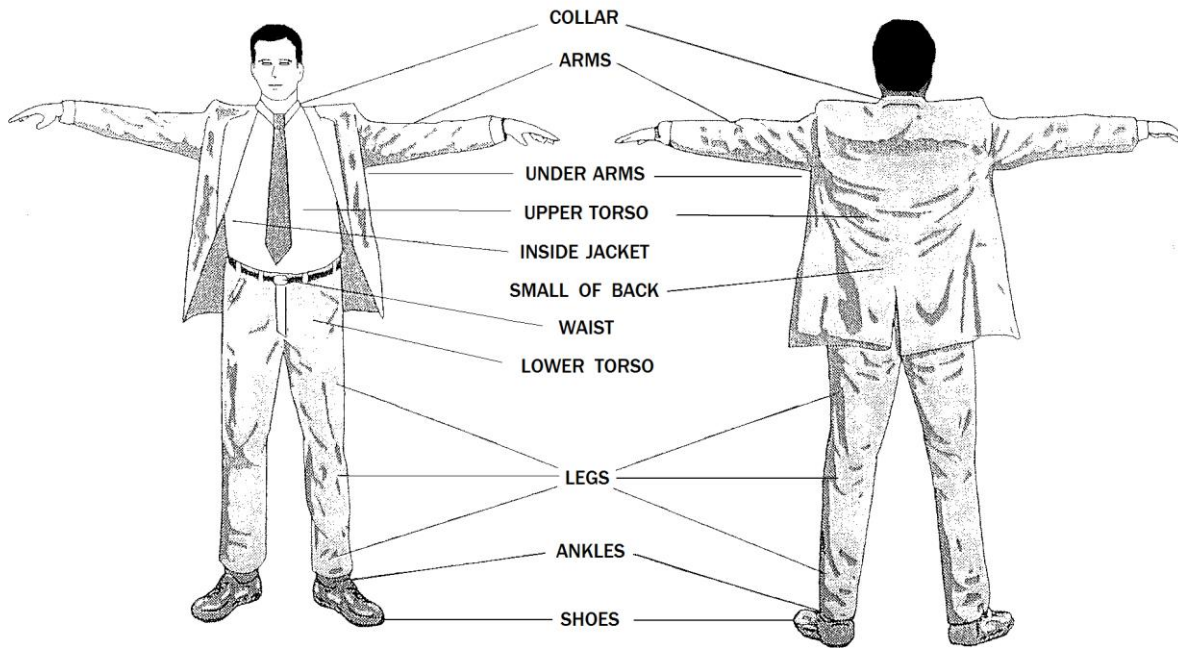
**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **108-06**

<b>MECHANICS OF ACCESS CONTROL PHYSICAL SEARCHES / PAT-DOWN</b>			
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**PHYSICAL SEARCHES**

**MALE**



**Pat-down Search Key Points**



**DHS PEACE OFFICER GUIDE**

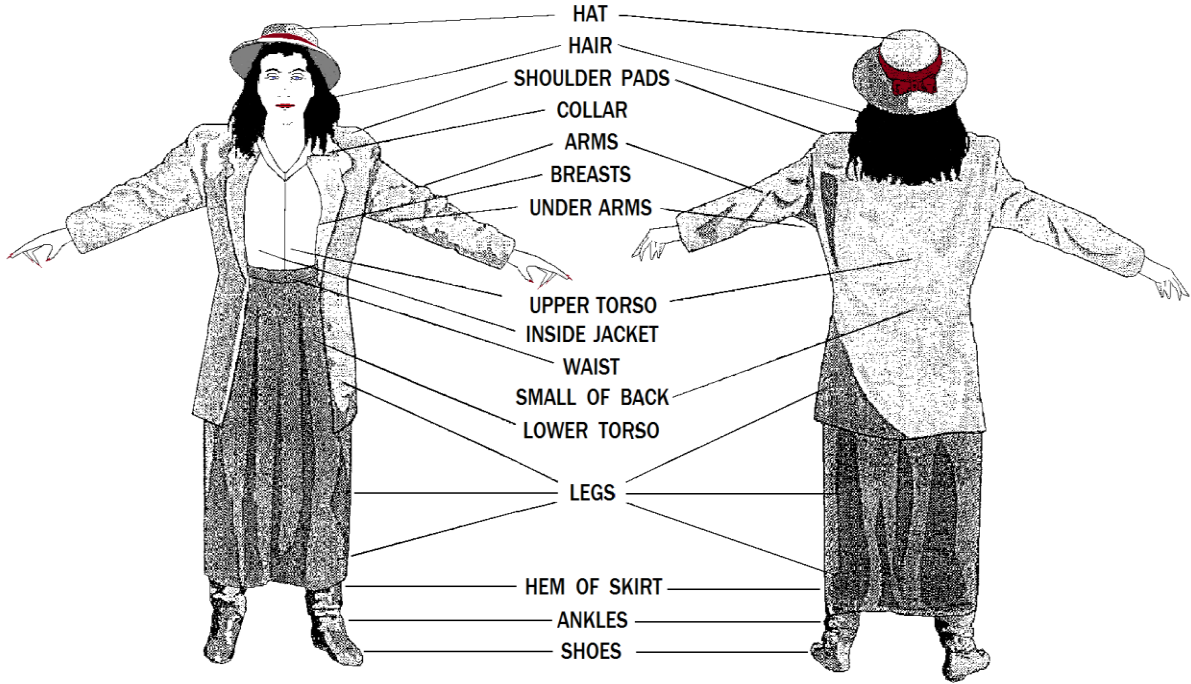
PROCEDURE No. **108-06**

**MECHANICS OF ACCESS CONTROL  
PHYSICAL SEARCHES / PAT-DOWN**

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**PHYSICAL SEARCHES**

**FEMALE**



**Pat-down Search Key Points**

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **108-07**

<b>MECHANICS OF ACCESS CONTROL PHYSICAL INSPECTION OF ITEMS</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>01-01-02</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**PHYSICAL  
INSPECTION  
OF ITEMS**

1. The purpose of a physical inspection is to avoid x-raying an item or to resolve the exact cause of an unidentifiable mass deemed possible threat/ Obvious Threat.
2. **ANY ITEM NOT X-RAYED MUST BE PHYSICALLY INSPECTED.**
3. Exceptionally large items, (including carts, carts, boxes, etc...) food, items and other items that cannot be processed in the normal way must be physically inspected.
4. Caution should be taken and gloves should always be worn when physically inspecting items.
5. Clients / visitors should be questioned regarding the possible presence of dangerous items prior to initiating the search.
6. Items should be positioned for physical inspection so that the contents will not be visible to others that the inspection will be conducted in view of the client / visitor and that access to the item will be restricted.
7. If illegal items, contraband or unauthorized items are identified during the physical inspection, a supervisor should be notified, the items in question confiscated.
8. Enforcement action, deemed necessary by the supervisor, will be taken.
9. Failure to identify a threat may result in a serious injury to someone.



**SPECIAL CATEGORY ACCESS CONTROL SEARCH FOR CLIENTS WITH LIMITED MOBILITY**

Date issued 07-31-2018		Date effective 07-31-2018		Revision Number		Page of Page 1 of 1
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**PURPOSE**

Access control procedures vary from shelter to shelter because of varied shelter type, building logistics and/or security plans. However, ALL clients are subject to access control searches that include a walk-through magnetometer and/or handheld magnetometer and, if necessary, the physical search/pat down of the person’s outermost garments. The following guidelines will be followed when screening individuals who present with a mobility disability and use a walking stick or cane, a walker, or a manual or motorized wheelchair or scooter.

**PROCESS**

1. All Clients, including those with mobility disabilities, will be searched by either a walk-through magnetometer or handheld magnetometer and, if necessary, the physical search / pat down of the person’s outermost garments.
2. Clients who are unable to walk-through a magnetometer safely or independently and use a walking stick/cane, walker, or manual or motorized wheelchair or scooter will be requested to transfer to a nearby secure chair to complete the access control search.
3. Walkers and manual or motorized wheelchairs or scooters must be searched prior to the client being allowed access to the facility. When searching these mobility assistance devices, special attention must be paid to areas under the seat cushions and battery compartments, as these areas can be used for the transportation of contraband, such as weapons or narcotics.
4. If clients do not comply with the access control procedures, they will be prohibited from entering the facility beyond the designated access control area. In such situations, immediately request social service or management staff to assess the client’s needs and/or gain their cooperation.
5. Clients who continue to refuse to participate in the requisite searches will be permitted to remain in the designated access control area, under the supervision of security and/or social service/management staff until they comply with access control procedures or are provided other services, such as emergency medical service (EMS). If such a client requests to utilize the restroom, social service staff will escort clients to and from the restroom. Security MUST assist social service staff, when requested.
6. If a client states they are unable to transfer from a manual or motorized wheelchair or scooter to a secure chair, or that such a transfer will cause great discomfort or pain, it may indicate that they need a certain level of care beyond that which shelter can provide, or, that they may require a reasonable accommodation to the access control practices. Security will be guided by social service staff and the site’s respective DHS Program Administrator, who must be contacted immediately. In such situations, proper referrals will be made to other forms of care, or, an appropriate accommodation determined in collaboration with appropriate DHS staff, including the DHS Office of the Medical Director and DSS Disability Affairs.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **109-01**

<b>POLICE SERVICE REPORT GENERAL PREPARATION</b>			
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**PURPOSE** To investigate, take corrective action and record criminal and non-criminal conditions occurring in Dept. Homeless Service facilities.

**POLICE SERVICE REPORT**

Will be used to record the following non-criminal conditions occurring on N.Y.C. Dept. Homeless Service locations:

- a. Non-compliance with Access Control procedures
- b. Noise complaints
- c. Other breaches of Dept. Homeless Services Rules and Regulations
- d. Follow-up dispositions
- e. Repairs
- f. Damage, accidental
- g. Damage, non-criminal
- h. Damage, cause unknown
- i. Non-clients onsite
- j. Complaint unclassified
- k. Unattended minors
- l. Resident disputes
- m. Fire, non-suspicious
- n. Other conditions as specified by appropriate Patrol Guide procedures.

**PROCEDURE** When becoming aware of any of the above non-criminal and criminal conditions occurring on N.Y.C. Department of Homeless Service shelter facility locations:

**UNIFORMED MEMBER OF THE SERVICE**

1. Notify Patrol Sergeant of condition and location.
2. Take appropriate police action.
3. Upon completion, make a complete and accurate ACTIVITY LOG entry.
3. Prepare POLICE SERVICE REPORT and deliver to police service area desk Sergeant.
  - a. Obtain and enter serial number assigned in POLICE SERVICE REPORT INDEX.

**COMMAND DESK SERGEANT**

4. Enter reported condition on COMMAND LOG.
  - a. Assign the next serial number and have serial number entered on POLICE SERVICE REPORT and COMMAND LOG.
5. Review POLICE SERVICE REPORT for completeness and accuracy.
  - a. Ensure that necessary captions are completed and sign.
7. Distribute copies of POLICE SERVICE REPORT, as follows:
  - a. Original - POLICE SERVICE REPORT INDEX.
  - b. 1st copy – DHS facility (A.S.W.), Manager or Assistant director before the end of the tour.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **109-01**

<b>POLICE SERVICE REPORT GENERAL PREPARATION</b>			
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**POLICE SERVICE REPORTS GRAPHIC**

**FRONT**



**POLICE SERVICE REPORT**  
NYC Department of Homeless Services

COMMAND: \_\_\_\_\_ INDEX No: \_\_\_\_\_

Date:	Time:	Specific Location / Floor / Unit:			
Incident:					
<input type="checkbox"/> Aided Case	<input type="checkbox"/> Confiscation	<input type="checkbox"/> Drug Paraphernalia	<input type="checkbox"/> Intox.	<input type="checkbox"/> Trespass	
<input type="checkbox"/> Assault	<input type="checkbox"/> Dis - Con.	<input type="checkbox"/> EDP	<input type="checkbox"/> Larceny	<input type="checkbox"/> Warrant	
<input type="checkbox"/> ACS	<input type="checkbox"/> Dispute	<input type="checkbox"/> Found Property	<input type="checkbox"/> Robbery	<input type="checkbox"/> Weapon	
<input type="checkbox"/> Crim. Mischief	<input type="checkbox"/> Drugs: Sale/Poss.	<input type="checkbox"/> Harassment	<input type="checkbox"/> Other: _____		
Person involved (1):	Sex:	Race:	Date of Birth:	<input type="checkbox"/> Client	HA No: _____
				<input type="checkbox"/> Staff	Title: _____
				<input type="checkbox"/> Other: _____	
Person involved (2):	Sex:	Race:	Date of Birth:	<input type="checkbox"/> Client	HA No: _____
				<input type="checkbox"/> Staff	Title: _____
				<input type="checkbox"/> Other: _____	
Responding Agencies	Rank / Name:		No:	Agency:	
	Rank / Name:		No:	Agency:	

**BACK**



Details:			
_____			
_____			
_____			
_____			
Notifications: _____			
_____			
Disposition:			
<input type="checkbox"/> Arrest / Summons	<input type="checkbox"/> Removed to Hospital: _____	Police Report #: _____	
<input type="checkbox"/> Condition Corrected	<input type="checkbox"/> Referred to: _____	Other: _____	
Reporting Officer Rank / Name	Shield:	Command:	Signature:
Reviewing Supervisor Rank / Name	Shield:	Command:	Signature:



**DHS PEACE OFFICER GUIDE**PROCEDURE No. **109-02**

<b>PSR INDEX</b>			
Date Issued	Date effective	Revision Number	Page of Pages
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**PURPOSE**

To catalog Police Service Reports by serial number for future recall and reference.

**PROCEDURE**

At the completion of any non-crime or crime incident occurring on N.Y.C. Department of Homeless Service shelter facility locations, the Desk Sergeant will ensure the proper documentation and file. Desk Sergeant will issue PSR serial numbers in their sequential order of occurrence; by recorded time of incident. PSR Index numbers will have the Command Sign/for digit year and serial number. (i.e. CG-2014-0104)

**DESK SERGEANT**

1. Enter reported condition on COMMAND LOG.
2. Assign the next serial number and enter serial number on POLICE SERVICE REPORT and in COMMAND LOG.
3. Review POLICE SERVICE REPORT for completeness and accuracy.
4. Ensure that necessary captions are completed and sign.
5. Distribute copies of POLICE SERVICE REPORT, as follows:
  - a. Original - POLICE SERVICE REPORT INDEX.
  - b. 1st copy - DHS facility (A.S.W.), Manager or Assistant director before the end of the tour.
  - c. 2<sup>nd</sup> copy - Site Commanders mailbox, if serious or unusual incident
6. Review POLICE SERVICE REPORT, COMMAND LOG, AND POLICE SERVICE REPORT INDEX





## DHS PEACE OFFICER GUIDE

PROCEDURE No. **109-03**

### NOTIFICATIONS

Date Issued	Date effective	Revision Number	Page of Pages
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**PURPOSE** To ensure all serious incidents, unusual occurrences, important and relevant information is recorded on Police Service Reports and conveyed to supervisory and/or shelter facility civilian managerial staff in a timely manner.

#### DESK SERGEANT & PATROL SERGEANT

Are responsible for the communication of information related to the safety of all DHS Police equipment, supplies and personnel while on duty. The DESK SRGEANT will notify the site commander, the CITYWIDE DUTY PATROL SUPERVISOR and shelter facility civilian managerial staff member(s) upon knowledge of the following conditions that impact facility operations:

1. Man power shortage.
2. Unscheduled site visit from higher ranks or Commissioners.
3. Any broken or missing equipment.
4. Arrest/summons/warrants, staff conflicts,
5. Fire/smoke condition,
6. Recovery of weapon(s) and/or firearm(s),
7. Death(s) i.e. Homicide, Suicide, Overdose or natural causes.
8. Seriously ill or Injured UMOS, staff, client(s) or contractors.
9. Unusual incidents; i.e., roof collapse, dangerous EDP, hostage event, etc.
10. Homeless encampment.
11. Other agency emergency response to facility i.e. FDNY, A.C.S., NYPD, DOH&MH, etc.
12. Media onsite or in front of facility.
13. Riot or non-violent protest. Onsite or in front facility.

#### DESK and PATROL SERGEANTS

The DESK and PATROL SERGEANTS will follow the directives to contain, defuse, or control the condition, until competent authority is available to assume Incident Command Control.

The DESK SERGEANT will carefully document all DHS Police activities during and after the event or incident, in the Command log. The PATROL SERGEANT will ensure the shelter facility civilian manager is properly informed at the onset and the conclusion of event or incident and receive a copy of the completed POLICE SERVICE REPORT for their records.

#### COMMANDING OFFICER

The COMMANDING OFFICER is responsible for the accurate reporting all incidents at COM STAT and as directed by competent authority.

**NOTE:** All possible conditions or events are not listed. If something does occur outside of the scope of normal facility business, contact the Commanding officer for guidance.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **110-01**

<b>AIDED CASES</b>			
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**DEFINITION**

**AIDED CASE:** Any occurrence coming to the attention of an officer which requires that a person, OTHER THAN A PRISONER, receives medical aid or assistance because such person is:

- a. Sick or injured
- b. Dead
- c. Lost person
- d. Mentally ill
- e. Abandoned, destitute, abused or neglected child
- f. Runaway child
- g. Adult requiring care due to arrest, hospitalization, death of parent / guardian / person responsible for care.

Upon arrival at the scene of an aided case:

**PEACE OFFICER**

1. Render reasonable aid to sick or injured person.
2. Request response of medical personnel or ambulance.
  - a. If aided is wearing a Medic Alert Emblem, notify medical personnel or ambulance crew upon arrival. **Do not remove emblem.**
3. Have another officer or responsible person wait in view to direct ambulance or medical personnel.
4. Notify shelter staff personnel of situation.
5. Make a second call if ambulance has not arrived in twenty minutes.
6. Make ACTIVITY LOG entry.
7. Obtain name, address and telephone number of relative or friend for notification.
8. If aided is unconscious or unidentified request response of local police agency.
9. Prepare AIDED REPORT WORKSHEET (PD304-152b) if within NYC.

**SUPERVISOR**

1. Review AIDED REPORT WORKSHEET for accuracy and completeness and deliver to local NYPD precinct.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **110-02**

<b>MENTALLY ILL OR EMOTIONALLY DISTURBED PERSONS</b>			
Date Issued	Date effective	Revision Number	Page of Pages
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**SCOPE**

The primary duty of all DHS Peace Officers is to protect and preserve human life. The safety of ALL persons involved is paramount in cases involving emotionally disturbed persons. If such person is dangerous to him/herself or others, necessary force may be used to prevent serious physical injury or death. Physical force will only be used to the extent necessary to restrain the subject until the arrival of NYPD and EMS. If the EDP is armed or violent, no attempt will be made to take the EDP into custody without the specific direction of a supervisor, unless there is an immediate threat of physical harm to the EDP or others present. If the EDP is not immediately dangerous, the person should be isolated and contained until assistance arrives. If an EDP is unarmed, not violent and willing to leave voluntarily, an officer may take such person into custody prior to the arrival of the supervisor.

**DEFINITIONS**

**EMOTIONALLY DISTURBED PERSON (EDP)** – A person who appears to be mentally ill or temporarily deranged and is conducting his/herself in a manner which an officer reasonably believes is likely to result in serious injury to himself/herself or others.

**ISOLATE AND CONTAIN** – Separate other persons from the area an EDP has access to and prevent EDP from moving from one area to another.

**ZONE OF SAFETY** – The distance to be maintained between the EDP and responding officers. The distance should be greater than the effective range of any weapon, and may vary with each situation. An attempt will be made to maintain the “zone of safety” if the EDP is unable to be contained.

**PROCEDURE** When a DHS Peace Officer reasonably believes that a person who is apparently mentally ill or emotionally disturbed and must be taken into protective custody because the person is conducting him/herself in a manner likely to result in a serious physical injury to himself or others:

**PEACE OFFICER**

1. Assess the situation as to threat of immediate serious physical injury to EDP, other persons present, or officers. Take cover and request additional assistance, including a supervisor, NYPD and EMS if the officer reasonably believes such threat exists.
  - a. Take EDP into custody if he/she is unarmed, not violent and willing to leave voluntarily.
  - b. Attempt to isolate and contain the EDP while maintaining a “zone of safety” until arrival of assistance.
  - c. Do not attempt to take EDP into custody without the specific direction of a supervisor.
2. Establish police lines. Remove person(s) other than officers from the area.
3. Verify that a supervisor, NYPD and EMS are responding.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **110-02**

<b>MENTALLY ILL OR EMOTIONALLY DISTURBED PERSONS</b>			
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**SUPERVISOR**

1. Command and control operations at scene, including directing officer's action in dealing with the EDP.
2. If unable to isolate and contain EDP, and exigent circumstances exist, direct and coordinate attempt to take unarmed EDP into custody.
3. If EDP is armed, do not attempt to take EDP into custody until arrival of NYPD, unless no other reasonable alternative exists to preventing serious physical injury.
4. Once NYPD arrives and takes charge, render all reasonable assistance to the responding officers.
5. Have responsible person notify shelter staff supervisor of incident.
6. If necessary, and EDP is isolated and contained, request the assistance of:
  - a. Interpreter, if language barrier exists
  - b. Subject's family and friends
  - c. Program staff

**WHEN EDP HAS BEEN TAKEN INTO CUSTODY:****PEACE OFFICER ASSIGNED**

7. Remove property that is dangerous to life or will aid escape.
8. Have EDP removed to hospital in ambulance.
  - a. Restraining equipment, including handcuffs may be used if aided is violent, resists, or upon direction of physician examiner.
  - b. When possible, a female patient should be accompanied by another female.
9. Ride in body of ambulance with patient.
10. Inform examining physician of facts, including restraints used.
11. Safeguard patient at hospital until examined by physician.
12. Enter details in ACTIVITY LOG and prepare AIDED REPORT WORKSHEET (PD304-152b), indicating name of hospital and physician.
13. Deliver completed AIDED REPORT WORKSHEET to local NYPD precinct.

**SUPERVISOR**

14. Make Command Log entry of facts.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **111-01**

<b>OBTAINING AND RETURNING SUMMONSES</b>			
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**PURPOSE**      **To maintain records of summonses distributed to, issued and returned by DHS officers:**

**SITE  
COMMANDER**

1. Request packets of summonses from the Office of the Director of Peace Officers.
2. Maintain an adequate supply of summonses on hand at the command for use by officers assigned.
3. Examine summonses upon delivery to ensure that packet contains twenty (20) summonses, consecutively numbered.
4. Store summonses in a designated secure location, only accessible by DHS police Supervisors.
5. Ensure that summons distribution procedure is being complied with by regularly inspecting the active summons packet, reserve summons packets, CERTIFICATION OF SUMMONSES SERVED cards and command log.

**SUPERVISOR**

6. Each tour, inspect the summonses and record the next available summons number in the Command Log at the start of the tour.
7. Draw and issue summonses for the command from the active summons packet in numerical order. Make Command Log entry of facts.
8. Make appropriate entries in the active CERTIFICATION OF SUMMONSES SERVED card for each summons issued by a member of the command.
9. Retrieve yellow summons copy marked POLICE / AGENCY COPY from issuing officer and attach to CERTIFICATION OF SUMMONSES SERVED card.
10. When the last summons from the active packet has been issued, ensure that all twenty yellow copies marked POLICE / AGENCY COPY are attached to the certification card complete the applicable captions and sign the certification.
11. Deliver completed certification card and summons copies to the Site Commander for processing.

**SITE  
COMMANDER**

12. Return completed certification card and summons copies to the Director of Peace Officers for filing.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **111-02**

<b>ISSUING / PROCESSING SUMMONSES</b>			
Date Issued	Date effective	Revision Number	Page of Pages
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**PURPOSE**      **To ensure that summons are properly issued and forwarded for adjudication.**

**PEACE OFFICER**

1. Confer with supervisor prior to issuing summons and follow instructions of the supervisor.
2. Properly identify subject being issued summons and conduct warrant check.
3. Request next available summons from the command's active summons packet.
4. Properly issue summons by completing and signing all applicable captions in black ink.
5. Record only one violation per summons.
6. Obtain return date and time from appropriate calendar provided by adjudicating court.

**SUPERVISOR**

7. Examine entries for accuracy, completeness and legibility prior to issuance.
  - a. Verify proper return date is entered.
  - b. Verify affidavit is completed.
  - c. Verify summons and affidavit are both signed by officer.
8. Make Command Log entry of facts.

**PEACE OFFICER**

9. Properly serve subject being summonsed with the appropriate copy of summons.
10. Deliver white COMPLAINT / INFORMATION copy, yellow POLICE / AGENCY copy and remaining copy to supervisor.
11. Retain OFFICER copy of summons for officer's record.
12. Make ACTIVITY LOG entry of details.

**SUPERVISOR**

13. Remove POLICE / AGENCY copy of summons and follow PROCEDURE 130-24.
14. Complete UNIVERSAL SUMMONS TRANSMITTAL FORM and attach white COMPLAINT / INFORMATION copy and remaining copy to transmittal form.
15. Forward Transmittal form and summons copies to Site Commander.

**SITE COMMANDER**

16. Deliver transmittal forms and summons copies to Director of Peace Officers for processing.





**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **111-03**

<b>ISSUING / PROCESSING SUMMONSES</b>			
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**CRIMINAL COURT SUMMONS-GRAPHIC**

CRC-3206 (7/09)

**Complaint/Information**  
The People of The State of New York vs.

Name (Last, First, MI) <b>1</b>											
Street Address <b>2</b>										Apt. No. <b>2</b>	
City <b>2</b>				State <b>2</b>		Zip Code <b>2</b>					
ID/License Number <b>3</b>				State <b>3</b>	Type/Class <b>3</b>	Expires (mm/dd/yy) <b>3</b>		Sex <b>4</b>			
Date of Birth (mm/dd/yy) <b>4</b>			Ht <b>4</b>	Wt <b>4</b>	Eyes <b>4</b>	Hair <b>4</b>	Plate/Reg				
Reg State		Expires (mm/dd/yy)		Plate Type	Veh Type	Make	Year	Color			
<b>The Person Described Above is Charged as Follows:</b>											
Time 24 Hour (hh:mm) <b>6</b>				Date of Offense (mm/dd/yy) <b>7</b>				County <b>8</b>			
Place of Occurrence <b>9</b>										Precinct <b>10</b>	
In Violation of Section <b>11</b>	Subsection <b>11</b>	VTL <b>12</b>	Admin. Code <b>12</b>	Penal Law <b>12</b>	Park Rules <b>12</b>	Other <b>12</b>					
Title of Offense: <b>13</b>											
Factual Allegations (describe offense): <b>14</b>											
<b>14</b>											
<b>14</b>											
<b>14</b>											
<b>14</b>											
<b>14</b>											
<b>14</b>											
SPRINT #: _____											
Defendant stated in my presence (in substance): <b>15</b>											
<b>15</b>											
I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.											
Complainant's Full Name Printed <b>16</b>				Rank/Full Signature of Complainant <b>17</b>				Date Affirmed (mm/dd/yy) <b>18</b>			
Agency <b>19</b>		Tax Registry # <b>20</b>				Command Code <b>21</b>					
The person described above is summoned to appear at NYC Criminal Court located at: <b>22</b>						Summons Part <b>23</b>		County <b>24</b>			
Date of Appearance (mm/dd/yy) <b>25</b>						At 9:30 a.m. <b>25</b>					

**ORIGINAL**

**DEFENDANT'S COPY**

**AGENCY/POLICE COPY 1**

1. Enter defendants' last name, first name and middle initial.
2. Enter defendants' street address where they currently resides or current shelter, including, apartment # as it appears on state or agency issued identification (if applicable).
3. (a) Enter the defendant's driver's license serial number or the serial number of any other form of identification presented by defendant.  
(b) If the identification presented is issued by a State government agency print the two abbreviation letters for the state in the appropriate caption.
4. Enter the defendant's: sex, date of birth in the mm/dd/yy (ram/claw format), height, weight, eye color, and hair color (if any).
5. (For Vehicle's use VTL summons)
6. Time of Offense: use military- format: 24 hours.
7. Date of Offense: mm/dd/yy (ram/claw format).
8. County of Occurrence
9. Place of Occurrence print address and street name where offense occurred.
10. Precinct: enter police precinct of occurrence.
11. Enter both the section and subsection of the law violated. Subsection should be enclosed in.
12. Indicate in the check box the body of law being charged. If the body of law is not listed, enter the name of the body of law in the box marked "Other".
13. Title of Offense: Print the name of the offense being charged.
14. Factual Allegations: describe the conduct that violates the law. Issuing officers must also describe the defendant's. To include; Physical actions that violated: each and every element of the charged statute.
15. Defendant's statements in presence of issuing officer.
16. Issuing officer full name in print.
17. Issuing officer full name as signature.
18. Date. Signed: use mm/dd/yy (ram/claw format)
19. Agency: **DHS POLICE**.
20. Issuing officer tax registry number.
21. Command code; **097**.
22. Address of court (see borough info).
23. Summons part: (see borough info).
24. County: (see borough info).
25. (a) Date of appearance: (see borough info).  
(b) Time of appearance :( see borough info).



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **111-03**

<b>ISSUING / PROCESSING SUMMONSES</b>			
Date Issued	Date effective	Revision Number	Page of Pages
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**CRIMINAL COURT SUMMONS-GRAPHIC**

**Disorderly Conduct: Penal Law § 240.20**

At the time and place of occurrence indicated herein, I personally observed the defendant, with the intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof: *(select only one of the following per summons)*

[PL § 240.20(1)] engage in fighting or in violent, tumultuous or threatening behavior, to wit: *(describe specific acts or words used and manner which made them violent, etc.)*

\_\_\_\_\_

\_\_\_\_\_

[PL § 240.20(5)] obstruct vehicular or pedestrian traffic, to wit: *(specify what the defendant did and the resulting obstruction)*

\_\_\_\_\_

\_\_\_\_\_

[PL § 240.20(6)] congregate with other persons in a public place and refuse to comply with a lawful order of the police to disperse, to wit: *(describe both specific communication to disperse and specific actions of defendant)*

\_\_\_\_\_

\_\_\_\_\_

**Public Consumption of Alcohol: NYC Administrative Code § 10-125 (b)**

At the time and place of occurrence, I personally observed the defendant in possession of an open container that contained an alcoholic beverage, to wit: *(describe both the container and the beverage, e.g. 16 oz. can of Acme beer)*

\_\_\_\_\_

\_\_\_\_\_

I know the above described container contained alcohol containing more than one-hait of one percent (.005) of alcohol by volume based upon information and belief, the source of which is as follows: *(check all that apply)*

- the label on the container states that it contains alcohol consisting of more than (.005) of alcohol by volume.
- my professional training and experience as a police officer.
- the odor emanating from the container.
- my observations of the packaging which is characteristic of an alcoholic beverage.
- the defendant's statement that the substance is in fact what it is alleged to be.

Defendant stated in my presence *(in substance)*: \_\_\_\_\_

Such possession was not while the defendant was participating in a block party, feast or similar function for which a permit had been issued.

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed (mm/dd/yy)
---------------------------------	------------------------------------	--------------------------

**Expedited Affidavit Section**

1. The Expedited Affidavit Section provides pre-printed information for two common, violations, Disorderly Conduct and Public Consumption of Alcohol. The issuing officer is still required to enter factual information regarding the violation observed.
2. The Expedited Affidavit Section may only be used for three specific subsections of disorderly conduct { (1), (5), and (6) } and for public consumption of alcohol. (All other subdivisions of Disorderly Conduct, as well as any other offense, are not the subject of the Expedited Affidavit Section.)
3. Completing the Affidavit Section- The issuing officer must place a check in the box for the violation cited. For disorderly conduct or public consumption of alcohol, a check must be placed by the appropriate subsection of the law violated. The issuing officer must then enter the specific information about the incident observed.
4. Public Consumption of Alcohol- The issuing officer must describe the container (i.e. 12 oz, can) and the beverage (i.e. Coors Beer). The issuing officer must check all the applicable reasons he/she believed the substance to be an alcoholic beverage, document any statements made by the defendant.
5. Officer must complete the last line of information before submission.
  - a) Issuing officer full name in print.
  - b) Issuing officer full name as signature.
  - c) Date. Signed: use mm/dd/yy (ram/claw format)



DHS PEACE OFFICER GUIDE

PROCEDURE No. 111-03

<b>ISSUING / PROCESSING SUMMONSES</b>			
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CRIMINAL COURT SUMMONS-GRAPHIC

Rear of Third Copy - Trespass Violation:

The rear of the second copy of the summons is not part of the Expedited Affidavit Section. It will NOT be processed as a summons by the courts. This copy is merely a guide to inform the issuing officer the elements required to support a charge of Trespass Violation. Using this section as a guide, an issuing officer must enter the factual allegations in the appropriate section on the front of the top, white copy of the summons.

Officer Information:

Section A.

1. Location of offense is the physical address of the facility.
2. State what the defendant actions were at the time of discovery (standing, sitting, sleeping, etc)

Describe the offense by one of the instance provided in either sections B, C or D.

Section E.

Is completed when a verbal warning to leave the area had been previously issued by the owner of the property, Program Director, assistant Director or an authorized representative. In this instance a separate written statement from that individual must be attached.

3. Date of Offense: ram/claw format.
4. Complainant's full printed name

Trespass Affidavit Section:

owner of the property, Program Director, assistant Director or an authorized representative must complete by affirming that defendant is not a client or no longer has permission to be in the specific area of the facility.

5. Complainant's full printed name
6. Complainant's (business) address;
7. County of; (business) address
8. Insert address; location address
9. Date of Offense: ram/claw format.
10. Complainant's full signature
11. Date of Signature: mm/dd/yy (ram/claw format).

**Trespass: Penal Law §140.05**  
 FILL OUT THE "FACTUAL ALLEGATIONS" SECTION ON THE FRONT WITH FACTS (NOT CONCLUSIONS) THAT YOU PERSONALLY OBSERVED, INCLUDE ALLEGATIONS SIMILAR TO THE SAMPLE LANGUAGE LISTED BELOW FROM SECTIONS A, B, C, D, (AND E IF NECESSARY).

A. At the time and place of occurrence indicated herein, I personally observed the defendant knowingly enter or remain unlawfully in or upon (address of location) \_\_\_\_\_

where I saw the defendant (describe what you saw defendant doing, i.e. standing, sleeping, sitting) \_\_\_\_\_ in or upon said premises.

B. Location: Said premises is: (allege one)

- real property (If alleged stop and go to section C).
- a building which is a (allege one) structure, vehicle, or water craft and which is used: (allege one)
  - as a dwelling (e.g. apartment building or house).
  - by persons carrying on business therein.
  - for overnight lodging of persons.

C. No License or Privilege: The defendant did not have license or privilege to be in or upon said premises in that: (allege all that apply)

- said premises were not open to the public.
- the portion of said premises that the defendant was observed in or upon was not open to the public.
- the premises is a school building and the defendant did not have written permission to be present, did not have legitimate business or a purpose relating to the operation of the school, and did not have a relationship involving custody or responsibility for any pupil or student enrolled in that school.

D. Defendant's Knowledge: The defendant knew that he/she did not have license or privilege to be in or upon said premises because: (allege all that apply)

- the defendant entered or remained beyond a locked (allege one) door/window.
- the defendant entered or remained beyond clearly posted sign(s) indicating, in sum and substance that unauthorized parties were not allowed beyond said sign(s).
- the defendant stated that he/she did not work at said premises.
- the premises is a dwelling, and the defendant: (allege all that apply).
  - stated that he/she was not a tenant of the building.
  - stated that he/she was not an invited guest of anyone residing in said premises.
  - could not provide any proof that he/she was permitted to be in or upon said dwelling.

E. WHERE DEFENDANT WAS PREVIOUSLY GIVEN A VERBAL OR WRITTEN TRESPASS WARNING, SUBSTITUTE THE FOLLOWING LANGUAGE IN PLACE OF SECTIONS C AND D ABOVE. HAVE THE PERSON WHO GAVE THE WARNING FILL OUT THE TRESPASS AFFIDAVIT BELOW.

• Defendant had previously received a lawful (allege one) verbal or written order not to enter or remain in or upon said premises on (date) \_\_\_\_\_, and that order was personally communicated to him/her by (list name) \_\_\_\_\_ who is (allege one) the owner of said premises or authorized by the owner of said premises (attach copy of written order if applicable).

**Trespass Affidavit**

I, \_\_\_\_\_ of (address) \_\_\_\_\_, County of \_\_\_\_\_ State of New York, am the owner or custodian of the premises located at (insert address) \_\_\_\_\_.

\_\_\_\_\_ The defendant did not have any license or privilege to be in or upon said premises on (date) \_\_\_\_\_ or at any other time. I have read the facts stated herein as furnished by me and they are true upon my personal knowledge and belief. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

(Signature of Deponent/Affiant) \_\_\_\_\_ (Date) (mm/dd/yy) \_\_\_\_\_





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<b>ISSUING / PROCESSING SUMMONSES</b>			
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**CRIMINAL COURT SUMMONS-GRAPHIC**

CRC-3206 (7/09)

### Complaint/Information

The People of The State of New York vs.

Name (Last, First, MI)											
Street Address										Apt. No.	
City						State		Zip Code			
ID/License Number				State	Type/Class		Expires (mm/dd/yy)		Sex		
Date of Birth (mm/dd/yy)		Ht	Wt	Eyes	Hair	Plate/Reg					
Reg State	Expires (mm/dd/yy)		Plate Type	Veh Type	Make	Year		Color			

**The Person Described Above is Charged as Follows:**

Time 24 Hour (hh:mm)			Date of Offense (mm/dd/yy)				County				
Place of Occurrence											Precinct
In Violation of Section	Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other					

**Title of Offense:**

Factual Allegations (describe offense)

SPRINT #:

Defendant stated in my presence (in substance):

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed				Rank/Full Signature of Complainant				Date Affirmed (mm/dd/yy)			
Agency		Tax Registry #				Command Code					

The person described above is summoned to appear at NYC Criminal Court located at:

Date of Appearance (mm/dd/yy) At 9:30 a.m.

**AGENCY/POLICE COPY 1**

CRC-3206 (7/09)

### Complaint/Information

The People of The State of New York vs.

Name (Last, First, MI)											
Street Address										Apt. No.	
City						State		Zip Code			
ID/License Number				State	Type/Class		Expires (mm/dd/yy)		Sex		
Date of Birth (mm/dd/yy)		Ht	Wt	Eyes	Hair	Plate/Reg					
Reg State	Expires (mm/dd/yy)		Plate Type	Veh Type	Make	Year		Color			

**The Person Described Above is Charged as Follows:**

Time 24 Hour (hh:mm)			Date of Offense (mm/dd/yy)				County				
Place of Occurrence											Precinct
In Violation of Section	Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other					

**Title of Offense:**

Factual Allegations (describe offense):

SPRINT #:

Defendant stated in my presence (in substance):

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed				Rank/Full Signature of Complainant				Date Affirmed (mm/dd/yy)			
Agency		Tax Registry #				Command Code					

The person described above is summoned to appear at NYC Criminal Court located at:

Date of Appearance (mm/dd/yy) At 9:30 a.m.

**AGENCY/POLICE COPY 2**

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **111-04**

<b>WARRANT CHECKS FOR SUMMONS</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>06-01-14</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**PURPOSE** To provide uniformed members of the service with access to Citywide Central Warrants, to federal, state and local warrant databases.

**DEFINITIONS** For the purposes of this procedure the following radio codes will be utilized: 10-18 Utilization of this response code signal indicates that, on the basis of the information provided, the individual concerned appears to be wanted on a warrant. 10-19 This response code indicates that, on the basis of the information provided, the individual concerned is not wanted on a warrant based on the WINQ/WNAM inquiry.

**PROCEDURE** Prior to issuing a summons returnable to Criminal Court in the field, a uniformed member of the service will conduct a federal, state and local warrant check on all individuals, after identity has been established. Warrant checks are to be conduct only on subjects in DHS Police physical custody.

**UNIFORMED MEMBERS OF THE SERVICE**

1. Notify NYPD Central Warrants via telephone. DHS officer will identify themselves, rank, name, shield and Agency. Advise NYPD Central Warrants desk of the nature and location of the summons; subjects: full name, date of birth, sex, race and approximated age.
2. NYPD Central Warrants will conduct a federal and state warrant check using the "WINQ" function on the individual to be summonsed.
  - a. If the warrant returns negative (10-19), issue summons and release the individual.
  - b. If the "WINQ" check reveals the possibility of an outstanding warrant (10-18), remove individual to NYPD precinct/command facility for further investigation. Conduct additional warrant check (WNAM) at the NYPD precinct/facility
  - c. The DHS Police desk Sergeant may contact CityWide Patrol Duty Supervisor to request DHS Warrant Squad removal of subject in custody.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **111-05**

<b>SUMMONS PREPARED IN ERROR</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>06-01-14</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**PURPOSE** To investigate the circumstances concerning issuance of a summons in error.

**PROCEDURE** When a uniformed member of the service issues or prepares a summons in error:  
WHEN ALL PARTS OF SUMMONS ARE AVAILABLE:

**UNIFORMED MEMBER OF THE SERVICE**

1. Bring all parts of summons to the command.
2. Inform desk Sergeant of the facts.
3. Surrender all parts of the summons to the desk Sergeant.

**DESK SERGEANT**

4. Conduct investigation.
5. Will make a command log entry and generate a written report.
6. Mark all copies of summons "VOID" across face.
7. FORWARD all parts of summons to the COMMANDING OFFICER.  
DIRECT WHEN VIOLATOR'S PART IS NOT AVAILABLE OR PARTS  
HAVE BEEN FORWARDED FOR PROCESSING:

**COMMANDING OFFICER**

8. Forward all copies of the voided summons and reports at COM STAT meeting, to Chief of Department for review.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **111-06**

<b>SUMMONS SERVED ON AGENCY VEHICLE</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>06-01-14</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**PURPOSE** To instruct DHS Peace officer in the event an agency vehicle is issued summons.

**PROCEDURE** When a uniformed member of the service in the course of performing normal duties or the duties and responsibilities of RADIO MOTOR PATROL OPERATOR or RECORDER either observes a summons issued to an agency vehicle or as operator is issued a summons will immediately report as follows:

**UNIFORMED MEMBERS OF THE SERVICE**

1. Notify DESK SERGEANT and RADIO MOTOR PATROL OPERATOR or RECORDER.
2. Make an ACTIVITY LOG entry.

**RADIO MOTOR PATROL OPERATOR or RECORDER**

1. Will refer to the DHS DRIVERS MANUAL and follow procedures 3.11 through 3.11.4.
2. Make an ACTIVITY LOG entry.





## DHS PEACE OFFICER GUIDE

PROCEDURE No. **111-07**

### CIVIL SUMMONS RETURNABLE TO THE OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS (OATH) -CRIMINAL JUSTICE REFORM ACT (CJRA)

Date Issued	Date effective	Revision Number	Page of Pages
<b>06-25-19</b>	<b>07-02-19</b>	<b>2019-01</b>	<b>1 of 8</b>

**PURPOSE:** To inform DHS Peace Officers of the procedures to be followed when personally serving a Civil Summons Returnable to the Office of Administrative Trials and Hearings (OATH) for a Criminal Justice Reform Act (CJRA) of 2016 violation.

**SCOPE:** Qualified individuals are eligible to receive a Civil Summons Returnable to the Office of Administrative Trials and Hearings (OATH) for violations of certain sections of New York City Administrative Code, and Title 56 of the Rules of the City of New York (New York City Park Rules), as specified in the Criminal Justice Reform Act (CJRA) of 2016.

The following violations may be written as a violation on a Civil Summons Returnable to the Office of Administrative Trials and Hearings (OATH):

1. Open Container, NYC Administrative Code Section 10-125 (b) **(CANNOT issue inside shelter)**
2. Public Urination, NYC Administrative Code Section 16-118(6) **(CANNOT issue inside shelter)**
3. Littering, NYC Administrative Code Section 16-118 (1) (a) **(CANNOT issue inside shelter)**
4. Spitting, NYC Administrative Code Section 16-118 (1) (b)
5. Excessive Noise, NYC Administrative Code Section 24-218 (not involving a sound reproduction device)
6. Violations of Title 56 of the Rules of the City of New York (New York City Park Rules).

**NOTE**

As per DSS Legal, the courts have held that residential buildings, including its elevators, do not constitute a “public place”; therefore, violations of the following Administrative Code Sections **CANNOT** be enforced inside a shelter:

- Open Container NYC Administrative Code Section 10-125 (b)
- Public Urination NYC Administrative Code Section 16-118(6)
- Littering NYC Administrative Code Section 16-118 (1) (a)

Spitting, NYC Administrative Code Section 16-118 (1) (b), **CAN** be enforced inside a shelter because the statute specifically mentions “any public or private *building*”.

When issuing a summons returnable to OATH or Criminal Court for Spitting, DHS officers will use NYC Administrative Code Section 16-118 (1) (b). Do not use NYC Health Codes for these violations.

A Civil Summons Returnable to OATH will not be issued as followed:

1. OATH Recidivist
2. Returned on a warrant and directed by an NYPD supervisor to issue a “C” Summons
3. Other legitimate law enforcement reason that has been verified by an NYPD supervisor
4. Not a CJRA violation or no civil option

When issuing a Criminal Summons in lieu of a Civil Summons for a CJRA violation, officers are directed to note the rationale for issuing the Criminal Summons (for reference, appendix ‘D’ & ‘E’ have been included in this policy.)

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **111-07**

<b>CIVIL SUMMONS RETURNABLE TO THE OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS (OATH) -CRIMINAL JUSTICE REFORM ACT (CJRA)</b>			
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**DEFINITIONS** CRIMINAL JUSTICE REFORM ACT OF 2016 – A series of laws passed by the New York City Council that allows certain violations of the New York City Administrative Code, and New York City Park Rules to be eligible for a Civil Summons Returnable to the Office of Administrative Trials and Hearings.

THE OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS (OATH) – An administrative law court that is responsible for adjudicating civil summonses.

OATH RECIDIVIST – A person identified as an OATH recidivist will not be eligible for a Civil Summons Returnable to OATH. An OATH recidivist is a person who:

1. Has 2 or more felony arrests in the past two years
2. Has 3 or more unanswered Civil Summonses Returnable to OATH in the past 8 years
3. Is on parole or probation.

**PROCEDURE:** When issuing a Civil Summons Returnable to OATH:

**DHS PEACE OFFICER**

1. Inform violator of offense committed, unless physical resistance, flight, or other factors render such notification impractical.
2. Request violator to show proof of identity and residence.
3. Establish violator’s identity through observation of valid identification documents.

**NOTE**

*As a general rule, the following forms of government photo identification are considered valid forms of identification:*

- a. *Valid Photo Driver License*
- b. *Valid passport*
- c. *Citizenship or naturalization papers*
- d. *New York State Non-Driver Identification*
- e. *New York State Driver Permit*
- f. *Municipal Identification Card (ID NYC)*
- g. *Other government photo identification.*

*DHS officers should note that these are general guidelines and other forms of identification may be acceptable, including verification through provider staff and/or CARES.*

4. Conduct a name check thru NYPD Warrants at (718) 535-1171:
  - a. If the violator has an active warrant remove the violator to the precinct
  - b. If the violator is identified as an OATH recidivist as defined in this procedure, issue a summons returnable to Criminal Court for the violation and note reason code 1 in the appropriate space on the summons.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **111-07**

<b>CIVIL SUMMONS RETURNABLE TO THE OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS (OATH) -CRIMINAL JUSTICE REFORM ACT (CJRA)</b>			
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**NOTE**      *If a violator is stopped for multiple offenses and at least one of the offenses is a non-CJRA violation answerable in Criminal Court, the summoning officer will document all violations on summonses returnable to Criminal Court. Summoning officer must note reason code 4 in appropriate space on all summonses.*

5. Issue summons and legibly print information in block letters.
6. Enter all available information required by captions on summons.
  - a. Include return date provided by desk officer/counterpart at roll call.
7. Record only one violation per summons.
  - a. Use separate summons for each additional offense.
8. When practical and consistent with personal safety, advise violator that instructions on how to answer summons, and location of appropriate OATH hearing center, are located on the rear of summons.

**ADDITIONAL DATA:**

*Reason Codes noted on a summons returnable to Criminal Court:*

**Code 1-** *Violator is an OATH Recidivist and not eligible for a Civil Summons Returnable to OATH*

**Code 2-** *Violator has a warrant or Probable cause **I-Card** and is being returned to issuing court to adjudicate warrant and summons or being arrested on a separate charge*

**Code 3-** *Officer articulated a legitimate law enforcement reason to issue a summons returnable to Criminal Court in lieu of OATH for a CJRA violation*

**Code 4-** *Violation cited is not covered under the CJRA (i.e., Penal Law violations) OR subject violated multiple rules in which at least one is returnable to Criminal Court (all summonses returnable to Criminal Court).*

**IF VIOLATOR IS REMOVED TO AN NYPD PRECINCT, COMPLY WITH DIRECTIONS OF NYPD DESK OFFICER.**



**DHS PEACE OFFICER GUIDE**

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**CIVIL SUMMONS RETURNABLE TO THE OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS (OATH) -CRIMINAL JUSTICE REFORM ACT (CJRA)**

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**APPENDIX "A"**



OATH 603S 12/16



**SUMMONS TO APPEAR FOR CIVIL PENALTIES ONLY**

SUMMONS NUMBER: **43527770P**  
ENFORCEMENT AGENCY: **Police Department**

Respondent: Last Name \_\_\_\_\_ First **1** \_\_\_\_\_ M.I. \_\_\_\_\_

Phone No. **2** \_\_\_\_\_  Cell  Home D.O.B. **3** MM/DD/YY Sex **4**  Male  Female

Mailing Address **5** \_\_\_\_\_

ID Number \_\_\_\_\_ ID Type **6** \_\_\_\_\_

Race:  White  Black  Hisp. White  Hisp. Black  Am. Ind./Alaskan Native  Asian/Pacific Is.

Date of Occurrence MM/DD/YY Time of Occurrence **7** HH:MM  AM  PM

Place of Occurrence ( At  In Front Of  Opposite) Precinct **8** \_\_\_\_\_

Include the summons number above on all communications

HEARING DATE: MM/DD/YY **9** AT: HH:MM  AM  PM

**You must respond by the above date. See the BACK OF THIS SUMMONS to learn about your options.**

**WARNING:** If you do not respond, you may be found automatically responsible and you may owe larger penalties. If you do not pay any imposed penalties, you may lose your ability to keep or get a City license, permit or registration. The City might also take further legal action against you. See the back for more information.

Hearing Location: Office of Administrative Trials and Hearings (OATH)

Borough: **10** \_\_\_\_\_ (See back for address) (844) 628-4692 www.nyc.gov/oath

Admin. Code  Parks Rules: 56 PCNY  Other **11**  
 Rules of City of NY  Traffic Rules: 34 PCNY

Section/Rule **12** \_\_\_\_\_ OATH Code **13** \_\_\_\_\_

Mail-In Penalty **14** \_\_\_\_\_ Max. Penalty \_\_\_\_\_ Property Removed  Yes  No **15**

Details of Charge(s):

**FACTUAL ALLEGATIONS**

NYC Charter Sections 104b and 104c and the Rules of the City of New York authorize the NYC Office of Administrative Trials and Hearings (OATH) to hold hearings. 1. An employee of the agency named above, when under penalty of perjury that: (1) personally observed the commission of the violation charged; (2) verified the violation of the violation through a review of Departmental records; or (3) took information of the commission of the violation by available means that is known to the Department. False statements made herein are punishable as a Class B Misdemeanor pursuant to Section 205.40 of the Penal Law.

I/O Signature \_\_\_\_\_ Command **17** \_\_\_\_\_

Rank/Title \_\_\_\_\_ Name \_\_\_\_\_ Tax No. \_\_\_\_\_



**ADMINISTRATIVE TRIALS & HEARINGS**

- 1 Enter name of respondent.
- 2 Enter phone number & check appropriate box. If respondent does not provide a number write "N/A" or "Refused."
- 3 Enter date of birth of respondent.
- 4 Check box as it appears on valid form of identification.
- 5 Enter respondent's address information.
- 6 Enter respondent's identification number & specific type of identification presented.
- 7 Do not use military time.
- 8 Enter precinct of occurrence.
- 9 Enter OATH return date and time. Ensure correct date and time are entered. Do not use military time.
- 10 Enter geographic borough of occurrence.
- 11 Select or enter appropriate source of law.
- 12 Enter Section/Rule of law.
- 13 Obtain code from insert.
- 14 Officer must enter appropriate mail-in and max penalties.
- 15 Check appropriate caption to indicate if respondent's property was removed and invoiced as evidence.
- 16 Describe details, including conditions if exigent circumstances exists, i.e., parade,



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**APPENDIX "B"**

**AFFIDAVIT (CERTIFICATE\*) OF SERVICE**

State of New York, County of                      **1** SS: The undersigned being duly sworn deposes and says: That deponent is not a party to the action, is over 18 years of age, and;

- At the **1** time and place of occurrence did personally serve a true copy of this Summons on the respondent named therein.
- On **2** \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_  AM  PM at \_\_\_\_\_ did personally serve a true copy of this Summons on the respondent named therein by delivering said copy [two copies] to: \_\_\_\_\_
  - the respondent.
  - a person of suitable age and discretion at respondent's place of business/abode.
  - an officer/director/managing agent/(other): \_\_\_\_\_ of respondent corporation.
  - designated agent in the Office of the Secretary of State, Albany, New York, as per Business Corporation Law §306(b).

Deponent herein describes the person served as follows:

- |                                       |                                     |  |                                      |   |
|---------------------------------------|-------------------------------------|--|--------------------------------------|---|
| <input type="checkbox"/> Male         | <input type="checkbox"/> Black Hair | <input type="checkbox"/> Fair Complexion   | <input type="checkbox"/> Under 5'    | <input type="checkbox"/> Under 100 Lbs. |
| <input type="checkbox"/> Female       | <input type="checkbox"/> Brown Hair | <input type="checkbox"/> Medium Complexion | <input type="checkbox"/> 5'0" - 5'3" | <input type="checkbox"/> 100 - 150 Lbs. |
| <input type="checkbox"/> 14-20 Yrs.   | <input type="checkbox"/> Blond Hair | <input type="checkbox"/> Dark Complexion   | <input type="checkbox"/> 5'4" - 5'8" | <input type="checkbox"/> 150 - 200 Lbs  |
| <input type="checkbox"/> 21-35 Yrs.   | <input type="checkbox"/> Gray Hair  | <input type="checkbox"/> <b>3</b>          | <input type="checkbox"/> 5'9" - 6'0" | <input type="checkbox"/> 200 - 250 Lbs  |
| <input type="checkbox"/> 36-50 Yrs.   | <input type="checkbox"/> Red Hair   |  | <input type="checkbox"/> Over 6'     | <input type="checkbox"/> 250 Lbs +      |
| <input type="checkbox"/> 51-65 Yrs.   | <input type="checkbox"/> White Hair |  |                                      |   |
| <input type="checkbox"/> Over 65 Yrs. | <input type="checkbox"/> Balding    |  |                                      |   |
- Other Identifying Features \_\_\_\_\_

Alternative Service per NYC Charter § 1049-a(d)(2)

- At the time **4** indicated on the front of this Summons.
- At \_\_\_\_\_  AM  PM on \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ I attempted to personally serve this Summons on the respondent named herein but was unable to do so because;
  - having attempted entry to the premises, I found the premises locked and no one responded to any bells, knocks or calls;
  - having entered the premises and having identified myself, I was;
    - advised by \_\_\_\_\_ that the respondent was not then present.
    - advised by \_\_\_\_\_ that no officer, director, managing agent or general agent of respondent was present.
    - unable to secure identification of the person(s) present.
- Service could not be made because \_\_\_\_\_

Therefore, I delivered a copy of this Summons to \_\_\_\_\_ described above, whom I believe to be an employee of respondent at the premises, because employee:

- So identified him/herself.
- Was performing work consistent with such employment.
- Other \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_  
Print Name \_\_\_\_\_

Sworn to before me on \_\_\_\_\_

Signature of Certifying Officer Administering Oath: \_\_\_\_\_

Alternate Service Mailing Dates: \_\_\_\_\_

**Statement of Witness.** Issuing Officer **MUST** complete the Details of Charge Section on the front of this civil summons.

I, **5** \_\_\_\_\_, have read the facts stated herein as provided by me. I personally observed these facts and affirm that they are true.

False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. Affirmed under Penalty of Law;

Full Signature of Witness: \_\_\_\_\_ Date Affirmed: \_\_\_\_\_

*\*If not sworn, this statement shall constitute a certificate of service.*

- 1. Officers MUST fill in the caption for county and check the first box next to the line "At the time and place of occurrence..."**
- 2. This caption/area is not used by this Department.**
- 3. Officers should check the boxes that fit the description of the respondent.**
- 4. This caption/area is not used by this Department.**
- 5. If applicable, officers will fill in the name of the complainant/witness and request they sign on the line below. If the complainant/witness refuses to sign, the officer will write "REFUSED" on the witness signature line.**

**NOTE:**

**The Affidavit (Certificate\*) of Service must be completed by the issuing officer or the summons will be dismissed.**

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **111-07**

**CIVIL SUMMONS RETURNABLE TO THE OFFICE OF ADMINISTRATIVE TRIALS  
AND HEARINGS (OATH) -CRIMINAL JUSTICE REFORM ACT (CJRA)**

Date Issued	Date effective	Revision Number	Page of Pages
<b>06-25-19</b>	<b>07-02-19</b>	<b>2019-01</b>	<b>6 of 8</b>

**APPENDIX "C"****HOW TO RESPOND TO THIS CIVIL SUMMONS**

The New York Police Department has charged you with the violation written on the other side of this summons. You must respond. You may choose someone else to speak for you. Free English language help will be provided if needed.

If you or the person you have chosen to speak for you do not respond, you may be found automatically responsible and you may owe larger penalties. This is a civil Summons and it will not show up on any criminal record. However, if you admit to this charge or are found responsible and violate the same law in the future, you may receive a criminal summons and/or larger financial penalties for the future charge.

**Option 1: DENY the Charge**

If you deny the charge you can give an explanation for why you think you are not responsible to a hearing officer, who will make a decision. If you deny online, by phone, or by mail, you will be told of the decision by mail. See front for your Hearing Date.

There are four ways to deny the charge:

**IN PERSON:** Go to the OATH Hearing Center in the borough written on the front of this summons at the date and time listed. See below for the address. Bring this summons and any evidence that shows you are not responsible for the charge. Call 1-844-628-4692 for disability accommodation.

**ONLINE:** Visit [www.nyc.gov/oath](http://www.nyc.gov/oath) before your Hearing Date. **BY PHONE:** Call (212) 436-0817 before your Hearing Date.

**BY MAIL:** Ten days before your Hearing Date, mail a written explanation of why you deny the charge. Include the words, "My signature in this statement certifies That all facts in it are true" and sign the document. Mail the document, a copy of this summons, and any other evidence to:

*OATH Mail Unit, 66 John Street, 10th floor, New York, NY 10038*

**Option 2: ADMIT to the Charge**

If you admit the charge, you must satisfy the penalty. The charge will not go on any criminal record, but if you violate the same law again, you may face larger penalties or criminal charges. See front for your Hearing Date.

There are four ways to admit the charge and satisfy the penalty:

**COMMUNITY SERVICE:** For certain charges you may be able to complete community service instead of paying a penalty. Call (844) 628-4692 to check.

**IN PERSON:** Pay the penalty at any OATH Hearing Center listed below, on or before your Hearing Date. You can pay between 8:00AM and 3:30PM, Monday through Friday (except holidays). Bring this summons and your payment. Checks, money orders, and credit cards are accepted.

**ONLINE:** Pay at [www.nyc.gov/citypay/oath](http://www.nyc.gov/citypay/oath) before your Hearing Date.

**BY MAIL:** Ten days before your Hearing Date, mail in a check or money order. Make it payable to "Finance Commissioner" for the amount written on the Mail-in Penalty line on the other side of this summons. Write the Summons Number on the memo line of the check or money order. Mail the check or money order and a copy of this summons to:

*Finance Commissioner, City of New York  
PO Box 2307, Peck Slip Station, New York, NY 10272*

**Questions?****Questions?**

أسئلة؟ 任何疑問  
Вопросы? Preguntas?  
질문 있으세요? Kesyon?  
কোনো প্রশ্ন আছে কি?

[www.nyc.gov/oath](http://www.nyc.gov/oath)  
844-OATH-NYC (844-628-4692)

**OATH Hearing Center Locations**

Manhattan: 66 John St. 10th fl. New York, NY 10038  
Bronx: 3030 Third Ave. Rm 250. Bronx, NY 10455  
Brooklyn: 9 Bond St., 7th fl., Brooklyn, NY 11201  
Queens: 31-00 47th Ave., 3rd fl., Long Island City, NY 11101  
Staten Island: 350 St Mark's Pl., Staten Island, NY 10301

**You have the right to be informed of the maximum penalty of the charge**

If you received this summons for a vendor (commercial) offense, check the schedule below. For all other offenses, the maximum penalty is written on the front of this summons. If the maximum penalty is missing, call OATH or visit a Hearing Center (See Above). IF the Environmental Control Board or the Office of Administrative Trials and Hearings order you to pay a civil penalty, failure to pay that penalty in a timely manner could lead to the denial of an application for a license, permit or registration, or to the suspension, termination or revocation of a license, permit or registration issued to you by a City agency.

**FOOD AND GENERAL VENDOR MULTIPLE OFFENSE SCHEDULE (\$Min/Max)**

1st Offense	\$50/50	3rd Offense	\$25
		4th Offense	0/25
2nd Offense	\$100/100	Offense	\$50
		Offense	0/50
			0



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **111-07**

**CIVIL SUMMONS RETURNABLE TO THE OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS (OATH) -CRIMINAL JUSTICE REFORM ACT (CJRA)**

Date Issued	Date effective	Revision Number	Page of Pages
<b>06-25-19</b>	<b>07-02-19</b>	<b>2019-01</b>	<b>7 of 8</b>

**APPENDIX “D”**

## CJRA Changes to “C” Summonses

The form is titled 'Civil Summons' and 'Complainant Information'. It includes fields for 'Name of Plaintiff', 'Address', 'City', 'State', 'Zip', 'Case Appearance Date', and 'The Person Described Above is Charged as Follows'. At the bottom, there is a new section for 'NYPD Code' with four radio button options:  1,  2,  3, and  4. A yellow callout box points to this section with the text: 'There will be a new NYPD code box on the C-Summons for the officer to indicate one of four options (check only one box)'.

**There will be a new NYPD code box on the C-Summons for the officer to indicate one of four options (check only one box)**



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. 111-07

<b>CIVIL SUMMONS RETURNABLE TO THE OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS (OATH) -CRIMINAL JUSTICE REFORM ACT (CJRA)</b>			
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**APPENDIX “E”**

**CJRA Changes to “C” Summonses (Close-up)**

Formal Complaint (subject to the officer's discretion) (If complete, return)

NYFD 1118

1  2  3  4

Definition of **CJRA** (Criminal Justice Reform Act)

I generally observed the commission of the offense charged herein. False summons made herein are prohibited as a Class A misdemeanor pursuant to section 205.43 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed: \_\_\_\_\_ Rank/Full Signature of Complainant: \_\_\_\_\_ Date Affirmed: \_\_\_\_\_

Tax Registry # \_\_\_\_\_ Agency: \_\_\_\_\_ Latent Code: \_\_\_\_\_

**ORIGINAL**

- 1 = indicates OATH Recidivist
- 2 = indicates returned on warrant and directed to issue C-Summons by Supervisor
- 3 = Other legitimate law enforcement reason that has been verified by Supervisor
- 4 = Not a CJRA violation or no civil option

**Officer will record all appropriate details of summons in an activity log entry**

**Transit Rules will be written on a TAB or C-Summons, not an OATH Civil Summons**



**DHS PEACE OFFICER GUIDE**PROCEDURE No. **112-01**

<b>LAW OF ARREST BY PEACE OFFICERS</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>01-01-02</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**Arrest without a warrant; by peace officer**

1. A peace officer, acting pursuant to his special duties, may arrest a person for:
  - (a) Any offense when he has reasonable cause to believe that such person has committed such offense in his presence; and
  - (b) A crime when he has reasonable cause to believe such person has committed such crime, whether in his presence or otherwise.
2. A peace officer acts "pursuant to his special duties" in making an arrest only when the arrest is for:
  - (a) An offense defined by a statute which such peace officer, by reason of specialized nature of his particular employment or by express provision of law, is required or authorized to enforce; or
  - (b) An offense committed or reasonably believed by him to have been committed in such manner or place as to render arrest of the offender by such peace officer under the particular circumstances an integral part of his specialized duties.
3. A peace officer, whether or not he is acting pursuant to his special duties, may arrest a person for an offense committed or believed by him to have been committed within the geographical area of such peace officer's employment as follows:
  - (a) He may arrest such person for any offense when such person has in fact committed such offense in his presence; and
  - (b) He may arrest such person for a felony when he reasonable cause to believe that such person has committed such felony, whether in his presence or otherwise.
4. A peace officer, when outside the geographical area of employment, may, anywhere in the state, arrest a person for a felony when he has reasonable cause to believe that such person has there committed such felony in his presence, provided that such arrest is made during or immediately after the allegedly criminal conduct or during the alleged perpetrator's immediate flight there from.
5. For the purposes of this section, the "geographical area of employment" of a peace officer is as follows:
  - (a) The "geographical area of employment" of any peace officer employed as such by any agency of the state consists of the entire state;
  - (b) The "geographical area of employment" of any peace officer employed as such by any agency of a county, city, town or village consist of (i) such county, city, town or village, as the case may be, and (ii) any other place where he is, at a particular time, acting in the course of his particular duties or employment;
  - (c) The "geographical area of employment" of any peace officer employed as such by any private organization consists of any place in the state where he is, at a particular time, acting in the course of his particular duties or employment.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-02**

<b>ARREST - GENERAL PROCESSING</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>06-01-14</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 3</b>

**PURPOSE** To establish protocols to facilitate the arrest process after arrest has been affected and prisoner has been handcuffed:

- a. Potential threat to the officer, prisoner and other persons
- b. Possibility of the prisoner escaping.

As soon as practicable, attempt to discern if the person being arrested has a disability which may affect mobility, speech, hearing, or mental ability. Where possible, attempt to notify a family member or friend who may provide beneficial assistance regarding the prisoner's background information, previous problems, pedigree data, etc. The arresting/investigating uniformed member of the service shall document all reasonable attempts to notify a relative or friend.

**ARRESTING OFFICER**

1. Immediately field search/frisk prisoner and search adjacent vicinity for weapons, evidence and/or contraband.
2. Advise prisoner of rights before questioning in accordance with P.G. 112-06, "Rights Of Persons In Custody."
  - a. If a juvenile is taken into custody, parents/guardians and shelter shift supervisor will be notified immediately.
  - b. When questioning juvenile, Miranda warnings should be read to the juvenile while the parent/guardian is present. The juvenile may be questioned if he/she waives the Miranda rights in the presence of the parent/guardian. The parent/guardian does not have to separately waive the Miranda rights; they only need to be advised of such rights. However, if the parent/guardian objects to the questioning or requests an attorney for the juvenile, no questioning should occur, even if the juvenile is willing to answer questions.
  - c. Additionally for juveniles, NYS Adult and Children Services (A.C.S.) will be notified and to obtain a registry number for the notification.

**NOTE:** When a prisoner and/or parents/guardians of a juvenile do not understand English, or are hearing impaired, the services of an interpreter may be obtained by contacting the Operations Unit. Appropriate Command Log entries will be made when such services are utilized.

**DHS DESK SERGEANT**

3. Immediately determine if the prisoner is a high escape risk.
  - a. Prisoners designated "high risk" will have two (2) police officers assigned to escort at all times.
  - b. If a deadly weapon, dangerous instrument or firearm is recovered follow established safeguarding procedures.
  - c. The item recovered is to be placed in the DHS firearm safety control box or safekeeping locker until a trained supervisor is available for inspection and/or disarming.

**NOTE:** Determinations as to whether a particular prisoner presents a potential escape risk should be made on a case-by-case basis. Factors that can be considered in making this determination include the seriousness of the offense charged, prisoner unwillingness to identify himself/herself, forcible resistance to arrest, threats of violence and/or escape threats directed at uniformed members of the service, a known history of violence, weapons possession, or escape/attempted escape.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **112-02****ARREST - GENERAL PROCESSING**

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**DHS DESK SERGEANT**

4. Have property NOT REQUIRED AS EVIDENCE invoiced for safeguard, or recorded and safeguard by A.S.W. on duty if appropriate.
5. Question the arresting officer regarding the use of force, if applicable.
6. Observe physical and mental condition of all prisoners entering command and include results in Command Log.
  - a. Ensure that prisoners who appear to be ill, injured, or emotionally disturbed Obtain appropriate medical/psychiatric attention.
  - b. Direct arresting officer to notify Emergency Medical Services via telephone.
  - c. If prisoner is an Emotionally Disturbed Person is physically combative, a danger to themselves or spitting, authorize the use of Velcro restraining straps and/or spit guard.
  - d. If necessary, assign additional escort officers equipped with leg irons/shackles.
  - e. Have arresting officer request a secured location that can be used for treatment of prisoner, when available, from emergency room staff
  - f. Direct arresting officer to notify Health and Hospitals Corporation (HHC) police, or hospital security personnel if no HHC police are assigned to the hospital immediately, if a prisoner escapes from custody at the hospital.
7. Direct arresting officer to make a thorough search of the prisoner in your presence. Female prisoners to be searched, in all possible privacy, by a female police officer or female police sergeant. Have the following property removed from prisoner:
  - a. Unlawfully carried.
  - b. Required as evidence.
  - c. Lawfully carried, but dangerous to life or would facilitate escape.
  - d. Can be used to deface or damage property.
  - e. Personal, except clothing, if prisoner is intoxicated or unconscious.
  - f. Any Police Shield, Civil Defense Shield/Identification Card.
  - g. Legally possessed prescription drugs (including methadone).
    - (1) Invoice prescription drugs for safekeeping and place in plastic security envelope in prisoner's presence. Give pink copy of PROPERTY INVOICE (DHSP500-002 rev 01-04) to the prisoner as a receipt.
    - (2) Prepare MEDICAL TREATMENT OF PRISONER (PD244-150) to alert detention facility personnel that prisoner may require a prescription drug.

**NOTE:**

**Invoiced drugs will be delivered to the borough Property Clerk in the normal manner. However, if the prisoner is to be released (stationhouse bail, desk appearance ticket, voided arrest, etc.,) thee afore mentioned drugs will be returned to the prisoner at the stationhouse.**

8. Give itemized receipt for property temporarily removed from the prisoner which is not to be held in police custody.
9. Ask prisoner(s) if they want any personal property they possess to be vouchered for safekeeping.
  - a. Command Log entry MUST be made indicating either the prisoner refused OR the PROPERTY INVOICE number for property safeguarded.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-02**

<b>ARREST - GENERAL PROCESSING</b>			
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**DHS DESK SERGEANT**

1. Notify DHS operations desk via telephone of arrest incident and request the CityWide Patrol Duty Supervisor on duty to respond to the command of occurrence. The CityWide Patrol Duty Supervisor may call in for a summary debrief before their arrival.
2. Notify the Site Commander via telephone or email of arrest.

**NOTE:**

**The CityWide Patrol Duty Supervisor will respond to command of occurrence to determine the validity of the arrest, observe prisoner(s), interview all involved, resolve manpower issues, make further notifications, facilitate transport and generate additional reports associated with the arrest if necessary.**

3. An escorting officer will be assigned to watch the prisoner and assist with the arrest process.
4. The prisoner will be secured at the designated prisoner detention area within the command until such time transport to NYPD precinct/ stationhouse is ready.
5. Ensure the prisoner(s) are double locked cuffed at all times.
6. If the prisoner is to be moved for a bathroom relief, the Sergeant will oversee the process and make the proper Command log book entries.
7. Direct arresting officer to inquire of prisoner whether a dependent adult/child is uncared for at prisoner's shelter domicile. Enter results of inquiry in Command log and contact appropriate shelter program staff supervisor.
8. Ensure DHS (PO-100) is completed and forwarded to DHS Operations desk within 1 hour of initial notification of arrest and obtain DHS arrest number. A command log entry will be made upon completion.
9. DHS Police arrest stamp will be used in command log to denote arrest details.
10. Ensure all DHS Police and NYPD paperwork is complete and accurate prior to requesting transport for the arrest team.
11. Once all paperwork is accurate and accounted for arrange RMP transport to NYPD precinct / stationhouse.
12. Facilitate and supervise the removal of prisoner(s) from DHS Police prisoner holding area to DHS Police Radio Motor Patrol unit (RMP).
13. Once the RMP is of site make a command log entry to include RMP operator: Rank, Name, shield number, RMP call number and time of departure. Include any statements or incidents that may have occurred.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-03**

<b>ARREST- GENERAL SEARCH GUIDELINES</b>			
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**SEARCH OF ARRESTED PERSON**

To maximize security and minimize potential hazards to officers, the arrested Person and others, the following guidelines are established:

**FRISK/FIELD SEARCH**

A frisk, performed primarily to ensure personal safety of the arresting officer, is a methodical external body examination of an arrested person conducted immediately after apprehension to find weapons, evidence or contraband. The frisk should be conducted before or immediately after the subject is rear handcuffed, depending upon particular circumstances, temperament of the subject and escape potential. A thorough body exam is made by sliding the hand over the body, feeling for weapons or other objects, with special attention to the waistband, armpit, collar and groin areas, If an unusual object is detected, the officer will reach into or under the clothing to remove it.

**SEARCH AT POLICE FACILITY**

1. Upon arrival at police office or precinct, the arresting officer or a designated member of the same sex as the prisoner, will conduct a thorough search of the subject's person and clothing to ensure the safety of all persons within the facility and remove weapons, contraband and evidence not discovered by the frisk. Other items lawfully carried but that are dangerous to life, may facilitate escape or may be used to damage department property will also be removed from the subject.
2. A search at a police facility includes the removal of outer garments such as overcoats, jackets, sweaters, vests, hats, wigs, ties, belts, shoes, socks, handbags and wallets. All pockets are to be emptied and all clothing not removed will be examined by grabbing, crushing, and squeezing the garments and by sliding the hands across the body to detect article(s) that may be underneath or sewn into clothing.

**STRIP SEARCHES**

Strip searches by DHS Peace Officers will not be conducted at DHS facilities and are NOT AUTHORIZED.

The exception is when; directed by NYPD Sergeant or higher rank supervisor at the processing police precinct or stationhouse.

In the event a strip search is ordered by the NYPD sergeant or higher ranked supervisor, the DHS Peace Officer will request specific instructions and directions from the NYPD supervisor on methods of conducting the strip search accordance with NYPD policy. The DHS Officer will make all proper notifications to DHS Police supervision and ACTIVITY LOG entries regarding the matter.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-04**

<b>ARREST REMOVAL TO NYPD PRECINCT</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>06-01-14</b>	<b>03-25-19</b>	<b>2019-01</b>	<b>1 of 3</b>

**PURPOSE** DHS officers will be subject to NYPD guidelines for arrest and prisoner processing upon arrival to NYPD precinct location. The NYPD Desk Sergeant will dictate conditions, access and necessary procedures that must be followed.

**DEFINITION** **PREFERRED NAME** - The name an arrestee prefers to be called based on their gender identity. This name may be different from the name on identification documents in the arrestee’s possession.

**ARRESTING OFFICER**

1. Present the rear cuffed prisoner before the Sergeants Desk.
2. Present prisoner pedigree, arrest paperwork and advise the Sergeant the nature of arrest, prisoner's name, charges, arresting officer's name and all relevant information.
3. Request the assistance of the detective squad if the prisoner is arrested for homicide, serious assault, robbery, burglary, grand larceny, firearms or other serious or unusual crime.
4. Upon receiving directive from the Desk Sergeant, perform physical search/frisk of prisoner to recover additional weapons, evidence and/or contraband.
5. If strip search of the prisoner is ordered by NYPD Desk Sergeant or NYPD Commander, immediately notify your command then, proceed with the directive as ordered. Once a strip search is authorized, (see P.G. 208-05, "Arrests-General Search Guidelines" step one (1), subdivision "C") the Desk Sergeant, precinct of occurrence/central booking supervisor will ensure that the following entries are made in Department records.
6. Remove all shoe laces, strings, belts and sharp objects from prisoner prior to placing holding cell.

**NOTE:** In all cases in which a youth is arrested and charged with a violent felony, the precinct detective squad/RAM will be directed to enhance the arrest. It will also be the responsibility of the precinct detective squad/RAM to identify, locate and apprehend any accomplices in gun-related cases or acts of youth violence and attempt to match them to other outstanding crimes. These units will also attempt to identify and apprehend those selling guns to minors.

7. Obtain arrest related documents as directed and provided by the desk Sergeant.

**NOTE:** **Comply with any applicable provisions of NYPD P.G. 208-15, "Arrest Report Preparation at Stationhouse."**

8. Generate complaint report with prisoner's name, charges, arresting officer's name, precinct of occurrence, PROPERTY CLERK'S INVOICE number, if any, and all crime relevant data.

**NOTE:** When the complainant is an eyewitness or other charges are involved, or a DESK APPEARANCE TICKET (PD260-121) is issued and the officer is not required to appear in court on the return date of the DESK APPEARANCE TICKET, a SUPPORTING DEPOSITION WILL NOT BE PREPARED and the complainant and witnesses will be directed to report to the appropriate District Attorney's Office in accordance with current processing procedures in each borough.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-04**

<b>ARREST REMOVAL TO NYPD PRECINCT</b>			
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**ARREST ESCORT OFFICER**

9. Advise prisoner of the right to make three (3) telephone calls within the City without charge or to make collect calls, outside the City, if toll charges are accepted.
  - a. Make telephone calls if the prisoner is incapacitated by alcohol and/or drugs.
10. Permit the prisoner to converse on the telephone, except where the ends of justice may be defeated or a dangerous condition may be created.
11. Notify relatives or friends if the prisoner is under nineteen (19) years of age, or is admitted to a hospital, or is apparently emotionally disturbed.
12. Make ACTIVITY LOG entry regarding any and all unsolicited statements by the prisoner regarding crime.

**NOTE:** If the prisoner appears to have a disability which may affect mobility, speech, hearing or mental ability, a reasonable attempt shall be made to notify a relative or a friend. All such attempts will be documented by the arresting or investigating uniformed member of the service.

**ARREST OFFICER**

1. Deliver ARREST DOCUMENTATION CHECKLIST (PD249-010) and photocopies of the following Department forms to the desk Sergeant in every case in which they are prepared:
  - a. ON LINE BOOKING SYSTEM ARREST WORKSHEET
    1. Ensure that any graffiti tag and/or gang-related nickname is entered in the appropriate box, if applicable.
    2. Indicate any preferred name used by prisoner in "Nickname/Alias/Maiden Name" section, prefaced by "P-".
  - b. COMPLAINT REPORT WORKSHEET
  - c. AIDED REPORT WORKSHEET (PD304-152b), both sides
  - d. ACTIVITY LOG entries
  - e. PROPERTY CLERK'S INVOICES (District Attorney Copy)
  - f. REQUEST FOR LABORATORY EXAMINATION
  - g. SUPPORTING DEPOSITION MEDICAL TREATMENT OF PRISONER (PD244-150)
  - h. Order of Protection, if applicable

**NOTE:** Follow P.G. 208-11, "Arrest Processing-Livescan Fingerprinting," immediately upon desk officer's review and approval of COMPLAINT REPORT WORKSHEET.

**UNDER NO CIRCUMSTANCES WILL ARREST PROCESSING BE UNNECESSARILY DELAYED**



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-04**

<b>ARREST REMOVAL TO NYPD PRECINCT</b>			
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**ARREST OFFICER (continued)**

2. "Computerized Investigation Card System" in all arrest cases.  
**MEDICAL TREATMENT OF PRISONER**, if prepared.
  - (1) Prepare the form if the prisoner receives medical/psychiatric treatment or refuses treatment after claiming an injury or illness, already has previously treated prior injuries, is in apparent need of treatment or may require prescribed medication.
  - (2) If the prisoner is issued a **DESK APPEARANCE TICKET**, file the "Buff" copy of the **MEDICAL TREATMENT** form in a folder maintained at the desk of the precinct of arrest and forward the remaining copies of the form to Central Booking facility.
3. Refer "FOA" cases (offenses not triable in New York City courts or violation of parole or probation) to detective squad.
4. The following forms will be delivered to the assistant district attorney in the Complaint Room or deliver in accordance with borough procedures by the arresting officer.
  - a. **ON LINE BOOKING SYSTEM ARREST WORKSHEET**
  - b. Fingerprint forms, if prepared
  - c. Copy of **DAT INVESTIGATION**, in every misdemeanor and violation case
  - d. Copy of the **PROPERTY CLERK'S INVOICE**, if evidence has been vouchered
  - e. **SUPPORTING DEPOSITION**, if prepared
  - f. **MEDICAL TREATMENT OF PRISONER** form, if prepared
  - g. **JUVENILE ARREST - INVESTIGATION REPORT**, if prepared.
  - h. **AIDED REPORT WORKSHEET (PD304-152b)**
5. Deliver prisoner to borough Court Section or lodging location designated by borough Court Section concerned.
  - a. Inform borough Court Section supervisor if prisoner(s) was strip-searched, including reason for and results of the search.
6. Present all forms relating to arrest to the borough Court Section supervisor.
7. Comply with all directions of the borough Court Section supervisor.

**FORMS AND REPORTS**

ACTIVITY LOG

ARREST REPORT SUPPLEMENT WORKSHEET (PD244-1516)

MEDICAL TREATMENT OF PRISONER (PD244-150)

ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)

PROPERTY CLERK'S INVOICE (PD521-141)





**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-05**

<b>ARREST – CHANGE IN CHARGES</b>			
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**PURPOSE** To instruct members of service in protocol when arrest charges are changed by NYPD Supervisor at the precinct/station house or by Assistant District Attorney

**PROCEDURE** When processing an arrest at NYPD precinct/station house, the Desk Sergeant or Commanding Supervising officer may not approve the charges that the DHS Supervisor had approved. This may occur because of many reasons such as; an internal NYPD change in protocol regarding the specific crime(s), the narrative on the arrest does not reflect the charges, recent change in NYS court orders, changes NYC law department orders or changes in the law the arrest is based on.

**UNIFORMED MEMBER OF THE SERVICE**

1. Make a notification by telephone to Desk sergeant at command.
2. Make ACTIVITY LOG entry if charges are changed.
  - Include:
    - a. Name of the NYPD Supervisor
    - b. Rank and title.
    - c. Time and date.
    - d. Reason for the change.
    - d. List the original charges and new charges.
3. Make the changes as per NYPD supervisor directives.

**DESK SERGEANT**

1. Make a COMMAND LOG entry denoting all facts.
2. Make a telephone notification to the CITYWIDE DUTY PATROL SUPERVISOR and the Commanding officer.

**ADDITIONALLY** The Assistant District Attorney reserves the right to change, add or remove charges if it is applicable to the case. The DHS officer is to follow the same procedure(s):

1. Make a notification by telephone to Desk sergeant at command.
2. Make ACTIVITY LOG entry if charges are changed.
  - Include:
    - a. Name of the Assistant District Attorney
    - b. Time and date.
    - c. Reason for the change.
    - d. List the added, removed or changed charges.
3. Complete the case as indicated by Assistant District Attorney.

**NOTE:** Upon completion of arrest detail, the DHS officer will submit the original copy of Arrest package to include a copy of their ACTIVITY LOG; to the DESK SERGEANT for safe keeping,



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-06**

<b>RIGHTS OF PERSON TAKEN INTO CUSTODY</b>			
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**MIRANDA WARNINGS**

Prior to questioning a person taken into custody:

1. Inform such person of the following constitutional rights:
  - a. You have the right to remain silent and refuse to answer any questions. Do you understand?
  - b. Anything you say may be used against you in a court of law. Do you understand?
2. You have the right to consult with an attorney before speaking to the Police and have an attorney present during any questioning now or in the future. Do you understand?
  - c. If you cannot afford an attorney, one will provided for you without cost. Do you understand?
  - d. If you do not have an attorney available, you have the right to remain silent until you have the opportunity to consult one. Do you understand?
  - e. Now that I have advised you of your rights, are you willing to answer questions?
3. Explain any portion of the rights that the person in custody does not understand.
  - a. If the person in custody does not understand English, or requires the assistance of a sign language interpreter, request an interpreter from the NYPD.
3. Cease questioning if the subject wants an attorney or wishes to remain silent.
4. Contact attorney for person in custody during arrest processing at NYPD facility.

**NOTE:**

*When questioning juvenile, both the juvenile and parent/guardian must be given the Miranda Warnings. The juvenile may be questioned if he/she waives these rights in the presence of parent/guardian. The parent/guardian does not have to waive the rights, they need only to be advised of such rights. If, however the parent or guardian objects to the questioning or requests an attorney for the juvenile, no questioning should occur even if juvenile is willing to answer questions.*



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-07**

<b>PRISONER – GENERAL PROCEDURES</b>			
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**PURPOSE** To safeguard prisoners in police custody.

**DEFINITIONS**

**HOLDOVER PRISONER** - a prisoner who has entered the court process but has not yet been arraigned and has been returned to police custody for overnight detention.

**PRISONER SECURITY GUIDELINES** - all prisoners while in the custody and control of personnel from this Department will be searched on their entry and exit from any Police/Detention/District Attorney or court facility. Prisoners being transported from any location, not included above, will be searched prior to departure from the location and upon arrival at the transport destination. The searches will be conducted as per the guidelines set forth in P.G. 208-05, "Arrests - General Search Guidelines" (see **ADDITIONAL DATA**). The ranking officer supervising the transport of prisoner(s) and all supervising officers and borough court section supervisors will ensure that this procedure is strictly adhered to.

**PROCEDURE** When prisoners must be detained in Department detention facilities or transported to courts or other facilities:

**DESK SERGEANT**

Request borough court section concerned to assign cell space and determine method of transportation to an activated detention facility giving:

**NOTE:** **Borough court section concerned activates detention facilities, assigns cell space and determines method of transportation for EVERY prisoner scheduled for detention or change of custody (i.e., to court, hospital) even though precinct of arrest has cells.**

1. Notify borough court section concerned if prisoner must be detained for a brief period of time in a detention facility not activated by borough court section concerned, giving:
  - a. Reason and amount of time prisoner is to be lodged
  - b. Charge against prisoner
  - c. Name, sex and age of prisoner.
2. Comply with instructions given by borough court section concerned.
3. Make Command Log entry of facts and instructions received.
4. Have appropriate entries made on PRISONER ROSTER (PD244-145) if prisoner detained.
5. Assign Escort officer to temporary duty within prisoner holding area.
6. Record any change of custody in Command Log.

**NOTE:** **If a prisoner is placed in a holding area alone because he/she threatens or fights with another prisoner(s), is causing disruption, or for any other reason, ensure that a member of the service will continue to monitor that prisoner closely.**

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **112-07****PRISONER – GENERAL PROCEDURES**

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**DESK SERGEANT**

7. Permit prisoner to be interviewed by the following properly identified persons when on official business:
  - a. Supervisory officer of this Department
  - b. Member of Detective Bureau or detective squad
  - c. District Attorney or representative
  - d. Chief Medical Examiner or representative
  - e. Prisoner's legal representative (in precinct/district/PSA, interview is conducted in muster room ONLY; in borough court section, interview is permitted in location designated by borough court section supervisor)
  - f. Official of a City department, if prisoner is an employee of that department
  - g. Federal law enforcement officer
  - h. Clergyman (upon request by prisoner)
  - i. New York State Division of Parole officers to serve parole violation papers
  - j. Foreign Consulate/Embassy Officers.
8. Enter the following information under "Details" on OLBS ARREST REPORT SUPPLEMENT WORKSHEET (PD244-1516) when an attorney interviews a prisoner at precinct/district/PSA/borough court section:
  - a. Name, address and telephone number of attorney
  - b. Name and address of person who retained attorney
  - c. Whether the prisoner was interviewed
  - d. Time arrived and departed from the stationhouse/borough court section.
9. Permit parents or legal guardian to visit a prisoner between the ages of sixteen (16) and twenty-one (21), for not longer than fifteen (15) minutes, in the muster room, provided:
  - a. Detective squad commander, arresting officer or, if visit is at other than precinct of arrest, desk officer, precinct of arrest is consulted
  - b. Visit is in presence of Desk Sergeant or CityWide Duty Supervisor
  - c. Prisoner has been detained more than four (4) hours
  - d. Prisoner is not eligible for a summons
  - e. Visit does not interfere with police business.
10. Enter name, address and relationship of person visiting prisoner on OLBS ARREST REPORT SUPPLEMENT WORKSHEET.

**NOTE:**

**If the interview occurred at a location other than the precinct of arrest or borough court section, facts relating to the visit will be telephoned to the desk officer, precinct of arrest, who will have all pertinent details entered under "Details" on OLBS ARREST REPORT SUPPLEMENT WORKSHEET.**

11. Advise prisoner of availability of clergy whenever it appears prisoner is despondent, confused or likely to commit suicide.
12. Permit prisoner to make use of telephone privileges declined during arrest process.



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<b>PRISONER – GENERAL PROCEDURES</b>			
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- 13. DO NOT confine female prisoner with a nursing baby in a holding area.
  - a. Assign female police attendant or female uniformed member of the service, if available within command, as guard.
- 14. Have child delivered to shelter facility supervisor, responsible adult member of immediate family, Adult Child Services worker or to a hospital, if Mother unable to provide care. **PRISONERS BEING TRANSPORTED DESK OFFICER**
- 15. Assign escort officer(s) to guard prisoner(s) being transported to detention facilities.
  - a. Assign member of outgoing platoon, at change of tour, to guard and transport prisoner(s) if assignment of escorting officer would result in overtime.
  - b. Assign separate escort officer(s) to prisoner(s) having different destinations, e.g., female cells, hospital, etc.
- 16. Assign additional escort officer(s) when:
  - a. More than two (2) prisoners being guarded and transport chains are not available OR
  - b. More than three (3) prisoners being transported OR
  - c. Several detention stops are involved OR
  - d. More than one (1) prisoner with different destinations. Prisoner is designated "high risk" escape threat.

**NOTE:** Determinations as to whether a particular prisoner presents a potential escape risk should be made on a case-by-case basis. Factors that can be considered in making this determination include the seriousness of the offense charged, prisoner unwillingness to identify himself or herself, forcible resistance to arrest, threats of violence and/or escape threats directed at uniformed members of the service, a known history of violence, weapons possession, or escape/attempted escape.

**ESCORTING OFFICER**

- 17. Rear cuff all prisoners or place on transport chains if appropriate, before leaving holding area.
  - a. Maintain prisoner control, physically hold prisoner at all times OR chain linking hand cuff/restraints.
  - b. Double lock transport chain cuff/restraints.

**NOTE:** CityWide Duty Supervisor vehicles,(ex. SUV’s), are not to be used to transport prisoners. If DHS Police vehicles are out of service, contact NYPD and EMS for transportation assistance for arrest, precinct vouchers, EMS transports. Uniformed Members of Service are directed to take mass transportation upon completion of their assignment, in this scenario.

**DESK SEREGEANT**

- 18. Closely supervise the removal of all prisoners from the precinct.
- 19. Determine if prisoner is a potential escape risk after conferring with arresting Officer, place leg restraints on prisoner prior to transport if it is determined prisoner is a potential escape risk, OR prisoner refused to be fingerprinted, OR prisoner is being transported to a hospital for medical treatment.

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**NOTE:**

**The use of leg restraints does not replace the requirement to rear handcuff the prisoner. All procedures detailing the use of handcuffs remain in effect. When using leg restraints on a prisoner, the escorting officer is to exercise caution to prevent the prisoner from falling, leg restraints MUST be used when transporting a prisoner that has refused to be fingerprinted and for ALL prisoners being transported to a hospital for medical treatment. If the desk officer determines that extenuating circumstances exist that preclude placing leg restraints on a prisoner that has refused to be fingerprinted or is being removed to a hospital for medical treatment, a command log entry will be made detailing the reason why leg restraints may not be placed on prisoners for "punitive" purposes. Determinations as to whether a particular prisoner presents a potential escape risk should be made on a case by case basis. Factors that can be considered in making this determination include the seriousness of the offense charged, prisoner unwillingness to identify himself or herself, forcible resistance to arrest, threats of violence and/or escape threats directed at police officers, known history of violence, weapons possession or escape/attempted escape.**

20. Ensure that attendant places prisoners on transport chains before leaving cell block.
  - a. Escorting officers may use transport chains or handcuffs when escorting one (1) or two (2) prisoners; more than two (2) prisoners, transport chains must be used.
  - b. Make certain transport chains are in double lock mode, when utilized.
21. Step from behind the desk and personally check that all prisoners are secured to transport chains or rear handcuffed, if appropriate, when prisoners are being removed.
22. Utilize available command personnel to assist attendant and escorting officers loading prisoners onto patrol wagon.
23. Ensure that members of the service are alert and properly positioned to prevent escape.
24. Have attendant, or escorting officer, if attendant not available, prepare PRISONER TRANSPORT DISPATCH (PD171-132).
  - a. If more than one (1) prisoner, and different destinations involved, separate DISPATCH will be prepared for each destination. ESCORTING OFFICER
25. Obtain both copies of PRISONER TRANSPORT DISPATCH from attendant and comply with instructions.
26. Ride in transporting vehicle and keep prisoners under constant surveillance while transporting to court, etc.
27. Deliver prisoner(s) to assigned detention facility.
28. Assist attendant in searching and placing prisoner in cell.

**ESCORT OFFICER**

29. Conduct complete search of prisoner (see P.G. 208-05, "Arrest – General Search Guidelines").
30. Lock prisoner in cell.
31. Make entries on PRISONER ROSTER and file at desk when completed. DESK

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**ESCORTING OFFICER**

33. Periodically conduct personal inspection of prisoner noting their condition and document the inspection under the "Remarks" caption on the PRISONER ROSTER.
34. Deliver prisoner's fingerprints to appropriate borough court section facility if prisoner is not printed on Livescan.

**DESK OFFICER, PRECINCT OF DETENTION**

37. Keep all cell doors and other doors leading into cellblock area locked if cells have not been activated.
38. Make entry in Command Log and notify an available supervisory officer to inspect cellblock when informed that command's cells are activated.
38. Assign police attendant.

**SUPERVISORY OFFICER CONCERNED**

39. Observe opening of detention area.
40. Inspect each cell to ascertain that cells are clean and free of unauthorized items.

**NOTE:**

**Members of the Citizens' Policy and Complaint Review Council are permitted to enter and inspect precinct detention cells and any books or records pertaining to these cells at any and all times.**

41. Make Command Log entry indicating time the first prisoner lodged and condition of cells.  
HOLDOVER PRISONERS IN ADDITION TO OTHER REQUIRED ACTION LISTED ABOVE DESK OFFICER, PRECINCT OF DETENTION
42. Assign member(s) to escort prisoners to court.
43. Direct escorting officer to complete captions and sign PRISONER ROSTER when prisoner is removed from cell.
44. Review PRISONER ROSTER for accuracy and completeness.
45. Initial PRISONER ROSTER next to "Time of Admission" column for each prisoner removed.

**ESCORTING OFFICER**

48. Verify prisoner placed on transport chains are same as listed on DISPATCH and take "head count."
48. Deliver prisoners to holding pen at destination.
49. Return to command for assignment or proceed to original destination, as appropriate.

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**ADDITIONAL DATA**

Whenever an arresting officer/investigator becomes aware that there is the need to separate two or more defendants from one another due to threats made by one defendant to another, or due to the potential for one defendant to assault another, a notation will be made at the bottom of each defendant's Prisoner Movement Slip in the "Detention Alert" section under the caption "Other (Explain)." The notation must contain the name and arrest number of the other defendant involved, as well as an indication as to why separation is deemed necessary (e.g., prisoner had a fight with the other prisoner; prisoner was threatened by other prisoner, etc.). If separation is required for confidential or sensitive reasons, such as one prisoner testified against another, enter the name and telephone number of the arresting officer/assigned investigator so that further information can be obtained if necessary, rather than entering the actual reason for the separation. (If detention personnel are unable to contact the arresting officer/assigned investigator for further information, they will continue to keep the affected prisoners separated from one another). In the event that an arrest processing officer or escorting officer becomes aware that a conflict exists between prisoners requiring their separation, the officer should:

- a. Inform the arresting officer/assigned investigator of the circumstances in order that the latter may make entries on the Prisoner Movement Slips, OR
- b. Personally make entries on the Prisoner Movement Slips which should then Be brought to the attention of the court section personnel for entry on the courthouse generated movement slips. The information entered on the Prisoner Movement Slip prepared at the precinct must also be entered on the computerized movement slip generated at the courthouse when the prisoner is photographed. In addition to the notation on the movement slip, the arresting officer/assigned investigator/escorting officer will notify the concerned borough court section supervisor. Members of the service assigned to prisoner detention functions at a command and at the courthouse must examine and be guided by the information contained in the "Detention Alert" caption on each Prisoner Movement Slip in regard to separating prisoners. etc." All commands with detention cells will forward monthly report on Typed Letterhead addressed to the Chief of Department (attention: Strategic Analysis Section), no later than the 15th day of the month listing the number of male and female prisoners detained during the previous month. Negative reports are required. The Department's policy is to handcuff all prisoners with hands behind their back. When a prisoner has surrendered at a law enforcement facility and is accompanied by an attorney, the uniformed member of the service may request authorization from an immediate supervisor not to use handcuffs, after the supervisor and uniformed member of the service have evaluated the following criteria:
  - a. Potential threat to the officer, prisoner and other persons
  - b. Possibility of the prisoner escaping.

In all circumstances, uniformed members of the service should conduct a search of the prisoner.





**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-08**

<b>HOSPITALIZED PRISONERS</b>			
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**PURPOSE** To safeguard hospitalized prisoners arrested by uniformed members of the service.

**PROCEDURE** The responsibility for guarding hospitalized prisoners arrested by DHS Police is on the uniformed members assigned to escort/guard officer detail at the hospital. When a prisoner is likely to be admitted, the arresting/assigned officer will make an immediate telephone notification to their DHS Police command, requesting that a relief officer be provided by that command. The desk Sergeant, of hospitalization, may provide a uniformed member of the service to guard prisoner temporarily in multiple arrest cases, if arresting officer is required to process other prisoners. Such coverage shall not exceed one per (1) tour.

