



The Path to Promotion

NYPD PATROL GUIDE

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PATROL GUIDE

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NOTE

This conferral is to obtain background information that may assist in the investigation. All decisions regarding the investigation, as well as any resulting determination regarding the member's duty status, remain the responsibility of the commanding officer/duty captain concerned.

The duty captain in each patrol borough, and all duty inspectors MUST carry a cellular telephone at all times and a Transit Bureau radio, if available.

DUTY CAPTAIN (continued)

8. Upon completion of an official investigation for which an Internal Affairs Bureau log number has been generated, prepare and submit to the Internal Affairs Bureau Command Center a detailed report on **Typed Letterhead** regarding the investigation, including the disposition of all allegations and findings, and a determination as to the necessity for further investigation of the incident.
 - a. Make a recommendation to close an investigation if deemed complete. (10 71 s.15)



INTERIM ORDER

SUBJECT: SUPERVISOR OF PATROL (CAPTAIN)		
DATE ISSUED:	REFERENCE:	NUMBER:
07-28-15	**P.G. 202-08a	56

SUPERVISOR OF PATROL

1. Conduct tours in either uniform of the day or business attire, in an unmarked Department vehicle.
2. Visit precincts, police service areas, transit districts and borough court section facilities located within borough of assignment at irregular intervals.
 - a. During the course of facility visits, review site security with the desk officer.
3. Randomly visit fixed and/or sensitive posts (e.g., missions, embassies, bridge posts, etc.) within the confines of the assigned borough.
4. Attend roll calls and conduct inspections of uniformed members of the service to ensure the appearance of the members are in compliance with all current uniform, appearance and equipment guidelines.
5. Respond to radio runs at irregular intervals to assess performance of police officers and supervisors, paying special attention to radio runs dispatched at the beginning and end of tours.
6. Visit any operational incident command posts within assigned borough.
7. Keep a record of discipline issued personally, or by direction to subordinates, including the use of **SUPERVISOR FEEDBACK FORMS**. [10 9 s.17]
8. Conduct inspections of locations listed in commands' Integrity Monitoring File.
9. Inspect prisoner holding areas at stationhouses.
10. Inspect precinct lounges/dorms to ascertain if any uniformed members are engaged in unauthorized interrupted patrol.
 - a. Inspect and sign the Interrupted Patrol Log.
11. Confer with integrity control officers about any conditions/hazards affecting commands.
12. Randomly visit cabaret establishments throughout the borough of assignment to ensure uniformed members are properly performing their duties.
13. Confer with commanding officers about uniformed members' performance.
14. Visit uniformed members guarding hospitalized prisoners.
15. Review Command Log entries regarding invoiced property.
 - a. If any property is stored in the command in excess of thirty days, assign a supervisor to conduct an immediate investigation and determine the appropriate course of action to expedite the transfer of the property to the final storage location.
16. Review Command Log regarding invoiced narcotics and ensure all procedures regarding narcotics are being followed.
17. Visit Video Interactive Patrol Enhanced Response (VIPER) units located within police service areas under jurisdiction.

**SUPERVISOR
OF PATROL
(continued)**

18. Inspect the **ACTIVITY LOGS (PD112-145)** of sergeants and lieutenants to ensure they are conducting frequent and irregular visits of their subordinates throughout the tour.
19. Confer with the commanding officer of the borough's investigations unit about matters of importance.

BY DIRECTION OF THE POLICE COMMISSIONER

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INTERIM ORDER NO. 56



PATROL GUIDE

Section: Duties and Responsibilities		Procedure No: 202-09	
COMMANDING OFFICER			
DATE ISSUED: 05/21/10	DATE EFFECTIVE: 05/28/10	REVISION NUMBER: 10-03	PAGE: 1 of 6

COMMANDING OFFICER

1. Command a precinct, police service area, transit district or similar unit.
2. