



The North Carolina League of Municipalities is a member-driven organization representing the interests of cities and towns in the state. Through their collective efforts, League member cities and towns better serve their residents and improve quality of life.

For more than 100 years, the League has been one voice for cities and towns working for a better North Carolina.

NCLM

ROXBORO POLICE DEPARTMENT

LAW ENFORCEMENT RISK REVIEW

2022



North Carolina League of Municipalities Law Enforcement Risk Management Review

In 2013, the North Carolina League of Municipalities Risk Management Services formed a Chiefs' Advisory Committee that includes police chiefs from agencies across N.C. The committee members worked to analyze insurance and liability concerns impacting North Carolina law enforcement agencies who participate in our insurance pools. In response to these liability concerns, the chiefs assisted in the development of the risk management review process to assist in the identification and mitigation of high liability activities found in police operations.

Participation in the risk management review is initiated by voluntary request from those police departments who participate in the League's property and liability insurance pool. The risk management review is not intended to replace or supplement other industry resources. The North Carolina League of Municipalities encourages agencies to participate in recognized programs that evaluate law enforcement services based on benchmarks, accountability, industry best practices, and professionalism.

This risk management review does not represent all known risk to law enforcement agencies but is intended to address specific areas of liability. The risk management review process will continually evolve as additional liability concerns are identified.

The following North Carolina chiefs are current members of the Chiefs' Advisory Committee, and participate in the continued development and implementation of this initiative:

1. Chief Jeff Ledford, Shelby Police Department
2. Chief Brent Phelps, Lenoir Police Department
3. Chief Duane Hampton, Hillsborough Police Department
4. Chief Jeff Leonard, Wake Forest Police Department
5. Chief Ron Davis, Weaverville Police Department
6. Chief Ryan Thompson, Pine Knoll Shores Police Department
7. Chief Andy LeBeau, Boone Police Department
8. Chief David Hess Roxboro Police Department
9. Chief Penny Dunn, Davidson Police Department
10. Chief Chad Hawkins, Belmont Police Department
11. Chief Eddie Buffaloe, Elizabeth City Police Department
12. Chief Keith King, Creedmoor Police Department
13. Chief Mike Wagner, Siler City Police Department

North Carolina League of Municipalities Law Enforcement Risk Management Review Methodology



The purpose for this instrument is to assess an agency's adherence to best practices, court decisions, and policies and procedures related to high liability activities in law enforcement. The goal is to mitigate liability exposures, enhance officer safety, and validate that training and operating procedures are meeting industry standards. The risk management review was designed and peer-reviewed by a panel of police chiefs representing a cross section of N.C. law enforcement agencies and is available to those agencies who participate in the League's property and liability insurance pool.

The categories are assessed based on associated risk and an agencies adherence to the best practices identified within the specified dimensions.

The following principles are stressed within an agency evaluation:

1. Policy: Does the department have sound policy based upon professional thinking, court decisions and statutes, and on the principle of "foreseeability"?
2. Training: Officers are expected to follow the department policy and trained in the use of the policy. The department provides a framework for the testing of officers in policy and practice.
3. Supervision: Supervisors are engaged with subordinate staff in supporting performance excellence.
4. Performance Management: A clear disciplinary process is in place and officers are held accountable for the violations of rules and policies.
5. Review and Revision: The department utilizes a system of review for high liability incidents involving the analysis of internal affairs investigations, civilian complaints, early warning system information, use of force, and officer/suspect injury patterns.
6. Legal Counsel Review: The department maintains current policies within a revision cycle supported by legal review and management oversight.

Getting Started- The Internal Department Review

The risk assessment process is structured within two sections respectively: Administration and Operations. During the **Internal Departmental Review** period, the department will take the time needed to update, add or refresh policies/practices, and to make changes as needed to meet the best practice dimensions described within the listed categories. This instrument will serve as a guide to document a department's alignment within the categories.

(NOTE: Any policy changes should be approved by the manager and any legal entity normally used for policy updates. Officers should also be trained in the changes made with the training documented and memorialized in the employee training file.)

The attached Risk Review Categories are designated as either **(Y)** - Yes, or **(N)** - No, based on an agency's adherence to each of the category dimensions. The "Comments" section is where the agency designee will indicate how the agency meets the "Best-Practices" dimensions. This will include, updated/revised or existing policy numbers, directives, or any other validating items that satisfy the meeting of categories.

This information will be used by the reviewer during the validation process. **Each dimension listed must be met for successful completion of each category.** All categories that apply to an agency must be met for successful completion of the review process.

Upon completion of the Internal Review, please scan and email or mail a digital copy of the completed Risk Review documents, policies and directives, and contact person information, to the following:

Matthew A. Selves
237 Doe Trail Lane
Statesville N.C. 28625
mselves@nclm.org
704-902-2692

Upon receiving the documents, the validation and alignment portion will begin. The reviewer will likely need to communicate with the department contact person during the process.

After successfully completing the validation process, a date will be arranged with the agency for the **NCLM Site/Operations Survey**.

The site survey will include: departmental operations review, training file validations, officer field operations review, critical personnel interviews, property and assets review and survey, and any other needed policy-practice validation. This process will take approximately 1-2 days.

Upon successful completion of the Law Enforcement Risk Review Process, the Chief will be requested to schedule a time on the next available agenda before the governing council. A presentation will be made recognizing the department and a plaque presented to the chief. A press release will be provided for agency use.

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I. ADMINISTRATION SECTION

- Yes 1. Supervisor Training
- Yes 2. Early Intervention System
- Yes 3. Hiring of Officer/Recruit Untrained and Civilian staff
- Yes 4. Internal Affairs-Citizen Complaints
- Yes 5. Sexual Harassment & Sexual Discrimination
- Yes 6. Biased Based Policing
- Yes 7. Proactive Risk Reduction Strategies
- Yes 8. Safety Review
- Yes 9. Training Policy & Documentation
- Yes 10. Officer-involved Critical Incident Investigation
- Yes 11. Property & Evidence
- Yes 12. Social Media
- Yes 13. Continuity of Operations Plan

II. OPERATIONS SECTION

- Yes 1. Use of Force and Response to Active Resistance:
- Yes 2. Less-Lethal Weapons
- Yes 3. Care and Custody of Suspects
- Yes 4. Dealing with Persons of Diminished Capacity/ Excited Delirium
- NA 5. Holding Cells (only for agencies utilizing temporary prisoner holding cells)
- Yes 6. Transportation, Handcuffing-Restraint of Suspects
- Yes 7. Offender Identification Procedures
- Yes 8. Confidential Informants
- Yes 9. In-Car Camera/Body Worn Camera
- Yes 10. Vehicle Operations
- Yes 11. K-9 Operations
- NA 12. SWAT /SRT/Special Operations Teams
- Yes 13. Search & Seizure of Persons, Vehicles, Residences, Structures, ETC.
- Yes 14. Firearms qualification and training
- Yes 15. Vehicle Maintenance
- Yes 16. Facility Security
- Yes 17. First Aid Training
- Yes 18. Safety Equipment
- Yes 19. Ballistic Vest Policy
- Yes 20. Off-Duty Action
- Yes 21. Police Related Secondary Employment
- Yes 22. Civilian Ride-Along program
- NA 23. Civilian Volunteers in Law Enforcement Service: (If Applicable)
- Yes 24. Reserve and Auxiliary Officer Programs
- Yes 25. Mutual Aid Agreements
- Yes 26. Citizen Video Encounters and Police Response

I. ADMINISTRATION SECTION:

1. Supervisor Training:

- **Basic Leadership:** The department requires initial supervisory training for new sergeants, supervisors, and commanders. This can include documented agency and town policy review/testing, and the completion of the NCLM Online-Supervision Training.
- **Professional Development:** The department provides structured (internal or external) annual training in high liability policy, trends and supervisory practices for supervisors and commanders. This may include structured-internal training and policy review, professional conferences, workshops, lectures, NCLM RMS Training, and any other recognized professional training.