The DHS Police policy is to handcuff all hospitalized prisoners to ensure the safety of persons present and prevent escape. However, under certain circumstances, the use of regular handcuffs may be impractical or inexpedient, i.e., prisoner is comatose, paralyzed, last stages of pregnancy, or otherwise immobilized.

Furthermore, the use of regular handcuffs may be impractical if the prisoner has arm or wrist injuries, burns, etc. In a further effort to prevent injuries and escape, the Department has purchased long chain handcuffs and leg restraints which will be available for use on hospitalized prisoners. Guarding officers, when using long chain handcuffs, will attach one (1) cuff to bed frame and secure other cuff to prisoner. Leg restraints **MUST** be used when transporting a prisoner that has refused to be fingerprinted. If the Desk Sergeant determines that extenuating circumstances exist that preclude placing leg restraints on a prisoner that has refused to be fingerprinted, a command log entry will be made detailing the reason why. The use of leg restraints does not replace the requirement to rear handcuff the prisoner. All procedures detailing the use of handcuffs remain in effect. When using leg restraints on a prisoner, the escorting officer is to exercise caution to prevent the prisoner from falling. The CityWide Duty Patrol supervisor will respond to the hospital and evaluate the situation whenever a prisoner is admitted to a hospital. This evaluation will include a conferral with the attending physician to determine the method of restraint to be used, e.g., handcuffs, long chain handcuffs or leg restraints. The Guarding officer will notify the CityWide Duty Patrol Supervisor with the recommendation.

In situations where it is determined that the use of regular handcuffs, long chain handcuffs or leg restraints would be impractical or inexpedient, the Desk Sergeant, has the discretion to authorize that such methods of restraint not be used. However, if condition of the prisoner significantly improves, the CityWide Duty Patrol Supervisor will respond and re-evaluate the situation, confer with chain of command supervision. and follow supervision’s directions regarding handcuffing the prisoner. CityWide Duty Patrol Supervisor will assess the potential for escape of a hospitalized prisoner. In cases where the escape potential is deemed high, CityWide Duty Patrol Supervisor will direct that all uniformed members of the service guarding that prisoner have two (2) sets of handcuffs available.



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<b>PRISONER – GENERAL PROCEDURES</b>			
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**PROCEDURE  
(Continued)**

All hospitalized prisoners: (EXCEPT those not deemed to have an escape potential) will be handcuffed to the bed with one (1) wrist secured to one (1) side of the bed. To prevent escape, handcuffs are to be double locked, at all times. When it becomes necessary to uncuff the prisoner to allow for medical treatment of the prisoner, the second set of handcuffs will be utilized to cuff the free hand to the bed before uncuffing the first hand. Prisoners should not have both hands cuffed to the bed unnecessarily. Additional sets of handcuffs are kept in precincts that cover hospitals where prisoners are usually admitted (e.g., 71 Precinct for Kings County Hospital, etc.). CityWide Duty Patrol Supervisor or competent authority shall direct that, when one (1) uniformed member's handcuffs are being removed from a prisoner, the second member's handcuffs are placed on the prisoner before the first member's handcuffs are removed. When a prisoner is admitted to the Intensive Care Unit of a hospital, the CityWide Duty Patrol Supervisor will assess the potential for escape. If the prisoner is deemed to have escape potential, the prisoner will be secured to the bed frame utilizing plastic flex cuffs. Plastic flex cuffs do not conduct electricity should medical personnel need to defibrillate the prisoner.

**CITYWIDE PATROL DUTY SUPERVISOR**

CityWide Patrol Duty Supervisors and Captains will be directed to visit hospital emergency rooms and hospital wards with admitted prisoners frequently to observe the performance and attentiveness of uniformed members of the service assigned to guard prisoners. Supervisors will also evaluate the security of hospital rooms in which prisoners are held. If room security is inadequate, CityWide Patrol Duty Supervisors will request that hospital authorities transfer the prisoner to a more secure room. If the prisoner cannot be transferred, supervisors shall take whatever additional steps are necessary to ensure security of the prisoner (e.g. assigning an additional member to guard the prisoner, etc.).

**GUARDING OFFICER(S)**

Are directed to make regular ACTIVITY LOG entry's and denote all occurrences, approved visitors and unscheduled medical procedures. The guarding officer will immediately notify the CityWide Patrol Duty Supervisor, before any condition or procedure(s) that will require uncuffing or movement of the prisoner is to occur.

**NOTE:** All circumstances, issues and other agency protocols are not addressed in the aforementioned DHS Police Hospitalized Prisoner guidelines. When issues occur outside the scope of these guidelines immediately refer the matter to chain of command supervision for direction.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-09**

<b>RELEASE OF PRISONERS</b>			
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**SCOPE** When an arrest is made by a DHS Peace Officer and further investigation reveals there is reasonable cause to believe that the person did not commit the offense or any related offense or it is determined that no offense occurred:

**ARRESTING OFFICER**

1. Confer with supervisor (sergeant, lieutenant or captain) and obtain consent for release.
  - a. If prisoner has been removed from DHS facility to NYPD precinct or court; confer with NYPD supervisor at that facility.

**SUPERVISOR**

2. Authorize release if in agreement with arresting officer.
3. Verify that all property removed from the person is returned.

**ARRESTING OFFICER**

4. Make ACTIVITY LOG entry of facts.
5. Prepare OLBS ARREST WORKSHEET *immediately* and deliver to supervisor.

**SUPERVISOR**

6. Examine and initial arresting officer's ACTIVITY LOG entry.
7. Review OLBS ARREST WORKSHEET and enter "VOIDED ARREST" across top of worksheet.
8. Indicate under "Details" the reason the arrest was voided and include:
  - a. Statement indicating property was returned, if applicable.
  - b. Names of witnesses, if any.
  - c. Supervisor who authorized release.
  - d. Times of release.
9. Deliver completed OLBS ARREST WORKSHEET to precinct of arrest.
10. Make Command Log entry of facts.
11. Notify Site Commander.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-10**

<b>DUTIES AND CONDUCT IN COURT</b>			
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**PURPOSE** To provide uniform standards for a uniformed member of the service that are required to appear in court, before a Grand Jury or other government agency:

**UNIFORMED MEMBER OF THE SERVICE**

1. Appear in uniform if assigned to duty in uniform except if:
  - a. Off duty
  - b. On sick report
  - c. Required to arraign deferred or holdover prisoner
  - d. Authorized by commanding officer.

**NOTE:** A member is required to appear in uniform when such attendance is requested by the District Attorney providing the member concerned is NOT listed as an exception in step 1, subdivisions a through d, above. When reporting in uniform, the uniform shirt and tie MUST be worn if the outermost garment is to be removed.

2. Report to Police Sign-In Room and submit IDENTIFICATION CARD and COURT ATTENDANCE RECORD to supervising member/designee.
3. Inform supervising member/designee if scheduled to appear in more than one part of court, before another government agency, or if on a court alert.
  - a. Notify supervising member/designee if appearing on off duty time. POLICE ROOMS SUPERVISOR/DESIGNEE
4. Notify other court part or government agency that member is present in another court part.
5. Wear appropriate business attire, if appearing in civilian clothes, at post-arraignment proceedings.

**NOTE:** Proper business attire requires male members of the service to wear a dress shirt with collar and tie, suit or sports coat, dress trousers, and female members of the service to wear dress or appropriate suit. No member of the service will appear wearing dungarees or sneakers.

6. Wear shield on outermost garment at all times while in court building or portion of building under court jurisdiction.
7. Take meal period when court recesses for lunch and enter location of meal in ACTIVITY LOG.
8. Report to police room if required to leave court building for reason other than meal (prior to leaving and upon return).



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-10**

<b>DUTIES AND CONDUCT IN COURT</b>			
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(Continued)

9. Refrain from discussing case with defendant, defendant's attorney or any other unauthorized person EXCEPT with the consent, and in the presence of the District Attorney.
10. State full name, rank, shield number and command when sworn as a witness.
11. Have ACTIVITY LOG and evidence available at each appearance.
12. Give testimony as follows:
  - a. Understand question before answering; request clarification if necessary.
  - b. Remain calm, impartial and speak distinctly.
  - c. Answer truthfully and completely.
13. Request adjournment to day when performing duty with the 2nd Platoon or if a detective, when performing day duty.
14. Inform judge when adjourned date is on scheduled day off.
15. Telephone desk officer if detained in court past end of tour.
16. Report to police room at conclusion of court appearance and obtain completed COURT ATTENDANCE RECORD.
17. Ascertain the status of other scheduled appearance prior to signing out of court.
18. Return evidence, if any, to Property Clerk.
19. Notify Desk Sergeant at command by telephone immediately upon dismissal from Police Sign-In Room and comply with instructions received.

**DESK SERGEANT**

20. Make notation of uniformed member's dismissal and instructions given on appropriate Department record.
21. Make entry in Command log indicating time of return and assignment of officer.
22. Check COURT ATTENDANCE RECORD.
23. File COURT ATTENDANCE RECORD at command in chronological order in a Separate folder.
24. Examine ROLL CALLS for the preceding week to identify uniformed members who made appearances in court, Grand Jury, etc., and compare COURT ATTENDANCE RECORD with OVERTIME REPORT.
25. Ascertain if entries in COMMAND LOG reflect time of return for those uniformed officers who were not dismissed directly from court and notify the commanding officer

**NOTE:** All of the above duties may not be applicable at every appearance in court, before Grand Jury or other government agency.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **112-11****NOTIFICATIONS FOR COURT APPEARANCE**

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<b>06-01-14</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**PURPOSE** To effectively monitor and control, via a formal notification process, appearances by uniformed members of the service at various courts, other government agencies, and for District Attorney's assignments.

**DEFINITION****DISTRICT ATTORNEY'S ASSIGNMENT**

Any assignment, including field assignments, requested by the District Attorney's Office for the purpose of case or trial preparation.

**PROCEDURE**

When a notification is received at the requested officer's command from the DESK SERGEANT or the LIEUTENANT for the command or by subpoena, or as the result of a written instruction given by a Judge, Assistant District Attorney, or Corporation Counsel member to appear at a Grand Jury, Court, (Supreme, Civil, Criminal, or Family), for trial preparation, a government agency, or for a District Attorney's assignment:

**DESK SERGEANT**

1. At ROLL CALL notify officer of scheduled appearance.
2. After ROLL CALL have officer sign notification.
3. Give copy of notification to officer.
4. Make a COMMAND LOG entry regarding court notification denoting date, name of officer, and special directives (if any).
5. Denote on monthly Command calendar, on the day and date of expected court appearance, denoting if transportation is required.

**NOTE:** **A telephone notification for members of the service to appear will not be accepted at any command unless received from the Assistant District Attorney office, or if closed, the Borough Court Section concerned. Notifications are made in this manner for commands that are not yet enabled in the NYPD Court Appearance Control System (CACS).**

**UNIFORMED MEMBER OF THE SERVICE**

Are instructed upon notification of court appearance, they are to contact the Assistant District Attorney handling the case to receive further instruction regarding any preparation, paperwork or field assignments that may be required prior to the court date.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **112-12**

<b>RESCHEDULING FOI COURT APPEARANCES</b>			
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**PURPOSE** To ensure appearances of uniformed members of the service in court.

**PROCEDURE** When appearing in court, before a Grand Jury or another government agency and the judge sets an adjournment date which conflicts with other scheduled appearance such as; providing testimony in another court case, mandatory annual recertification training, jury duty, scheduled vacation, etc:

**UNIFORMED MEMBER OF THE SERVICE**

1. Inform the judge of this fact.
2. Request another day in accordance with work schedule.
3. Make ACTIVITY LOG entry if rescheduled date still poses a conflict.  
Include:
  - a. Name of the judge and assistant district attorney
  - b. Date of appearance
  - c. Adjournment date
  - d. Court and part
4. Inform borough court section supervisor assigned to police room of such scheduling on conflicting day.
5. Make a notification by telephone to Desk sergeant at command.

**NOTE:** **If the schedule conflict cannot be resolved, the uniformed member of service is mandated to appear at court. No exception.**



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-01**

<b>ROLL CALL / MUSTER</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>01-01-02</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**PURPOSE** To inspect, instruct and conduct roll call of DHS Peace Officers prior to tour:

**SUPERVISOR**

1. Assemble platoon in area designated by site commander for roll call.
2. Command “Platoon, attention”
3. Command “Attention to roll call”
4. Conduct Roll Call and make assignments.
5. Inspect the platoon.
  - a. Allow officers concerned to reasonably demonstrate that a protective vest is being worn.
  - b. List members deficient in uniform, equipment, personal appearance or punctuality.
  - c. Reprimand and instruct deficient officers privately.
  - d. Follow up to determine if corrections have been made; take disciplinary action if necessary.
4. Issue necessary instructions, training.
5. Make any required notifications.
6. Command “Platoon, take your posts”

**NOTE:** Supervisors should make themselves available after **ROLL CALL** to allow opportunity for subordinates to convey relevant information or to discuss a private matter.





**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-02**

<b>MEALS AND BREAKS</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>01-01-02</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**PURPOSE** To instruct DHS Peace Officers of meal periods and personal breaks:

**MEALS** The meal period is regulated and recorded by the DHS Police Desk Sergeant on duty at each facility during a given tour. The meal period are consistent with the terms and conditions of the current CityWide Labor contract collective bargaining agreement with the city of New York. DHS POLICE / Peace Officers are allotted meal periods as follows:

1. Meal period is 30 minutes in duration.
2. Meal period times will be recorded in by officers in the ACTIVITY LOG, as per start and end time given by DESK SERGEANT.
3. Meals are to be taken in designated “break out room(s)” or other suitable authorized area(s).
4. During meal periods Peace Officer are to remain in full uniform.
5. Officers may be recalled to respond to an incident. In the event this where to occur, the officer may return to meal after the completion of the event with the permission from the supervisor in charge. Incidents of this nature may include:
  - a. 10-85 or 10-13 radio calls for assistance.
  - b. Emotionally Disturbed Person.
  - c. Arrest.
  - d. Natural or Mechanical disaster.
6. Officers may leave the grounds of the work facility for meal but, must advise the DESK SERGEANT on duty and follow all DHS Patrol Guide policy, procedures and regulations regarding their conduct in public while in uniform, exercise sound judgment, safety practices and due care.

**BREAKS** There are no provisions in the current CityWide Labor contract /collective bargaining agreement for any type of breaks other than a meal period. It is the discretion of the DESK SERGEANT or competent authority to grant any break other than a meal period.

**NOTE:** **All incidents that occur while on meal break must be recorded in the officers ACTIVITY LOG and reported to DESK SERGEANT immediately.**

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **113-03****CRIME SCENES**

Date Issued	Date effective	Revision Number	Page of Pages
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**PURPOSE**

Provide guidelines for DHS Police personnel, arriving upon the scene of a serious crime which may require safeguarding of the scene to preserve evidence:

**PEACE OFFICER**

4. Request additional officers, if necessary and supervisor to respond to location.
5. Remove unauthorized persons from the area and secure the crime scene.
  - a. Do not disturb evidence found at the scene.
  - b. When uncertainty exists as to the extent of the crime scene, initially secure the larger area for investigation.
  - c. Secure area with POLICE LINE tape, if needed.
6. Detain witnesses and persons with information pertinent to the crime scene.
7. Record information in ACTIVITY LOG:
  - a. Observations
  - b. Identity of subjects/witnesses with addresses and phone numbers and any relevant statements.

**SUPERVISOR**

8. Assess the crime scene.
9. Notify NYPD if circumstances warrant.
10. Notify site commander of details.

**NOTE:**

**NYPD personnel will determine the need for detectives and further crime scene investigation.**



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-04**

<b>ACTIVITY LOGS</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>06-01-14</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**PURPOSE** Ensure proper documentation of incidents by DHS Police Peace officer, through the use of agency issued ACTIVITY LOG.

**PROCEDURE** DHS Police ACTIVITY LOG also known as a “memo book”, is a legal instrument/ document that can be used in a court of law. The agency reserves rights and control of these serialized documents. Hence, the document issued to the DHS officers for use in connection with Police activities on behalf of the agency are property of the department/agency and will be surrendered upon supervisory directive. All ACTIVITY LOG’s issued must be kept safe and available for the duration of 7 years.

The ACTIVITY LOG entry(s) for the start of tour will contain the following information:

- a. The day & date.
- b. Start of duty time index.
- c. Tour schedule.
- d. Weather conditions and temperature.
- e. Name & shield numbers of Supervisors and officers in attendance at Roll Call.
- f. Training topic of the week.
- g. Post or special assignment.
- h. Directives or memorandums.
- i. Post and meal time.

DHS Officer will maintain an ACTIVITY LOG for the duration of the tour, to document and report any/all Crime and Non-crime incidents to include:

- a. Unusual occurrences.
- b. Emergency Service personnel activity(s).
- c. Investigations.
- d. All information regarding Summons or Arrest process.
- e. Anything that involves the care and treatment of prisoners in custody.
- f. Threats of violence.
- g. Dangerous conditions.
- h. Notifications to supervision.
- i. Directives by supervision.
- j. Location of occurrence.
- k. Type of incident.
- l. Number of persons involved.
- m. Complete physical description, to include clothing.
- n. Notable actions, weapons or statements.
- o. Crime incident address, floor, room and cross streets.
- p. If applicable, direction of flight.
- q. All report serial numbers associated with incidents, (i.e. NYPD-61, etc)
- r. The start and end time index of incidents.

**NOTE** If a member of service retires or is no longer employed by the department, the ACTIVITY LOG’s that can be subpoenaed, will be surrendered at headquarters for safekeeping.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **113-05****NOTIFICATIONS FOR TRAINING**

Date Issued	Date effective	Revision Number	Page of Pages
<b>06-01-14</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**PURPOSE** To effectively monitor and control, via a formal notification process, appearances by uniformed members of the service at mandatory annual Peace Officer certification.

**PROCEDURE**

When a notification is received via email at the requested officer's command from the DESK SERGEANT or the LIEUTENANT will generate a written notification to include instruction(s) for the officer.

**DESK SERGEANT**

1. At ROLL CALL notify officer of scheduled appearance.
2. After ROLL CALL have officer sign notification.
3. Give copy of notification to officer.
4. Make a COMMAND LOG entry regarding training notification denoting date, name of officer, and special directives (if any).
5. Denote on monthly Command calendar, on the day and date of expected training.

**UNIFORMED MEMBER OF THE SERVICE**

Are instructed of the mandatory uniform appearance and equipment requirements for training dates indicated. If the officer has a pre-existing issue or appointment that may conflict with the pending scheduled training day, notify supervision immediately.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **113-06****SAFEGUARD PROPERTY**

Date Issued	Date effective	Revision Number	Page of Pages
<b>07-01-10</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**PURPOSE** To establish record system for safeguard of property and evidence coming into DHS Police custody

1. Generally, property belonging to clients or staff should be turned over to and safeguarded by the program staff at the particular shelter. Whenever property is turned over to program staff for safekeeping, an ACTIVITY LOG entry and COMMAND LOG entry with the particulars of the transfer will be made. In certain circumstances, however, property will be processed by DHS Peace Officers.
2. Arrest Evidence: Transport property to the NYPD precinct of record and follow Property Evidence Tracking System (PETS) invoice procedures as directed by NYPD representative. Use pre-numbered security envelopes for drugs/paraphernalia immediately after recovery. Open envelope only at precinct during evidence invoicing procedure

Non-Contraband; Property Invoice procedure:

**OFFICER**

- a. Enter circumstances and description of property in ACTIVITY LOG.
- b. Notify supervisor.
- c. Prepare PROPERTY INVOICE. Print all captions and do not leave blank lines.
- d. Notify Owner and/or shelter program staff and enter results of notification or inquiries under "Remarks" on INVOICE.
- e. Deliver property and completed INVOICE to supervisor for review.

**SERGEANT**

- a. Review INVOICE for accuracy and completeness.
- b. Properly tag, package or seal property using Pre-numbered Property Seals or Pre-numbered Property Envelopes and record seal or tag numbers in the appropriate captions on INVOICE.
- c. Complete captions on Property Envelopes, if used, prior to placing property in envelope.
- d. Attach Property Envelope receipt strip to invoice.
- e. Sign INVOICE verifying accuracy and completeness
- f. Assign the next INVOICE number from PROPERTY LOG and complete all captions required in PROPERTY LOG.
- g. Identify a secure storage location (locked property locker or property room) for the property and indicate the storage location on the INVOICE and in PROPERTY LOG.
- h. Attach original WHITE INVOICE copy to property and secure in storage location. File YELLOW INVOICE copy in property log book. and give owner of property the PINK INVOICE copy.
- i. Safeguard property until properly disposed of in accordance with DHS Police 14 day policy or returned to owner.

**NOTE**

*Only supervisors are to access the property storage locker(s) or room(s) to store, remove or inventory property. The keys to the property storage locations are to be in the possession and control of the Shift supervisor at all times. A second copy of the key(s) will be maintained by the site commander.*



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-07**

<b>CCTV SYSTEMS</b>			
Date Issued	Date effective	Revision Number	Page of Pages
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**PURPOSE** To instruct DHS Police personnel on Shelter facility policies and protocols regarding CCTV system (Closed Circuit Television) access, control, maintenance and image recall/recovery for incidents, unusual occurrence and criminal investigations

CCTV systems will vary depending on location and system type. At DHS shelter facilities where DHS Police have direct control and access to the CCTV systems the Commanding Officer and all Sergeants will ensure the following:

- a. Telephone in the CCTV control room.
- b. Radio working at all times
- c. Environmental controls kept at pre-set, no tampering.
- d. Report non-working equipment.
- e. Unauthorized personnel and civilians are not allowed access.
- f. Officers' does not leave post unattended, without proper relief or unsecured.
- g. Officers' does not disclose the operation of the cameras or data retrieval systems to unauthorized personnel.
- h. Officers' does not download copy or burn CD/DVD of images without authorization.
- i. NO ONE is permitted to log on to CCTV memory or administrative controls.
- j. NO ONE is permitted to erase images from the CCTV system memory.

A daily CCTV operator log to denote and report is maintained by assigned officers to document:

- a. Damaged/malfunctioning equipment.
- b. Scheduled system maintenance.
- c. Inaccurate DVR/Camera date/time log index.

Maintain an ACTIVITY LOG to document and report any/all:

- s. Criminal Investigations and Non-crime Incidents
- t. Unusual occurrences
- u. Emergency Service personnel activity(s)

ACTIVITY LOG entry(s) will contain the following information:

- j. The beginning time index for the incident.
- k. Location of occurrence.
- l. Type of incident and number of persons involved.
- m. Notable actions
- n. Camera number(s) and DVR(s) associated with footage.
- o. The end time index for the incident.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-08**

<b>SYRINGE EXCHANGE PROGRAM</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>02-01-03</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 3</b>

**SCOPE**

DHS Police officers’ compliance with the New York State Department of Health and Mental Hygiene Authorized Syringe Exchange Program.

1. Effective May 24, 1992, the New York State Commissioner of Health, pursuant to the authority granted in Title 10, Part 80.135 of the rules of the State of New York, may authorize community based not-for-profit organizations and government entities (see Appendix “A”) to conduct syringe exchange programs within the State of New York. Additionally, the Commissioner of Health has the authority to waive the prescription requirements necessary to possess hypodermic syringes. Participants in the approved syringe programs may obtain and possess hypodermic syringes without prescription provided those syringes have been collected by the participant for deposit with the program or distributed to the participants through the program
2. Syringe exchanges take place at pre-approved locations, at specific times and days. Exchange sites are subject to change with the approval of the NYS Commissioner of Health. There are various models used by syringe exchange programs to deliver services. The various models are:

- Storefront:** Services are delivered in an agency office.
- Street-side:** Services are set up on the sidewalk at approved locations
- Walkabout:** Exchange is conducted as staff walk along an authorized route.
- SROs:** Program staff conducts exchanges in the rooms of specific SROs
- Hospital based:** Exchange is conducted within a hospital setting
- Mobile Vans:** Staff members exchange syringes from a mobile van
- Special Arrangements:** Exchanges made outside the regular models



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-08**

<b>SYRINGE EXCHANGE PROGRAM</b>			
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3. Although authorized syringe exchange programs exchange syringes in specific geographical areas, syringe possession by program participants is not confined to a particular area
4. Lawful possession of syringes is not limited to one (1) or two (2) syringes. There is no absolute limit on the number of hypodermic syringes which can be lawfully possessed by participants in authorized syringe exchange programs. Each syringe exchange program establishes policies and procedures that guide operations and specify the number of syringes that may be provided to participants at initial and subsequent visits.
5. For confidentiality purposes, participation in authorized syringe exchange programs is anonymous. Each participant in the program is issued an ID card which identifies them by an individual ID code rather than by name (see Appendix “B” for facsimiles of ID cards used by authorized syringe exchange programs). Currently, the method used to construct codes varies slightly from program to program.
6. The ID cards issued by authorized syringe exchange programs are uniform in content **except** for each program’s name, location and contact telephone number / cell phone / beeper number.
7. If a DHS peace officer encounters a program participant in possession of syringes and an ID card from an authorized syringe exchange program, an arrest should **not** be affected if the only charge is criminal possession of a hypodermic instrument. Authorized participants should **not** be charged with criminal possession of a hypodermic instrument, even in circumstances where an arrest is affected on other charges.



**DHS PEACE OFFICER GUIDE**PROCEDURE No. **113-08****SYRINGE EXCHANGE PROGRAM**

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8. If verification of an individual's participation in an authorized syringe exchange program is needed, inquiries can be telephoned direct to the specific program office with which the participant is affiliated. Program telephone numbers will be listed on the individuals ID card and are also listed in Appendix "A".
9. If the status of a program needs to be ascertained, or verification of pre-approved exchange site is necessary, officers concerned can make inquiry to the NYS Department of Health, Harm Reduction Unit, at (212) 268-6987 during business hours.
10. In those cases where a syringe comes into the custody of DHS peace officers, it will be invoiced following the procedures of the local law enforcement agency in jurisdiction or the NYPD using established safety precautions and/or storage containers.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-09**

<b>NALOXONE PROGRAM</b>			
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**NAXOLONE PROGRAM**

The Naxolone program was implemented by NYC Department of Homeless Services, in partnership with the NYC Department of Health & Mental Hygiene to reduce the amount of opioid overdose related deaths within the shelter population. Guidelines have been established by which Opioid Overdose Reporting Forms (Naloxone), can be efficiently recorded and serialized for later information retrieval.

Upon an incident of Naxolone deployment, the onsite supervisor or CityWide Patrol Duty Supervisor will investigate the incident, identify the uniformed member(s) of service who deployed and/or rendered life saving first aid then, prepare the New York State Opioid Overdose Reporting Form upon confirmation of usage of Naloxone.

The Opioid Reporting Form along with all pertinent Police Service Reports for the incident will be submitted along with the Agency recommendation for recognition, to the Integrity Control Officer at DHS Police Headquarters.

**INTEGRITY CONTROL OFFICER**

Upon receipt of these documents Integrity Control Officer will make a detailed entry in the NAXOLONE DEPLOYMENT logbook.

The entry will include the name of the facility, the location, the date, amount of doses of Naloxone were dispensed, names of officers that participated and their roles in the rescue, and the condition of the aided when transported.

**NOTE:**

**Four copies will be made of the Opioid Reporting Form, and the pertinent Police Service Report. One copy will be placed in the Opioid Reporting File; one copy is to be delivered to Agency Medical Director’s office, one set along with the agency recommendation for recognition to the Director of Peace Officer’s and one set with the agency recommendation for recognition to the Integrity Control Officers File.**

This information will be reviewed monthly on a command by command basis at COM STAT.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-10**

<b>COMMAND LIBRARY</b>			
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**SCOPE** To establish a Command Library at each facility consisting of regularly updated reference materials essential to DHS Police Operations

1. Each facility at which DHS peace officers are assigned will compile and maintain a Command Library of reference materials essential to DHS police operations
2. The Command Library will be secured in the police operations office at each location, accessible at all times to supervisors and officers assigned to the site.

The following reference materials will be revised/ updated as needed and included in the Command Library at each site:

- NYS Penal Law and Criminal Procedure Law
- NYPD Patrol Guide
- DHS Peace Officer Guide
- DHS Code of Conduct (Rev. 04/02)
- DHS Absence Control Program-Policies and Procedures (Rev. 01/02)
- DHS Non-Managerial Performance Evaluation Manual (Rev. 07/05)
- NYC Regulations for City Vehicle Drivers (Rev. 01/97)

3. Commands are to maintain clipboards with copies of all Operations Memos and current year Training and Personnel Memos in the police operations office.
4. Site commanders are responsible to ensure that the Command Library and all related materials are kept current and updated as needed
5. Tour supervisors are to inspect and account for the Command Library each tour as part of their regular inspection of equipment
6. Supervisors and officers are required to reference the Command Library whenever necessary to ensure that the laws, policies and procedures of the State of New York, City of New York, NYPD, DHS and the DHS Peace Officer Program are complied with



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-11**

<b>COMMAND INSPECTION PROGRAM</b>			
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**SCOPE** To identify and establish parameters for measuring administrative and supervisory compliance via a Command Inspection Program

The Director of Peace Officers initialized a Command Inspection Program to monitor administrative and supervisory compliance with established procedures, directives and policies at DHS Police Commands.

Personnel designated by the Director will conduct Command Inspections at various intervals consisting of a multi-day site visit, during which the identified parameters will be inspected and a report generated for information and corrective action. Site Commanders will be held strictly accountable for the results of the Command Inspection Program.

The following areas will be subject to review under the Command Inspection Program:

- Command Roster
- Tour Schedule
- Post List / Description
- Radio Code Signals
- Mission Statement Sign
- Command Log
- Roll Call / Assignment Sheets
- Radio Log
- Property Log
- Memo Book Log
- Property Storage
- Command Diary
- PSR Index / File
- Summons Control
- Court / Appearance Notification Control
- Com-Stat Records
- Overtime Tracking System
- Access Control Equipment
- City-Wide Radio
- Operations Memos
- Personnel Memos
- Training Memos
- Peace Officer’s Guide
- Penal Law / CPL
- DHS Code of Conduct
- DHS Absence Control Program-Policy & Procedures
- DHS Non-Managerial Performance Evaluations
- NYC Regulations for City Vehicle Drivers
- EEO Policy & Procedure Folder
- Physical Plant (Command areas/rooms)
- Arrest Folders
- Time & Leave Folders
- Personnel Folders
- Transfer Requests
- Tour Change Requests
- Disciplinary Documentation
- Workers Compensation Package(s)
- All Assigned Agency Equipment

Other areas, essential for efficient operation of security and safety functions, may be inspected as well.

Duty supervisor(s) and Captains will conduct preliminary inspections for compliance and assist site commanders in correcting deficiencies noted in their inspections. Advance notice of Command Inspection Program visits will not be given.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-12**

<b>COMMAND STATUS REPORTING</b>			
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**PURPOSE** To maintain required records and statistical data, providing the ability to report a detailed documented factual account of crimes and non-crime incidents at DHS Police commands.

**COM STAT**

DHS Police Site Commander or other assigned competent authority from a command will prepare Command Status reports on the prescribed forms. All reported incidents will be reviewed by the use of proper investigative technique, which may require;

1. Visit scene of incident(s) or occurrence.
2. Interview clients, staff, witnesses, victims or perpetrators, when appropriate.
3. Debriefing uniformed members of services involved or assigned to incidents of interest.
4. Obtain pictures, CCTV footage, eye witness testimony or other relevant information.
5. Reviewing CLIENT INCIDENT CARD files.
6. Reading POLICE SERVICE REPORTS.
7. Reading Command log entries.
8. Officer, staff and/or client written statements.
9. Reviewing Officer ACTIVITY LOG entries.
10. Reviewing any additional documentation related to incident or occurrence.
11. Prepare supplemental reports and/or medal award recognition forms were applicable.

**TIME FRAMES**

The COM STAT reporting system year begins the first week of each January. The COM STAT reporting system year ends the last week of each December. The end of the year report will require supplemental crime comparison report and a verbal synopsis. The exact dates for the start and end of year will be determined by the Director of Peace Officer or other competent authority.

The COM STAT report week starts on Sunday and ends on Saturday of each week. All the related data being considered to the report will follow the same guidelines. There may be instances where incidents cross from one week into the next or more information becomes available at a later date. In these cases, make the proper notations, references and notifications on the reports.

**COM STAT REPORT BOOK**

Each Site Commander is responsible for the creation and maintenance of a Command Status Report Book. A copy of each COM STAT report will receive a serial number and maintained in sequence, by week of occurrence. This COM STAT REPORT BOOK will serve as part of the Commands library and not may not be removed from the location without the expressed permission of the Director of Peace Officers or other competent authority.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-12**

<b>COMMAND STATUS REPORTING</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>06-01-14</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>2 of 2</b>

**FORMS**

Page 1 of the COM STAT report is designed to provide statistical data for type and category of incident event, status of agency equipment, manpower cost or required processes within the week which is reported.

Page 2 &3 of the COM STAT report are designed to narrate the incidents and occurrences to illustrate the conclusions drawn from the investigation into these events.

Page 4 of the COM STAT report is designed to provide a year to date total for each type and category of incident event, status of agency equipment, manpower cost or required processes from the start of the year to the end week which is being reported.

Page 5 & 6 of the COM STAT report is designed to provide explanation of weekly overtime usage and totals information for officers and supervisors

Page 7 of the COM STAT report is the site schedule. Denotes general information regarding the day to day staffing of Command.

**REPORTING**

Each Commanding officer is required to attend COM STAT meeting on the prescribed day. If for some reason the Commanding officer is unavailable to attend he/she will assign a proxy to attend. The proxy must be of supervisory level Sergeant or higher with at least 3 years in rank and excellent oration skills.

The Commanding officer must submit via email a copy of the COM STAT report to Senior Supervisory Command staff the day prior to COM STAT meeting and (2) completed copies of the report devoid of errors and omissions at COM STAT meeting. All other relevant incident information, to include copies of Police Service Reports, all other types of reports and photographs are to be at the ready and made available upon request.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **113-13****CITY-WIDE OPERATIONS DESK**

Date Issued	Date effective	Revision Number	Page of Pages
<b>01-01-05</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 2</b>

**SCOPE** A centralized Police Operations Desk, staffed twenty-four (24) hours / seven (7) days per week to maintain citywide records and coordinate overall DHS Police operations. The unit will be established at the Atlantic Command. The Police Operations Desk will be staffed by a supervisor, officer or cadet at all times.

**The Police Operations Desk officer will:**

1. Maintain the Operations Desk Command Log. Sign in/out in command log at the beginning and end of tour. Transcribe Command Log entries and prepare e-mails to the Captains, Director and Assistant Commissioner on the first platoon each day.
2. Monitor and operate telephone, fax, e-mail system and Nextel for incoming / outgoing communications.
3. Notify police supervisors assigned to the various commands of the identity and Nextel Direct Connect (D/C) number of the Citywide Duty Supervisor designated for that tour. Make command log entry with identity, Nextel D/C and vehicle number.
4. Receive staffing information from the commands and maintain the Citywide Attendance Record. Communicate staffing information to the Citywide Duty Supervisor.
5. Receive and file faxed copies of roll calls from all commands. Prepare copies for Citywide Duty Supervisor.
6. Maintain Police Vehicle Status Board and update as needed. Coordinate preventative maintenance appointments of police vehicles to maintain adequate availability.
7. Maintain the Citywide Arrest Log and assign DHS arrest serial numbers as directed.
8. Maintain frequent contact with the Citywide Duty Supervisor and police supervisors assigned to the various commands. Coordinate all requests for additional personnel, equipment, special details and other requests for service.
9. Receive notifications of all major incidents and unusual occurrences from police supervisors assigned to the various commands and Citywide Duty Supervisor. Prepare incident worksheets as directed.
10. Make telephone notifications, copy and file reports and perform other duties as directed by captains, Citywide Duty Supervisor or other competent authority.
11. Maintain other records and logs as directed.
12. Monitor NYC OEM Alert 2 frequency and respond to agency roll calls when requested. Make Command Log entry of OEM agency roll calls.
13. Maintain copies of Site Commander's Work Schedule & Duty Captain's Work Schedule and forward to the Office of Security at least seven days in advance.
13. Coordinate relief for Citywide Duty Supervisor and Police Operations Desk prior to completing tour of duty.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-13**

<b>CITY-WIDE OPERATIONS DESK</b>			
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**The desk officer or police supervisor on duty at each command will:**

14. At the beginning of the tour, once the roll has been called and the platoon is posted, contact the Police Operations Desk and transmit the staffing information to the desk officer. The staffing information will include:
  - a. Number of officers and sergeants regularly scheduled to work the tour.
  - b. Number of officers and sergeants on duty - straight time.
  - c. Number of officers and sergeants working overtime.
  - d. Number of officers and sergeants at training, court, detail or other appearance.
  - e. Scheduled tour of and whether site commander/lieutenant is present on duty.
 If staffing level is below minimum required for the tour, the supervisor/desk officer at the site will request that the Citywide Duty Supervisor be notified of the shortage.
15. Ascertain from the Police Operations Desk office the identity and Nextel D/C number of the designated Citywide Duty Supervisor for the tour.
16. Record the rank, name and Nextel D/C number of the Citywide Duty Supervisor in the command log.
17. Advise the status, location and mileage of agency vehicles assigned to command.
18. Transmit by fax a copy of the completed roll call/post assignment sheet to the Police Operations Desk officer within thirty minutes of posting the platoon.
19. Make command log entry of the details of the roll call fax transmission.
20. Notify the Citywide Duty Supervisor and Police Operations Desk of any arrest, major incident or unusual occurrence during the course of the tour. Request the response of the Citywide Duty Supervisor, if necessary.
21. Notifications will be made for any incidents involving the press, news media, DHS staff, contracted security, advocacy groups, protests, community unrest and injuries to officers as well as any other major or unusual incident.
22. Whenever doubt exists concerning whether an incident is major or unusual, make required notifications, request the response of the Citywide Duty Supervisor and prepare appropriate reports.
23. Make command log entry of the details of all notifications to the Police Operations Desk.
24. Follow directions of Citywide Duty Supervisor pending his/her arrival at scene of arrest, major incident or unusual occurrence.
25. Transmit required information to the Police Operations Desk officer for the completion of an incident worksheet or arrest log. Request a DHS arrest serial number for arrest and include serial number and notification in command log entry.