Examples: The department seeks professional development for supervisors and commanders including, but not limited to:

1. Management Development Program (MDP)-NCJA
2. Administrative Officers Management Program (AOMP)-NCSU
3. FBI National Academy (NA)
4. Southern Police Institute- University of Louisville
5. Law Enforcement Executive Program (LEEP)-NCSU
6. Any professionally recognized leadership program or seminar
7. IACP Annual Conference
8. NCPEA Annual Conference
9. NCACP Annual Conference
10. FBI National Academy (NA)- Alumni Annual Conference
11. Documented high-risk agency and town policy review/testing, and the completion of the NCLM Online Supervision Training
12. Any other professionally recognized leadership-training organization

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Related Agency Policy Number(s): RPD Policy #100.5 – Training		
<p>Policy requires a candidate for promotion to first line supervisor positions have completed courses such as First Line Supervisor; Field Training Officer; Police Law Institute and other courses to be eligible to participate in a promotion process. Higher requirements are required for the rank of Lieutenant to include LEEP; MDP; AOMP, or other courses.</p> <p>Squad level training on policy, high liability areas, and case laws impacting policing are conducted and documented. As of April 1, 2018, the department utilizes Power DMS™ to issue policies and applicable tests.</p> <p>Administrative personnel have attended training to include the Credible Leadership-100 hours, FBI National Academy, and LEEP. Administrative personnel have attended training conferences to include NCPEA, NCACP annual conferences, FBI Command Colleges, and have completed NCLM risk management courses.</p>		

Please provide validation of other supervisory training, certificates/transcripts.

Verified the following Officers training:

- 1. Fitzsimmons – 1st Line Supervisor – February 2021**
- 2. Ford – NCSU LEEP – March 2020**
- 3. Dickerson – FBI National Academy – March 2020**

2. Early Intervention System:

The department utilizes a process for the early identification of employees exhibiting symptoms of stress, negative performance, or behavior that could pose liability to the community, agency, and officer.

The system should identify patterns of behavior that might be symptomatic that an individual employee requires an intervention. The department should have a clear disciplinary process or proper intervention in place to address willful or at-fault violations.

The system should review at a minimum some, or all of the following:

- Complaints
- Incidents involving use of force
- Shooting incidents
- Use of sick leave
- Preventable accidents
- Domestic misconduct incidents
- Civil litigation
- Performance evaluations

Accomplished?	Y	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
	N	

Related Agency Policy Number(s): Internal Affairs Manual – Early Intervention System (Page 100 – 116)

The Department's Early Intervention System (EIS) is a structured non-disciplinary system that is intended to identify employees who may need assistance outside the scope of normal supervision and training. The early identification of employees who are engaging in a pattern or practice of problematic behavior or are experiencing underlying issues that are affecting their job performance is imperative. Providing a method for identifying performance deficiencies, taking corrective actions, making appropriate referrals and monitoring subsequent behavior increases the department's accountability and offers the employee a better opportunity for individual success and fulfillment of the department's mission and values.

How does the agency track trends' and patterns for intervention?

The department uses **Superion (OSSI)** Internal Affairs and Citizen Complaint modules which have imbedded EIS alert in the system. The EIS alert has preset parameters that automatically activate EIS. Video auditing of body camera footage is also conducted by supervisors.

3. Hiring of Officer/Recruit Untrained and Civilian staff:

A. The department meets all requirements of the North Carolina Training and Standards Commission when hiring new officers:

- All new employees, new officer hires, and lateral police transfers are required to have a thorough background investigation
- The background investigation includes the contact of previous employer(s) (*reason for leaving previous positions*) and checks of criminal, traffic records, and financial/credit checks
- Instruct new hires and lateral transfer officers on the Brady/Giglio requirements for all sworn personnel.
- The background investigation for police applicants additionally includes that the applicant:
 1. Has a medical examination
 2. Passes a drug screening test
 3. Is thoroughly interviewed by designated departmental staff
 4. Successfully completes a psychological examination

Accomplished?	Y N	<p>COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:</p>
<p>Related Agency Policy Number(s): RPD Policy #100.24 – Hiring Standards</p> <p>The purpose of this policy is to provide consistent hiring standards of Roxboro police officers. Foundational to fair and impartial hiring practices require set standards that meet employment law guidelines, Title VII, North Carolina Administrative Code Title 12 Chapter 9, City policies, and the mission of the Roxboro Police Department.</p> <p>It is the policy of this department that all applicants regardless of age, sexual orientation, ethnicity, religious beliefs, or other regulations set forth under Title VII, will not be discriminated against.</p> <p>The following is a general progression of the application process and will indicate where a candidate is in the hiring process:</p> <p>Submit a City of Roxboro application for employment with all supplements. A North Carolina Training and Standards Personal History Statement (F3) is required as part of the initial application process;</p> <p>Pre-screening of applications for disqualifying offenses or conduct;</p> <p>Selected applicants proceed to oral board phase;</p> <p>Oral board and panel interview;</p> <p>Entry level written and physical agility testing will be conducted;</p> <p>Comprehensive Background Investigation;</p>		

Extension of conditional offer for qualified applicants and

Physical examination, psychological fitness testing and drug screening.

On December 9th, 2021, I reviewed a hiring packet of Damian Dwayne Davies. His hiring date was 11/08/2021. Officer Davies was a lateral transfer. His hiring packet was orderly and well laid out. The Department follows the guidelines set forth in the review reference a full background check and completion of a psychological evaluations. The Department uses FMRT for all the medical screening as well.

4. Internal Affairs-Citizen Complaints:

- The department maintains policy and procedures regarding the handling and documentation of all complaints
- Policy and practice require any member receiving a complaint to immediately notify a supervising officer
- An investigation is initiated regarding the complaint with an outcome communicated to the complainant and officer
- During investigative questioning, an employee will be advised of either their Garrity and/or Miranda Rights depending on the type of violation.
- A record is maintained of complaints received and investigated

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
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Related Agency Policy Number(s): RPD Internal Affairs Manual/Guidebook

The department has a stand-alone and comprehensive Internal Affairs Manual/Guidebook. This manual addresses a variety of police related internal investigatory needs including use of force, pursuits, and a variety of complaints. The manual also addresses the Early Intervention system and the resources such as EAP/counseling and support, offered to officers. The department meets and exceeds the dimensions in this category.

NOTE: The Person who handles Internal Affairs Investigations will be interviewed for this category regarding the above listed dimensions.

Conducted interview with Captain Christopher Dickerson with the Department. Captain Dickerson has been in LE for 15 ½ years and with the Department for 14 ½ years. Captain Dickerson has been handling IAs for 3 years. He received his training through the NC Justice academy for Basic Internal Affairs Investigations. He has attended the NC Internal Affairs Conference receiving updates in 2019. He is also been a member of NC IA Association since 2018.

Per our policy, anyone can come to file a complaint. Complaints are categorized by one of the following: inquiry, unsatisfactory job performance, misconduct, use of force, officer involved shooting, in-custody death, or just a general category. All complaints are investigated by an immediate supervisor. Once reviewed, it is determined by the Chief of Police whether or not to turn it over for an Internal Affairs Investigation. Garrity warnings are read in accordance with US Supreme Court case Garrity v. New Jersey. The warnings

are read to an employee ordering them to make a statement in an administrative investigation and limits all information provided toward the administrative investigation which ensures that the employee's constitutional rights against self-incrimination in a criminal matter are handled separately. Two separate investigations may run parallel to one another. Information from the administrative component of an internal investigation cannot be shared with the supervisor/investigator conducting the criminal investigation without a court order. At the request of the Chief of Police, the State Bureau of Investigation (SBI) may conduct Complaints Against Personnel General Order 100-18 Page 8 a criminal investigation arising from an internal investigation. The Department will maintain contact with the District Attorney's Office for necessary legal advice and assistance with case preparation. In all internal investigations, the criminal component and the administrative component will be conducted as separate investigations. Yes. While there is no way to list every scenario that could take place, the general procedures for conducting internal affairs investigations is outlined in policy. We also have an Internal Affairs Manual that is part of policy as well and can be referenced when conducting these investigations. At the initial part of an internal affairs investigation, the officer usually continues to work in a normal capacity within their assigned duties and position. If allegations are found to be true and factual, an officer may be placed on administrative leave at any time during the investigation until it is concluded. This is determined on a case-by-case basis and is dependent upon what the allegations were and the facts that come out of the investigation during the process. Any disciplinary action arising from a supervisory or internal investigation will be administered in compliance with the City Personnel policies and departmental procedures. The City of Roxboro Human Resources Director and the City Manager will be notified and informed as appropriate in all administrative investigations where suspension, demotion, termination, or other change in personnel is to occur.

5. Sexual Harassment & Discrimination:

- A reporting process is in place and allows for reporting to be made to a neutral party when necessary
- The policy includes that No employee shall be retaliated against for the reporting of allegations
- The policy directs that the department shall promptly investigate all related complaints
- During the investigation the alleged victim is communicated with and kept informed
- Policy and practice include that if the complaint is sustained, immediate action is taken to remedy the matter and to protect the impacted employee
- Employees receive **annual** training, related updates, and/or policy review

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Yes - Annual policy review verified? Verified proof reference training completed in February and March of 2021.		
Related Agency Policy Number(s): RPD Policy #100.13 - Harassment		

The purpose of this general order is to establish a written directive that prohibits sexual and other forms of harassment, and to establish procedures for reporting complaints of sexual and other forms of harassment in the workplace. This General Order provides procedures for documenting, investigating and resolving complaints of harassment, discrimination and retaliation.

It is the policy of the Roxboro Police Department that, all employees have the right to work in an environment free of all forms of harassment and discrimination. This agency considers harassment and discrimination of others serious employee misconduct and will not tolerate, condone or allow harassment by employees, whether sworn, civilian, volunteer, or other non-employees who conduct business with this department.

Annual training on this policy will be administered by the Training Sergeant.

6. Biased Based Policing:

- The department policy clearly defines and prohibits any type of contacts or enforcement by any member related to: “biased-based policing/enforcement practices”. This would include using race, ethnicity, gender, religion, or national origin as a reason to restrict a person’s liberty where these attributes are not descriptive factors relating to a suspected criminal event
- The Department includes **annual** employee policy review, training, and updates regarding this category

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Yes - Annual policy review verified? Verified proof reference training completed in October, November and December of 2021.		
Related Agency Policy Number(s): RPD Policy #100.4 – Biased Base Profiling		
<p>To prohibit the practice of bias-based profiling or any other discriminatory practice by police officers.</p> <p>The Roxboro Police Department prohibits the use of bias-based police practices by its members. The race, national origin, citizenship, religion, ethnicity, age, gender, sexual orientation, marital status, parental status, financial status or military discharge status of an individual may not be used as the sole basis for any investigative detention, stop, search, or arrest, or for the seizure or legal forfeiture of any person’s property, by any member of the Department.</p> <p>All sworn personnel shall receive training, at least triennially, on the harms of bias-based profiling and discrimination, including a review of this policy and any legal updates that may apply. The Chief of Police shall ensure that officers receive this training.</p> <p>The Instructor facilitating the training will ensure that the provisions of this General Order are incorporated in the orientation for newly hired sworn Department personnel.</p> <p>Periodic diversity and sensitivity training shall be designated for officers with sustained</p>		

complaints for biased-based conduct or other sustained discrimination complaints filed against them.

7. Proactive Risk Reduction Strategies:

- The department utilizes a comprehensive driver’s evaluation instrument during field training and for post-accident retraining. **The NCLM “Driver Evaluation” form is a recognized standardized instrument.**
- A cycle exists for the review and update of the department’s policy including legal council approval on new policies. An annual review is preferred; a three-year review is acceptable.

In addition, the agency incorporates at least (1) one of the following:

- The department participates in NCLM sponsored risk-reduction training seminars
- The department has participated in an alternate NCLM approved risk-reduction training session

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Yes - Driving Evaluation-NCLM instrument or equivalent verified? Verified proof reference NCLM DE Form on Officer Alfred Cox II.		
Related Agency Policy Number(s): N/A		
<p>The department adopted the NCLM Driver Evaluation from and incorporates the evaluation in the FTO process. The department will utilize a three-year review of policies, primarily because the current policy manual was adopted January 2018 with legal counsel review. The department has also attended NCLM sponsored training including the Use of Force Risk Management class.</p> <p>Verified NCLM Training</p> <ol style="list-style-type: none"> 1. Use of Force – 17 Use of Force training sessions 2. Dangerous Crossroads – 14 DC training sessions 3. Defensive Driving Course – 3 DDC training sessions 		

8. Safety Review:

- Accidents resulting in injury are investigated and fully documented
- Injury related incidents are reviewed and used for prevention training and shared with employees where root causation factors are identified
- The municipality has an established “Safety Employee”, charged with the investigation of accidents in which injury or property damage has occurred with the causative factors identified, documented, and corrective action taken
- The department participates in a municipal safety committee that meets regularly to communicate safety concerns and issues.