**Contact information for the Police Operations Desk:**

**Telephone**            **212-361-7911**  
**Fax:**                    **212-361-7930**  
**Email:**                **opsdesk@dhs.nyc.gov**





**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-14**

<b>CITY-WIDE EMERGENCY PLANS</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>02-01-10</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 3</b>

**SCOPE** To establish an emergency plan in the event of a city-wide emergency /disaster.

*Upon confirmation of a city-wide emergency:*

1. Deputy Chief, Inspector, Deputy Inspector, Captains and Site Commanders will respond to their respective commands
2. On-duty platoon sergeants will:
  - a. Access site conditions, threat potential and staffing levels for report to site commander.
  - b. Assign a responsible officer to monitor communications and ensure that communication lines (telephone, fax, Nextel, 800 MHz citywide radio etc.) are kept clear for emergency instructions.
  - c. Ensure that vehicles assigned to command are cleaned and fueled for emergency deployment.
  - d. Inspect and ensure all emergency equipment (bullhorns, flashlights, radio etc.) are serviceable and fully charged.
3. Upon arrival, Site Commander will confer with on-duty platoon sergeants regarding command status and conditions and report findings to Deputy Chief and Inspector for transmittal to Director of Peace Officers.
4. Site Commanders will ensure adequate staffing levels and other precautions are established to maintain safety and security of facility. Face to face relief of personnel will be instituted.
5. Director of Peace officers will update the Assistant Commissioner on site status/conditions
6. The Assistant Commissioner will brief the Deputy Commissioner of Security and Emergency Operation.
7. The Deputy Commissioner will brief the First Deputy commissioner and the Commissioner as needed.
8. The Inspector will direct the Task Force to Beaver Street Central Office. The detail will continue on all tours until directed by the Assistant Commissioner. A marked van will be stationed at Central Officer for deployment as needed.
9. Pre-designated Emergency Platoons, consisting of 12 hour tours, will be initiated at the direction of the Deputy Chief, Director of Peace Officers, Assistant Commissioner, or Deputy Commissioner if deemed appropriate. Regular days off and annual leave will be cancelled, if necessary to maintain adequate staffing levels.
10. Training will be suspended, and personnel assigned to training re-deployed as needed.
11. All Lieutenants/ Site Commanders and Captains Regular Days Off are suspended until further notice.
12. In the event of traffic / mass transit interruptions, officers will report to the command closest to their residence and be transported as needed.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-14**

<b>CITY-WIDE EMERGENCY PLANS</b>			
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**SCOPE To establish an emergency plan in the event of a city-wide transit failure/ strike.**

*Upon confirmation;*

1. On-duty platoon sergeants will:
  - a. Assess site conditions and staffing levels for report to site commander.
  - b. Assign a responsible officer to monitor communications and ensure that communication devices (telephone, fax, Nextel base station etc.) are operational and kept clear for emergency instructions.
  - c. Ensure that vehicles assigned to command are cleaned and fueled for emergency deployment.
  - d. Inspect and ensure all emergency equipment (bullhorns, flashlights, Nextel’s & radios etc.) are serviceable and fully charged.
  
2. Site Commander will confer with on-duty platoon sergeants regarding command status and conditions and report findings to the Operations Unit.
  
3. Site Commanders will ensure adequate staffing levels and other precautions are established to maintain safety and security of facility. Face to face relief of personnel will be instituted and pre-designated Emergency Platoons, consisting of 12 hour tours (Platoon A - 2400 x 1200, Platoon B 1200 x 2400), will be initiated at 1200 hours of day of occurrence and continue until staffing levels are stabilized, at which time regular eight hour shifts will resume. Twelve hour shifts are only authorized in the event of an actual strike. Regular days off and annual leave **will not** be cancelled.
  
4. The Operations Unit will serve as the City-Wide command post. Contact numbers are voice 718-636-3171 and 718-636-3172, fax 718-636-3354 and Nextel D/C #172\*26\*8626. Three officers, as well as the designated duty supervisor will be assigned to the command post to coordinate the assignment and transportation of additional officers, where needed. All requests for service, transportation or additional resources will be made through the command post at Operations.
  
5. Special Operations Commander – will establish an additional detail of 1 sergeant and 4 officers for deployment to Beaver Street Central Office, assigned to pre-designated posts. Detail will continue on all tours as directed by the Assistant Commissioner. A marked van will be assigned to Central Officer for deployment as needed.



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**(Continued.)**

6. Training will be suspended, and personnel assigned to training re-deployed to their regular commands.
7. Officers are encouraged to report to their assigned work locations. However, if unable to do so, officers will report to the command closest to their residence and be transported as needed. Officers should be prepared and have required uniform items with them in the event the strike occurs. Additional information can be accessed via the DHS Employee Emergency Hotline 1-866-692-3470.
8. Officers regularly scheduled to perform duty on the first platoon (2330x0800) on the evening of an anticipated transit strike will report one hour earlier at 2230 hours to ensure their arrival for duty prior to the anticipated start of the strike and to relieve the third platoon early. Officers normally assigned to the second or third platoons will report to duty at the time designated by their Emergency Platoon assignment. Twelve hour tours will only commence upon confirmation of an actual strike.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **113-15**

<b>INTERNAL ASSESSMENT PROCESS</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>03-10-22</b>	<b>03-10-22</b>	<b>2022-01</b>	<b>1 of 2</b>

**PURPOSE**

To delineate the procedure for referring complaints regarding allegations of serious misconduct by Uniformed Members of Service (UMOS) of DHS PD to the DSS Office of Legal Affairs (OLA) and the DSS Special Investigations Department (SID).

**POLICY**

DHS PD will immediately refer any allegations of serious misconduct to OLA and SID and must gather all pertinent evidence (e.g., body-worn camera footage, CCTV footage, written statements, etc.) and forward it as soon as possible to OLA and SID.

**DEFINITIONS**

**Serious Misconduct:** Any criminal activity or violation of critical procedures, including but not limited to: unnecessary or excessive use of force, abuse of authority, unlawful restraint, theft, accepting or soliciting a bribe or gratuity, perjury committed on or off duty, conflicts of interest, off duty misconduct, and failure to report a personal arrest.

**PROCEDURE**

**A. Complaints**

Upon receipt of a complaint of serious misconduct by UMOS, the recipient of the complaint will refer the matter to OLA and SID.

If, after reviewing the complaint, OLA and SID determine the complaint would be best handled by DHS PD, a DHS PD internal assessment will take place.

The Deputy Commissioner or designee will assign the complaint to the DHS PD Assessment Unit.

**B. Assessment Process**

Upon receiving the complaint, the DHS PD Assessment Unit will execute the following actions:

**Interviews of Employees**

- Prior to being interviewed, the subject employee will be informed of the nature of the complaint.
- All interviews will be conducted while the employee is on duty, unless the seriousness of the assessment determines an immediate interview is required. The entire interview will be recorded.
- The recording will indicate any time breaks taken in the interview process, who requested the break, and the time the interview resumed.
- The employee will be given the name, rank, and command of all persons present during the interview.
- The employee will be given applicable warnings regarding giving false statements.
- All interviews will be conducted with at least one (1) witness to corroborate all statements.



**DHS PEACE OFFICER GUIDE**

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<b>INTERNAL ASSESSMENT PROCESS</b>			
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**Interviews of Complainant and Witnesses**

- The complainant and witnesses will be interviewed within twenty-four (24) hours of the Internal Assessment Unit’s receipt of the complaint, and preferably within twenty-four (24) hours of the incident’s occurrence, or as soon as possible thereafter.
- Interviews may be conducted at any location and will be recorded unless there is a legitimate reason for not doing so.
- Witnesses will be informed of the reason for the interview.
- All complainants and witnesses will be treated respectfully.
- Complainants and witnesses will be permitted to provide written statements regarding their account of what occurred on the date(s) in question.
- Complainants and witnesses may be interviewed more than once.
- Interviews may be conducted in person, by telephone, or in an alternate manner requested by the complainant or witness.

**Additional Fact Gathering**

- Review and download all relevant video, including body-worn camera recordings and/or CCTV footage.
- Gather all documentation that may assist in the assessment, including email, memos, procedures, orders, policies, statements, log entries, evidentiary or other material, and any other pertinent documents.
- Evaluate all material gathered for integrity, credibility, and relevance.

**Document Findings**

- Summarize assessment findings on the **DHS PD Assessment Report (DHSPD-5)** in the summary/results section.
- Indicate information that could not be obtained and the reason(s) it could not be obtained.
- Document additional requisite actions to be taken.
- Ensure the case assessment answers the specific allegation(s)/complaint(s).
- Make referrals and indicate any recommended requisite corrective action. The universe of outcomes is as follows:
  - o **Exonerated** – the employee(s) did nothing wrong, and the case is closed. No further action is to be taken, and all documents are filed at DHS PD Headquarters.
  - o **Unsubstantiated** – there is insufficient evidence to prove or disprove the allegations. Remedial training/coaching will be provided to the involved UMOS, and all documents are filed at DHS PD Headquarters.
  - o **Substantiated** – there is sufficient evidence to prove the allegation. All documents are shared with OLA and SID along with DHS PD’s recommendation for disciplinary action.
  - o **Unfounded** – the allegation was not factual, or the employee was not involved. No further action is to be taken, and all documents are filed at DHS PD Headquarters.
  - o **Policy Failure** – the incident occurred but was not counter to policies and procedures. Remedial training/coaching will be provided to the involved UMOS, and all documents are filed at DHS PD Headquarters. The related policy and/or procedure(s) may be revised.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **114-01****PORTABLE RADIO TRANCEIVERS**

Date Issued	Date effective	Revision Number	Page of Pages
<b>01-01-02</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 2</b>

**SCOPE** To account for agency issued portable radios assigned to officers and commands.

1. Officers will be responsible for the use, care and serviceability of their agency issued DHS Police radio unit and required equipment.
2. Replace batteries at the beginning of tour.
3. At the beginning of each tour the DHS Peace officer will report to command area and retrieve a serviceable battery.
4. The radio unit and battery will be examined for serviceability. Defects will be denoted in the officers ACTIVITY LOG and reported to the DESK Sergeant.
5. Officers will be instructed periodically in the proper care, usage and safeguarding of radios.
6. There is Zero tolerance for unprofessional behavior or language on the airwaves. Officer is responsible for the proper use and transmissions on the radio.
7. Damaged or inoperable radios and related equipment will be delivered to the DESK SERGEANT for inspection and replacement, if available.
8. Officer will be held accountable for the replacement of intentionally damaged radio units and face disciplinary charges.

**DESK SERGEANT**

1. Inspect and account for radios each tour.
2. Make appropriate command log entry of inventory of battery and radio each tour.
3. Designate a secure area within the police operations office under the control of the desk officer for storage of command batteries, replacement radios and related equipment not being used.
4. Maintain portable radio record using appropriate forms.
5. Keep used batteries in battery charger until indicator light turns green.
6. Periodically instructed officers in the proper care, usage and safeguarding of radios.
7. Keep used batteries in battery charger until indicator light turns green.
8. Issue replacement radios to officers with malfunctioning radio units. Document the issue and notify the Site Commander.
9. Account for and examine each radio, antenna, battery and radio case returned at the conclusion of the previous tour.
10. DESK SERGEANT will conduct inquiry as to nature of incident that concluded with theft, loss or intentional damage.
11. Issue replacement radios to officers with malfunctioning radio units. Document the issue and notify the Site Commander.
12. Deliver defective batteries or radio's to the Office of the Deputy Inspector for replacement or repair.

**NOTE:** *Commands are not authorized to transfer radios to other commands or to deliver defective radios or related equipment to the repair shop directly. All radio reassignments and repairs must be approved by the Director of Peace Officers.*

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **114-01****PORTABLE RADIO TRANCEIVERS**

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**LOST OR STOLEN RADIO(S)****SERGEANT**

1. Prepare NYPD **COMPLAINT REPORT (PD313-152)** when radio is reported lost or stolen and notify Site Commander.

**SITE  
COMMANDER**

1. Conduct initial investigation of circumstances. Forward report of findings and copy of **COMPLAINT REPORT** to designated Deputy Inspector or Supervisor.

**DEPUTY  
INSPECTOR**

1. Investigate circumstances of theft or loss of radio, including interviewing officers involved.
2. Initiate disciplinary proceedings, if warranted.
3. Have NYPD **COMPLAINT REPORT FOLLOW-UP (PD313-081)** prepared if lost/stolen radio is recovered.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **114-02**

<b>OPERATION OF DEPARTMENT VEHICLES</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>12-01-01</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**SCOPE**

To ensure the serviceability and account for monthly usage of agency vehicles assigned to DHS Police Operations.

DHS Office of Security and Emergency Operations is assigned a number of agency vehicles designated specifically for use by DHS Police Operations. These vehicles have been re-painted and marked with appropriate insignia to indicate their assignment. The vehicles have been assigned to various sites. Additional vehicles may be assigned in the future, however until such time; certain commands have been assigned fleet “pool” vehicles to utilize. These vehicles are not re-painted and are temporarily assigned and can be re-assigned by fleet administration at their discretion.

It is the responsibility of the site commanders and supervisors to maintain the serviceability and ensure the proper official use of these vehicles.

Each tour, the platoon sergeant will personally inspect the vehicle(s) assigned to their command for serviceability and cleanliness. The inspection will be documented with the condition, location and mileage of the vehicle in the command log at the start of each tour. Included in the inspection will be any equipment assigned to the vehicle as well as fuel cards and EZ passes. Any deficiencies will be noted along with corrective action.

Patrol supervisor’s vehicles, (ex. Explorers), are not to be used to transport prisoners. They are only to be used to conduct duty patrol rounds. There are no vehicles assigned to any command with the exception of Task Force. All of the vehicles are in the shops out of service due to maintenance issues. Any arrest, precinct vouchers, EMS transports, sites are directed to contact NYPD and EMS for transportation assistance.

Each Sunday on the second platoon, a complete operational inspection of the vehicle will be conducted, including all fluid levels, lights, and accessories. A written report will be prepared and forwarded to the site commander for review. Corrective action for any deficiencies or missing items will be initiated.

On the first of each month, the site commander will ensure that a copy of the monthly trip sheet for the previous month for each vehicle assigned is faxed promptly to the DHS Office of Fleet Administration at (212) 361-8693. Additionally, a telephone notification of the monthly-accumulated mileage to (212) 361-8692.





**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **114-03**

<b>AGENCY LOCKERS</b>			
Date Issued	Date effective	Revision Number	Page of Pages
<b>01-01-02</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**SCOPE** Lockers provided by DHS and used by peace officers for the storage of uniforms and other items remain the property of DHS.

**PEACE OFFICER**

1. Maintain locker in a clean and serviceable condition.
2. Do not store perishable or unauthorized items in locker.
3. Mark door of locker with rank, name, shield number and shift assigned on paper or sticker.
4. Secure locker with only approved combination lock. Approved combination locks do not contain serial numbers or master key capabilities. **Key locks of any type are not permitted.**
5. Permit ranking supervisor to inspect locker and contents on demand.

When a ranking supervisor is authorized to inspect a locker in connection with an official investigation:

**SUPERVISOR**

6. Have member open locker. If member is not present, cut lock to gain access.
7. Inspect contents of locker:
  - a. Member concerned will witness inspection.
  - b. If member is not present, another supervisor or officer will witness inspection.
  - c. Remove and safeguard any items found in connection with the investigation or any other unauthorized items/perishables.
8. Secure locker after inspection is complete.
9. Enter in Command Log:
  - a. Number(s) of locker(s) inspected.
  - b. Member(s) to whom locker(s) are assigned.
  - c. Reason for inspection.
  - d. Results of inspection.
  - e. Member(s) present at inspection.

**NOTE:** *The Assistant Commissioner of Security and/or Director must approve all locker inspections prior to the supervisor conducting the inspection.*



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **114-04**

<b>LOST/STOLEN SHIELD OR ID CARDS</b>			
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**SCOPE** To instruct uniformed member of service on the protocols for reporting Lost or Stolen shield or identification cards.

**PEACE OFFICER**

Uniformed Member of Service shall safeguard against the loss or theft of Department identification cards and/or shields/badges both on and off duty. Loss or theft of Department identification cards and/or badges shall be reported to the officer’s supervisor immediately upon discovery of the loss or theft. It is the responsibility of the officer to file all reports related to loss or theft.

**OFFICER**

Report to DESK SERGEANT the nature of incident; whether loss or theft and standby for further instruction.

**SUPERVISOR**

If shield and or agency identification was reported lost or stolen from the work facility:

- 10. Conduct investigation, include:
  - a. Written statement from officer and witness(if any)
- 11. Generate a Police Service Report.
- 12. Notify Commanding officer and/or CITYWIDE PATROL DUTY SUPERVISOR and follow directives.
- 13. Make COMMAND LOG ENTRY.

If shield and or agency identification was reported lost or stolen outside of work:

- 1. Conduct inquiry as to nature incident that concluded with theft or loss.
- 2. Notify Commanding officer and/or CITYWIDE PATROL DUTY SUPERVISOR and follow directives.
- 3. Direct Member of Service to the NYPD precinct or stationhouse in the area of occurrence and what reports or documentation is required.
- 4. Make COMMAND LOG ENTRY.

**NOTE:** It may be necessary to direct officer to the NYPD precinct or station house to file a complaint report. If this occurs, direct the officer to return with a copy of the NYPD complaint report.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **114-05**

<b>LOSS OR THEFT OF DEPARTMENT PROPERTY</b>			
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<b>06-01-14</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**SCOPE** To instruct uniformed member of service on the protocols for reporting lost or theft of department property, whether the property was issued to a facility or directly to personnel for use.

**PEACE OFFICER**

Uniformed Member of Service shall safeguard against the loss or theft of department property. Lost or theft of department property shall be reported immediately upon discovery to the officer’s supervisor.

**OFFICER**

Report to DESK SERGEANT the nature of incident; whether loss or theft and standby for further instruction.

**SUPERVISOR**

When department property is reported lost or stolen:

- 14. Conduct investigation, include:
  - b. Written statement from officer and witness(if any)
  - c. Obtain pictures or video footage, when applicable.
  - d. Obtain all serial numbers associated with item(s).
- 15. Notify Commanding officer and/or CITYWIDE PATROL DUTY SUPERVISOR and follow directives.
- 16. Generate a Police Service Report.
- 17. Make COMMAND LOG ENTRY.
- 18. Assign an officer to the NYPD precinct or station house in the sector to generate a complaint or arrest.

(When department property reported lost or stolen is issued to the officer for use perform the same steps)

**NOTE:** In the event that it may be necessary to arrest a DHS staff member, or officer, notify and receive AUTHORIZATION FROM THE DEPUTY COMMISSIONER OF THE DEPARTMENT OR COMPETANT ATHORITY BEFORE PLACING THE PERSON IN HAND RESTRAINTS.



**DHS PEACE OFFICER GUIDE**

PROCEDURE No. **114-06**

<b>POLAROID / DIGITAL CAMERAS</b>			
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<b>06-01-14</b>	<b>06-01-14</b>	<b>2014-01</b>	<b>1 of 1</b>

**SCOPE** Instruction for the use, care and safeguard of Department issued Polaroid and Digital cameras.

**UNIFORMED MEMBERS OF SERVICE**

The department has issued Polaroid and digital cameras for use in the field. The primary use for these devices are for the recording of evidence that can be used in a court of law. The Polaroid/ Digital camera are to be kept in a secure area within the command designated for DHS Police issued equipment.

Crime and non-crime scenes will be documented in chronological order. The evidence will be collected on film or flash memory. Officer will review the evidence to contain when printed the following elements:

1. A day/ date / time stamp.
2. Officer name and shield number, assigned to case.
3. Scene markers, in sequential order. (i.e. weapons, items used in commission of, etc.)
4. Location; (i.e. cross street, floor, room, GPS coordinates, etc.)
5. Case file or PSR number(s) connected with incident.

**SUPERVISOR**

At the beginning of each tour this equipment will be checked for:

1. Properly secured in place.
2. Serviceable with no missing or broken parts.
3. Battery life is up to maximum charge.
4. Operating within manufacturers specifications for intended use.
5. Film or memory cards are present and available for use.

**NOTE:** All issues that affect the serviceability of Polaroid/ Digital cameras will be immediately documented on DHS POLICE SERVICE REPORT and COMMAND LOG.

**DHS PEACE OFFICER GUIDE**PROCEDURE No. **114-07****USE OF AGENCY COMPUTERS**

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**SCOPE** Instructions and policy for DHS Peace Officers use of agency assigned computers.

**UNIFORMED MEMBERS OF SERVICE**

The agency issued computers primary use for the record and submission of CityTime/Payroll/Timekeeping, for supervisory officers to retrieve agency emails and directives or submit DOITT request for service and repairs. The following activities are not allowed:

1. Usage of Department computers or computer-related facilities without authorization.
2. Introduction of fraudulent records or data into Department computer systems.
3. Destruction or alteration to Department computers or computer-related equipment or computer data.
4. Theft or attempt to steal Department computers or computer related equipment or reproduce, without authority, computer documents or program software.
5. Introduction of unauthorized programs into Department computer systems.
6. Usage of information from Department computer systems intended for official use only.
7. Usage of Internet for gaming, gambling, solicitation, fraternization and operation of a business or private enterprise.
8. Usage of Department computers or computer-related equipment or computer data to watch or play CD/DVD, movies, television programming or any unauthorized activity.