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
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<p>Related Agency Policy Number(s): City of Roxboro policy and procedure</p> <p>The City of Roxboro has a Safety Committee that reviews all accidents, personal or vehicular. A police representative is assigned to the committee. The committee has authority to issue points and recommend disciplinary actions. The town maintains a progressive discipline policy within the safety policy.</p> <p>The Training Sergeant serves as the department’s In-Service Training Coordinator who is responsible for ensuring sworn personnel complete MIST requirements set forth by the North Carolina Criminal Justice Education and Training Standards Division.</p> <p>All sworn employees will receive annual training for HAZMAT and Blood borne pathogens training.</p> <p>The Administrative Captain or Police Management Assistant will maintain records of each training class, to include, at a minimum: Date(s) of training; Names of agency attendees; Course content (lesson plan); Performance of individual attendees as measured by tests. The Field Operations Captain with RPD serves on the Safety Review Committee to review accidents or injuries to determine if the incident was preventable.</p>
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9. Training Policy & Documentation:

- All training is fully documented
 - The department records and maintains all training required by federal, state and OSHA mandates
 - A formal training program is utilized for all new hires supervised by a certified FTO or PTO
 - A formal training program is required for lateral-transfer officer hires
 - During the FTO phase- Instruct new hires and lateral transfer officers on the Brady/Giglio requirements for all sworn personnel.
 - The department provides annual training on use of force including policy review and case law updates
 - The department provides annual training on bloodborne pathogens
- A. Driving Training: The department utilizes post-crash evaluation and re-training. “New vehicle orientation training” is provided to familiarize officers with the police vehicle, equipment, and expectations.
- B. The department additionally provides any of the following options:
- Annual class room and/or track instruction. Class topics may include a review of departmental, pursuit and emergency response policies, and review of departmental and national accident trends
 - Annual officer ride-along and evaluation by department trainer/evaluator

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Related Agency Policy Number(s): RPD #100.5 – Training and #100.9–FTO Program		

To develop and maintain a comprehensive training program by providing instruction at the agency level in those subjects pertinent to established methods, techniques and procedures.

The Roxboro Police Department will provide a comprehensive training program to meet the needs of the agency and its employees.

Training should be consistent with the agency's goals and objectives: Advanced Training, Initial training provided to newly appointed officers. Basic training is required prior to being empowered as law enforcement officers, Training in addition to basic training, including periodic in-service training, specialized training, roll-call training, career development and advanced training, Training or informational sessions of short duration administered to officers prior to or after a tour of duty, Training to enhance skills, knowledge, and abilities beyond the level taught in basic training or other in-service programs.

The purpose of this Directive is to explain the Field Training and Evaluation Program utilized at the Roxboro Police Department.

The Roxboro Police Department supports a Field Training and Evaluation Program that utilizes both the personnel and training resources of the Department. Field Training is mandated for all new hires and is vital to the proper training and development of new officers.

The Department maintains a comprehensive FTO program for new hires, including the NCLM Driving Evaluation Instrument used during FTO training.

NOTE: The Training Supervisor will be interviewed for this category regarding the above listed dimensions.

On December 9th, 2021, I conducted a review of Officer Jamie Vaughn FTO packet and training file. Both of the folders were very orderly and organized. I also verified the NCLM Driving Evaluation form.

10. Officer-involved Critical Incident Investigation:

- Policy guides the initial incident response to include- First responding supervisor and the securing of evidence
- Policy guides the Post Incident Procedures: administrative leave, counseling assistance, family counseling, department-wide debriefing, daily stress recognition

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Related Agency Policy Number(s): RPD #200.1 – Use of Force		

When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to: Obtain the basic facts from the involved officer(s); Ensure that any injured parties are examined and treated; Separately interview the subject(s) upon whom force was applied; Ensure that photographs have been taken of any areas involving visible injury or complaint of pain as well as overall photographs of uninjured areas; Identify any witnesses not already included in related reports; Review and approve all related reports;

In the event that the supervisor believes that the incident may give rise to civil litigation, the supervisor will contact the Chief of Police.

Should the supervisor determine that any application of force was not within policy, a separate internal administrative investigation shall begin.

In the event that the supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit. The chain of command notification will be utilized in these circumstances.

Any officer whose use of force results in a death or serious physical injury will be placed on administrative duty, pending Administrative Review of the incident.

In all incidents where a person has been injured or killed as a result of the application of deadly force by an officer, the involved officer will be required to undergo a debriefing with a Departmentally furnished psychologist as soon as possible. The purpose of this debriefing will be to assist the officer with any after-effects of this incident.

When an officer is injured as a result of the application of deadly force, the injured officer may be required to undergo a psychological debriefing. The decision to order a debriefing of this nature will be made by the Chief of Police.

In addition to psychological debriefing, the officer may also have a Pastor or their respective religious leader provide counseling. Such services will not be the financial responsibility of the City.

The Department will also supplement psychological debriefing by sending the involved officers, and their spouse, to a Post Critical Stress Incident seminar as soon as feasible.

Subsequent to all use of force incidents, the involved officer(s) will determine the physical condition of any injured person and render first aid when appropriate. Notify the telecommunications operator of the incident and location. Request necessary emergency medical aid. The involved officer(s) will remain at the scene (unless he is injured) until the arrival of the appropriate investigators. However, if the circumstances are such that the continued presence of the officer at the scene might cause a more hazardous situation to develop (violent crowd), the ranking officer at the scene shall have the discretion to instruct the officer to respond to another, more appropriate location.

The officer will protect his weapon for examination and submit said weapon to the

appropriate investigator.

The officer shall prepare a detailed report of the incident.

The officer shall not discuss the case with anyone except supervisory and assigned investigative personnel, the District Attorney, the officer's attorney, psychologist, clergy or immediate family.

Following incidents involving deadly force or any other critical incident where an officer's actions will undergo the scrutiny of a criminal investigation, the officer's supervisor should: Assign an officer to provide companionship and support to the involved officer during the preliminary investigation and see to the officer's basic needs. Review with the officer the events and activities that will likely take place, such as an SBI investigation, required psychological debriefing, etc.

Ensure that the officer is interviewed and allowed to wait in an area separate from areas used to interview suspects. A period of rest and recovery for the officer may be appropriate prior to the interview.

I received a Critical Incident report from the Department reference a review facilitated by FMRT on Officer Alfred Ballard Cox III on 8/17/2021.

11. Property & Evidence:

- Department maintains proper evidence storage areas with controlled access
- A dedicated and trained evidence custodian/ staff, is responsible for the storage and distribution of all evidence
- Guns, drugs and money must be secured in a separate area within the evidence storage area
- The policy should include a provision for conducting a criminal history check on any person who is seeking the return of a firearm prior to the return of the firearm from evidence
- Utilization of evidence auditing is in place including random audits
- Chain of custody and disposition documentation is utilized

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Related Agency Policy Number(s): RPD Policy #200.17 – Evidence Collection and Storage		
To specify procedures concerning initial collecting, marking, and placing items of physical evidence in official custody.		
Once the preliminary assessment, photographs, initial search and sketches have been completed, the actual recovery and marking of evidence will be conducted in accordance with the following procedures.		
Members of the Police Department will collect, and preserve all evidence for presentation		

in court, in accordance with the following procedure, when applicable. The process of collecting physical evidence will include evaluating the crime scene, photographing and sketching the scene, searching for evidence, and properly collecting the evidence found.

The only persons authorized unaccompanied access to permanent storage areas are the Evidence Custodian and Administrative Captain.

Persons authorized accompanied access to permanent storage areas by signing in and out with the Evidence Custodian and/or Captain are restricted to those having legitimate business relative to stored property.

These persons must log in and out each and every time they enter the permanent storage area. The Evidence Custodian and or Administrative Captain must remain with them at all times while they are in the storage areas.

No other persons may enter the permanent storage area without the written permission of the Chief of Police or the Administrative Captain

Access to the evidence locker room is available to all sworn personnel. Access to the secured area of the Evidence/Property room is controlled by electronic access. Access permissions are set by the Person County IT Department.

The Evidence Custodian and direct supervisor are the only persons authorized to have electronic access.

Hard key access may only be used when a catastrophic technological or power failure occurs. The Evidence Custodian and direct supervisor are the only persons authorized to possess a key to the room.

Facility cameras shall continuously record the Evidence Room.

All jewelry, precious metals, gemstones, money, and negotiable securities shall be stored in a vault (located in the property room) specifically designated for these items and kept separate from other classifications of property. The Evidence Custodian will deliver items to the Clerk of Superior Court, as required by law, on the first day after receipt that the Clerk's office is open for business.

All narcotics and dangerous drugs, weapons, and explosives real or synthetic used by K-9 Unit personnel for training purposes must be maintained in a secure area. Narcotics will be signed in and out by the Evidence Custodian or Administrative Captain to the K-9 Officer.

All firearms will be stored in a separate area of the Property Room.

NOTE: The Evidence Custodian/Supervisor will be interviewed for this category regarding the above listed dimensions.

Verified the evidence audit completed by the department August 31, 2021. Document proof supplied by the Department. 11/16/2021.

Custodian Name: Tanya Horne – 5 Years as the Evidence Custodian

Interview Comments:

On December 9th, 2021, I conducted an inspection the Roxboro Police Departments evidence room with Evidence Custodian Tanya Horne. The interview room was orderly and well organized. Bins were properly marked. Seized drugs, money and firearms were separated from general evidence. See other information below.

Certified Property and Evidence Specialist, International Association of Property and Evidence (IAPE), Attend annual conference of the North Carolina Association of Property and Evidence (NCAPE), Body worn camera and video evidence, NC Justice Academy, Evidence and Records retention destruction laws, PRI Management Group NICS index training of firearms release.

Process: Officer packages evidence. Submits a voucher in the RMS system. Secured in locked evidence locker. Then the evidence is retrieved and validated for proper packaging, labeling, and submission per policy. The evidence is cataloged into the system with a barcode, then stored in the officer's bin cataloged by case number. Yes, chain of custody is properly managed and documented in the RMS voucher for each article. Yes, seized drugs, money and firearms are separated from general evidence. Captain Dickerson, Lieutenant Walker, and myself. Primarily, I am on the only who accesses the room daily. Doors are electronically controlled by an access badge system. The access badge system time stamps and dates all badge scans. Dual entry is required to gain access to the evidence storage room. There is a sign in sheet for access accountability. The room and all access points are video monitored 24/7. Auditing occurs randomly without notice, annually, and if there is a change in supervision. The random audit will audit 20% chosen automatically by the RMS system settings. Last audit, August 31, 2021.

12. Social Media:

Policy guides officers in the expected behaviors and legal standards for social media activity. Policies further follow the language of the fourth circuit court of appeals regarding the Liverman v. City of Petersburg case. This case references the impact to a department's efficiency based on an employee's social media comments.

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Related Agency Policy Number(s): RPD Policy #100.17 – Social Media		
Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department, impede the performance of duties, impair discipline and harmony among coworkers, or damages the organization's community relations as a function of the department's mission. <i>Liverman v. City of Petersburg</i> , 844 F. 3d 400 (2016).		

13. Continuity of Operations Plan:

- The department has established plans for situations in which normal operations and procedures are disrupted due to natural and man-made disasters to ensure continuity of operations.
- There is an established process by which the plan is activated and when normal operations will resume
- There are established processes when decision making authority will be delegated and to whom and for what functions, including the leadership's order of succession
- The department has identified alternate operational facilities, methods of communication, alternate processes and equipment, and provisions for securing records
- The department maintains a process for backing up electronic data with off-site storage
- The department updates, maintains and trains the plan execution with department staff

Accomplished?	<input checked="" type="radio"/> Y <input type="radio"/> N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
<p>Related Agency Policy Number(s): RPD Policy #200.18 – Unusual Occurrences Roxboro and #400.1 – Incident Command System Roxboro</p> <p>The purpose of this plan is to provide guidance for Police Department staff and a general plan for the effective management of an emergency incident or unusual occurrence. This plan is published for the purpose of reducing or eliminating the confusion that can result when emergency operations or mobilization becomes necessary.</p> <p>When unusual circumstances occur, departmental personnel will refer to this policy as needed to ensure proper protocols are followed. The Mayor of the City of Roxboro may impose by proclamation emergency prohibitions and restrictions as necessary to maintain an acceptable level of public order and services, and to protect lives, safety and property in accordance with City Ordinance Title III, Chapter 38 and North Carolina General Statute §166A-19.31.</p> <p>The Agency recognizes the need to utilize alternate sites during the use of NIMS, such as: Person County FEMA Center, Person County Information Technology Training Center, Person County Government Office Auditorium, Person County Rescue Squad, Roxboro Fire Stations, when authorized by the City Fire Chief, and Other facilities decided upon the Chief of Police.</p> <p>Provide any directives or SOP addressing secondary site relocation/or: Detail the steps taken to relocate operations and services in the event of a disaster or loss of facility/resources:</p>		

II. OPERATIONS SECTION

1. USE OF FORCE and Response to Active Resistance:

- The Use of Force policy and procedures are annually reviewed and anytime a new weapons system is adopted, or new case law passed and enacted
- Policy provides use of force options, for example: Force Options/Controls starting with officer presence, progressing up to, and including deadly force. The policy should stress the use of the reasonable and minimal force necessary to gain control
- All officers are trained and tested in the use of all issued force options
- The Department utilizes a formal use of force reporting form that is to be completed by the officer any time force other than “soft hands” is used, and reviewed by a supervisor
- Policy and training reflect that “less-lethal force” devices will not be used on passive resisters or resistant individuals unless the non-compliance or resistance creates an immediate danger and safety risk that can be mitigated by the use of such force options for example, ECD or pepper spray (note: the U.S. 4th Circuit Court of Appeals has viewed the use of Taser or similar tools as “serious injurious force” and the use must be reasonable and proportional to the event unfolding)
- All officers using less-lethal force devices will receive training by a certified instructor in the following:
 - i. Policy Training on proper use and legal authority for use
 - ii. Initial training and testing
 - iii. Annual training/re-training and testing
- Policy specifies that only department approved weapons and equipment are to be utilized by officers
- Duty to Intervene is included in department’s policy and included in annual training
- Firing at moving vehicle(s) is prohibited except in self-defense of an officer(s) or the defense of another person(s) when deadly force is authorized, and no other reasonable options exist
- Choke, Strangleholds, and neck restraints are prohibited except in the self-defense of an officer(s) or the defense of another person(s) when deadly force is authorized, and no other reasonable options exist
- De-escalation training is instructed and documented annually during firearms training, less-than lethal training and when the Police Chief or designee for the Department deems it necessary

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Y Annual policy review verified? Yes – Verified Training Roster from Department 11/16/2021. I also verified a training roster reference De-escalation training for Officers in April 2021. Officer Bradley Solomon is certified and trained for this type of training.		
Related Agency Policy Number(s): RPD Policy #200.1 – Use of Force, #200.2 – Electronic Control Device, and #200.3 – OC Spray		
The purpose of this General Order is to establish departmental policy and procedures		

regarding the use of deadly and less than lethal force.

This directive is for department use only, and should not be construed as creating a higher legal standard of safety or care, in an evidentiary sense, with respect to third party claims. Violations of this directive will only form the basis for departmental administrative actions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

This policy recognizes that the use of force by law enforcement requires consistent evaluation. Even at its lowest level, the use of force is a serious responsibility. The use of force by police is necessary to secure observance to the law or restore order only when the skill of persuasion, advice or warning is found to be insufficient. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, each officer is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

Officers shall not discharge a firearm at, or from, a moving vehicle except as the ultimate measure of self-defense or defense of another person when the suspect or violator is using deadly force.

A vehicle fleeing an officer is not a justified use of deadly force.

A law enforcement officer may, under certain circumstances, be justified in using deadly force against the driver of a vehicle when they are in the car's trajectory and have reason to believe that the driver will imminently and intentionally run over them, but, the same officer violates the Fourth Amendment when the officer is no longer in the car's trajectory.

Warning shots are not authorized.

Chokeholds are prohibited unless Deadly Force is authorized.

Any use of physical force by a member of this department shall be documented promptly, completely, and accurately in an Incident Report. The report shall articulate the officer's decision to apply force, the amount of force used and any tools or weapons used by the officer. Officers who assisted with application of force shall complete a supplemental narrative to the original Incident Report.

The Department recognizes and supports the implementation of the aforementioned guideline as instructed during the 2012 In-Service Training. This section does not supersede State law or Agency policy. The information was added to this General Order to assist with educating personnel involved and as a proactive approach to ensure the Roxboro Police Department provides Post Incident care, support and training to personnel.

Less-lethal devices will not be used on passive resisters or resistant individuals unless the non-compliance or resistance creates an immediate danger and safety risk that can be mitigated by the use of such force options for example, baton or pepper spray (**Armstrong v. Village of Pinehurst, 15-1191**). Oleoresin Capsicum (OC spray) should be used with discretion by officers as a defensive weapon to reduce the perceived safety threat.

2. Less-Lethal Weapons:

- Police officers have at least one (1) less lethal force option available (two recommended) to include electronic control devices (ECD), chemical spray (OC), impact weapons, and bola wrap device (BWD) etc.
- The department has a current “best practices” policies in place regarding less-lethal options issued to the officers.
- The department requires initial certification and annual training on all issued devices
- The Department utilizes a formal use of force reporting form that is to be completed by the officer any time force is used with a less-than lethal device
- De-escalation training is instructed and documented annually during firearms training, less-than lethal training and when the Police Chief or a designee for the Department deems it necessary.

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Related Agency Policy Number(s): RPD Policy #200.1 – Use of Force, #200.2 – Electronic Control Device and #200.3 – OC Spray		
<p>The Purpose of this policy and the use of the AXON are to increase an officer’s options for bringing an incident under control. The Department provides a variety of less lethal alternatives, including the Advanced AXON X26P or X2, which may prevent or minimize injury to suspects and officers. This Written Directive will establish guidelines and procedures for the use of the Advanced AXON X26P models.</p>		
<p>The policy of the Roxboro Police Department is to use only the reasonable amount of force necessary to safely and humanely control physically aggressive subjects, and/or those subjects threatening or attempting suicide who pose a threat to officers.</p>		
<p>While exercising their Law Enforcement Authority, an officer shall not carry or use the AXON, on duty or during off duty employment, until the officer has completed AXON training and certification.</p>		
<p>Annual recertification training will require the user to demonstrate knowledge of agency policy(s) on the use of force, escalating force, and deadly force as well as familiarity with recognized safe handling procedures for the weapon.</p>		
<p>The AXON use may occur after other options have been exhausted or when other options can be reasonably expected to be ineffective, or when the subject presents an articulable threat to officers, or to rapidly deescalate a situation.</p>		
<p>The purpose of the procedure is to establish standard guidelines for the use of OC Pepper Spray as a defensive means to control hostile subjects.</p>		
<p>The policy of the Roxboro Police Department is to use only the amount of force that is reasonable to safely and humanely control hostile and physically aggressive subjects. The Roxboro Police Department has chosen to provide its officers with OC Pepper Spray as an</p>		

option for officers to employ when using force and in appropriate circumstances. This will allow officers to effectively control violent subjects without causing any permanent physical injury or long lasting after-effects.

Use of OC Spray is prohibited on non-combative, passive resisting, subjects in accordance with (**Armstrong v. Village of Pinhurst, 15-1191**).

Training will consist of classroom instruction, practical exercises, and limited personal exposure to the effects of OC Pepper Spray. Departmental personnel or other approved instructors who are trained by the manufacturer may administer training. Department personnel will attend refresher training on the use of OC Pepper spray, at least biennially.

Verified training certificate from Officer Manuel Dil supplied by the Police Department. 11/16/2021.

3. Care and Custody of Suspects:

- Policy exists detailing the care, custody, restraint, and transportation of suspects
- Policy outlines procedures for providing medical attention to arrestees who report **or** show symptoms of injury or illness following a use of force or custodial situation
- Policy outlines specific legal procedures regarding juvenile prisoners
- Policy guides the handling of persons with disabilities
- Proper decontamination policies and procedures exist for individuals exposed to chemical sprays, electronic control devices, Impact Weapons, and Bola Wrap devices.

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Related Agency Policy Number(s): RPD Policy #200.8 – Detainee Transport and #200.3 – OC Spray		
To establish responsibilities and guidelines for Department personnel for the custody and transportation of detainees.		
When a detainee is in custody, the arresting or transporting officer will assume responsibility for providing security to prevent the detainee’s escape and to prevent injury or death to police personnel, citizens, and detainee.		
A detainee’s custody is solely the responsibility of the arresting and transporting officers. Officers may delegate custody responsibility to other sworn officers, but not to non-sworn personnel.		
Juvenile detainees will not be transported in the same vehicle with adult detainees. When transporting juvenile detainees, officers will provide the Communications Center with the beginning and ending mileage, logging times by doing so.		
The handcuffing of juveniles is allowed under the same circumstances as adults. Juvenile		

detainees will not be transported in the same vehicle with adult detainees. When transporting juvenile detainees, officers will provide the Communications Center with the beginning and ending mileage, logging times by doing so.

4. Dealing with Persons of Diminished Capacity/ Excited Delirium:

- Officers should be properly trained in the handling of suspected “diminished capacity/excited delirium” individuals
- Officers should be properly trained in indicators of “excited delirium”
- Procedures for taking individuals into custody and detention should be outlined in the policy and include:
 1. Protocols for responding – Containment, Announcement, Back-up, Medical attention
 2. Less-lethal force options should be available when individuals are taken into custody

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Related Agency Policy Number(s): RPD Policy #200.2 – ECD and #300.9 – Crisis Intervention/Dealing with Mentally Ill		
<p>To establish guidelines and provide guidance to employees who deal with persons who may be suffering from mental illness.</p> <p>Roxboro Police employees will provide individuals suspected of suffering from mental illness with the same high level of service and protection provided to anyone else. Reasonable procedural adjustments may be made to accommodate individual needs on a case-by-case basis.</p> <p>All employees will receive training on how to interact with individuals suspected of suffering from mental illness. Refresher training will be conducted once every three (3) years.</p> <p>Entry-level personnel will receive documented training during the course of their Basic Law Enforcement Training curriculum.</p> <p>Some employees may receive advanced training to include Crisis Intervention Team Training or “CIT”. CIT is a program whose goal is to ensure that mental illness is treated as a disease rather than a crime. Those officers who have attended CIT Training may serve as a resource for others.</p> <p>Roxboro Police Officers have a duty to remain with a respondent under commitment when the respondent appears violent, has a history of violence, or when appropriate hospital personnel are not available.</p>		

5. Holding Cells (only for agencies utilizing temporary prisoner holding cells)

- Policy should establish the maximum time prisoners could be kept in a holding cell
- Holding cell must be monitored either by an officer or by closed circuit TV with live contact every 15 minutes
- Holding cells are to be equipped with a smoke detector
- Must have an evacuation plan in the event of an emergency
- Policy directs that sight and sound separation exists between detained juveniles and adult offenders
- Males and females are not to be detained in the holding cell together
- Holding cell should be free of any materials that could be used as weapons or devices for self-injury
- Suspects are searched for any materials that could be used as weapons or devices for self-injury or assault
- Officers are required to lock and secure firearms when accessing the holding cell
- Holding cells are equipped with an officer-accessible “panic alarm”. An officer-worn radio equipped “emergency-button” is sufficient

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Related Agency Policy Number(s): N/A		

6. Transportation, Handcuffing-Restraint of Suspects:

A. Transportation:

- Prisoner of opposite sex arrest and transport: Officer provides communications with time and mileage. The officer closes time and mileage upon destination
- Prisoners of opposite sex are not to be searched (*other than pat down for the officer's protection*) by opposite sex officers. All extensive searches are to be conducted by an officer of the same sex or jail personnel with attention to privacy issues. ***In the event that this is not possible, opposite sex offender searches must be conducted in the presence of another witnessing officer and the procedure included in policy***

B. Handcuffing:

- Officers are trained on specific policy and procedures relating to handcuffing
- Policy must include exceptions to the preferred method (behind back) for example, when suspects are physically impaired or elderly
- **Double-locks are utilized, and tightness checked anytime handcuffing takes place**
- **Officers document or memorialize that the individual was handcuffed, checked for tightness, and that double-locks were used**
- Department conducts annual training on issues surrounding handcuffing

Accomplished?	Y	COMMENTS- Please Indicate how the department has met the category
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	N	dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Related Agency Policy Number(s): RPD Policy #200.8 – Detainee Transport and		
<p>Detainees of the opposite gender from each other will not be transported in the same vehicle.</p> <p>When transporting detainees of the officer’s opposite gender, officers will provide the Communications Center with the beginning and ending mileage, logging times by doing so, and will take the most direct route to the intended destination.</p> <p>If an officer of the same gender is not available, the arresting or transporting officer may conduct the search. While searching a detainee of the opposite gender, the detainee will be touched only as necessary to determine that no weapons or contraband are concealed.</p> <p>Officers are encouraged to contact a neighboring law enforcement agency and request a same sex officer of that agency search the detainee. Such request must not cause an undue delay for appearance before a judicial official.</p> <p>Every search of a detainee of the opposite gender will be documented in the officer’s arrest report narrative. To the extent possible, officers should search detainees of the opposite sex in view of the in car camera.</p> <p>Persons physically arrested and handcuffed will be restrained with the hands of the detainee placed behind the back. The use of flex-a-cuffs restraints is permissible when needed, so long a removal device is available to the officer. Detainees shall remain handcuffed behind their back during arrest processing with the exception of DWI processing.</p> <p>The handcuffs were double locked and checked for tightness. If the suspect complained of tightness, the handcuffs were checked and adjusted if appropriate when safe to do so.</p> <p>Training on handcuffing and a review of this policy shall be conducted annually.</p> <p>If a person is arrested, the use of restraints /handcuffs shall be documented in the related arrest report.</p> <p>Verified handcuffing documentation proof supplied by the department. Document on the arrest reports for the Department. 11/16/2021.</p>		

7. Offender Identification Procedures:

- Policy outlines the statutory provisions and the manner in which criminal suspects will be subjected to current legal identification proceedings. This includes: Show-up/Drive-By, Photo-Array, and Line-Up procedures

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or
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	other validation of completion:
Related Agency Policy Number(s): RPD Policy #300.8 -	
The Roxboro Police Department shall follow the North Carolina Eyewitness Identification Reform Act specifications when conducting photographic or live “line-ups”, or when utilizing a “show-up” process for eyewitnesses of criminal offenses. The text of those statutory guidelines is incorporated into this directive.	
The following applies in this policy: Eyewitness, Filler, Independent administrator, Lineup, Lineup administrator, Live lineup, and Photo lineup.	
Verified the Eyewitness ID proof supplied by the Department. 11/16/2021.	

8. Confidential Informants:

Policy and practice include the documentation of CI use during drug investigations:

- Policy and practice involve the proper handling of evidence, confidential informants, informant funds and files, and safety issues concerning drug investigations, etc.
- Policy includes a prohibition from improper fraternization with informants
- An auditing of confidential funds and informant files is conducted on a periodic basis and anytime a new narcotics officer/supervisor is replaced

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Related Agency Policy Number(s): RPD Policy #300.15 – Confidential Informant		
Policy directs that informant relationships will be strictly professional in nature. Extrinsic social or business contacts are expressly prohibited. Policy directs that two (2) officers shall be present at all contacts with a confidential source of information. The policy further directs that monthly expenditure reports will be maintained and that quarterly audits will be utilized as directed by the Dep. Chief.		

9. In-Car Camera/Body Worn Camera (If Equipped):

It is recommended that the department utilizes video technology including either: in-car video cameras, or body worn systems, or preferably a combination of both

- A “best practices” policy is in place for the utilization of video equipment (the IACP model policy is a recommended best practices guide) The policy should address the following recommendations:
 1. Controlled access to the recording media (*generally limited to a supervisor*);
 2. Provision of random review by supervisors (audit process)
 3. Use of personal recording equipment is prohibited
 4. Video evidence storage, use, and retention is established by policy
 5. Prohibited use policy is in place

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or
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		other validation of completion:
Related Agency Policy Number(s): RPD Policy #300.7 – Digital Video System		
<p>The policy also details the required statutory requirements for custodial interviews that are to be recorded. The policy addresses privacy concerns of certain types of victims and further provides a disciplinary frame work for policy compliance. Policy directs the Field Operations Lieutenant and Deputy Chief of Police each conduct independent random audits of 20 videos monthly to review policy compliance, officer safety concerns or to identify training deficiencies.</p> <p>When operating a police vehicle, the seat belt and shoulder harness is to be properly fastened by the driver and all passengers. The operator shall be responsible for proper use of all seat restraints by passengers.</p>		

10. Vehicle Operations:

A. The department maintains policy and direction for the establishment of responsibility for the safe operation of police vehicles during:

- non-emergency operation
- emergency (light and siren) operation

B. Distracted Driving: The department maintains a “distracted driving policy” and provides guidance for when Mobile Data Terminal use and electronic devices are prohibited

C. Vehicle Pursuit:

- Pursuits governed by a policy that provides guidance for the appropriate use of a pursuit, pursuit communications, and supervision
- The department’s policy gives direction in situations where emergency vehicle operation would not be generally authorized
- The department’s policy provides procedures for pursuit termination

D. Mandatory Seat Belt: - Safety Equipment:

- Department requires seatbelt use by all vehicle occupants (unless exception exists) to insure safe vehicle operation by policy and practice, by monitoring the use of seat belts

E. Tire Deflation Devices-Deployment:

Officers shall receive practical training in the use of tire deflation devices. Tire deflation devices should only be deployed after notification to pursuing officers and the supervisor. The location of the intended deployment shall be communicated.

The department has clear policies defining the proper use of tire deflation devices to include:

- Deflation devices should be deployed in an effort to only affect the pursued vehicle

- Training should detail the adequate cover and escape from intentional or unintentional exposure to the approaching vehicle
- Officers should be trained in the limitations of such devices as well as the potential risk to officers, the public and occupants of the pursued vehicle
- Policies should prohibit the use of deflation devices when the pursued vehicle has less than 4 wheels, or is a vehicle transporting known hazardous materials; unless deadly force would be authorized, and no other options are available.

Accomplished?	Y	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
	N	

Related Agency Policy Number(s): RPD Policy #200.6 – Emergency Vehicle Operations/Pursuit, RPD #200.5 – Assigned Vehicle and #300.1 – Patrol Operations

Policy directs the safe operation of vehicles during routine and emergency response. The pursuit policy is very detailed and allows for reasonable pursuit considerations concerning the need to pursue based on the level of threat and the other factors concerning safety. The policy includes the management of pursuits and that proper supervisory notification occurs

It shall be the policy of the Roxboro Police Department to require that all personnel operate the department’s vehicles in accordance with the law and in compliance with this order. The Department performs no tasks that are of such importance to justify operating a vehicle with a reckless disregard for the safety of innocent persons.

Citizens’ requests for service will be classified Level 1, Level 2, or Level 3 based upon information available to the 911 Center’s Operators. Regardless of the Level dispatched, officers must exercise due care and caution at all times in the operation of their vehicles.

Level 3 Responses will normally be preceded by an alert tone. Level 3 responses may also be warranted in other situations when the most current information communicated to the responding officer(s) indicates a potential for loss of life or serious injury to a person(s). This section of this directive does not prescribe Level 3 responses – it identifies when Level 3 response is warranted.

An officer’s decision to elevate to, continue or terminate Level 3 response will be governed by the most current information known or communicated to him. When the most recent information communicated to an officer would indicate that there is no threat or potential of imminent death or serious bodily injury, Level 3 response will be avoided or discontinued. Officers will notify the 911 Center’s Operators via the police radio when responding Level 2 or 3.

In accordance with Below 100 training, officers responding Level 3 shall keep their speeds **Below 100 mph**. The only exceptions are vehicle pursuits when the vehicle is primary or secondary in the pursuit or responding to “LEO Emergency Call for assistance.”

When operating a police vehicle, the seat belt and shoulder harness is to be properly fastened by the driver and all passengers. The operator shall be responsible for proper use of all seat restraints by passengers.

Risk Review Evaluator will ride and observe a patrol officer and the day-to-day activities. The officer will be asked to detail their understanding of the use of force and vehicle operations/pursuit policies.

Officer Name: Sergeant Darrell Mills/14 Yrs in LE/13 Yrs w/Department/2 Yrs Supervisor
 Officer Name: Officer Nicholas Pennington/3 Yrs in LE/3 Yrs w/Department

Interview Comments:

On December 9th, 2021, I conducted interviews and ride a longs with Sgt Mills and Officer Pennington.

During the ride-a-long, the Officers and I discussed Basic Pursuit Guidelines, Use of Force/De-escalation Techniques, Use of Less than Lethal, Safety Concerns, and Armstrong Pinehurst case. Both Officers have a good knowledge and understanding of the Policies and areas that we discussed including the Pinehurst vs Armstrong case. The Officers understand the prohibition of choke holds/strangle holds/neck restraints, shooting at moving vehicles as well as the duty to intervene during an officer excessive force issue and then reporting it to command staff. Both Officers performed their duties in a professional and safe manner. I also conducted an inspection of each vehicle for safety equipment. Vehicles were well equipped with the items listed in Category #15. See list there.

11. K-9 Operations: (If Applicable)

- Department K-9 units have clear policies and procedures regarding their use
- The K-9 unit is trained under a recognized certification program and training maintained to the type and purpose of the K-9
- K-9 Training logs and documentation are maintained
- Records related to searches and other K-9 activities are maintained
- K-9 cannot be accessed by the general public unless under supervision
- K-9 vehicle is equipped with canine heat protection and public safety markings
- All officers are trained in the legal parameters of police K-9 searches and the current case law related to these searches: **Illinois v. Caballes, 543 U. S. 405 (2005), and Rodriguez v. U.S. (2015)**

Accomplished?	Y N	COMMENTS- Please Indicate how the department has met the category dimensions. Include policy numbers, directives, verification of training, or other validation of completion:
Related Agency Policy Number(s): RPD Policy #300.12 – Canine Operations		
In addition to the relevant policies, please indicate how the category dimensions are met or exceeded:		
To establish policies and procedures for utilization of the Roxboro Police Department’s Canine Unit.		
To utilize properly trained canine teams to supplement patrol and investigative functions.		
At least one hour of daily training of the canine unit is strongly recommended and shall be permitted on-duty when time permits. Patrol supervisors should try to make all efforts to		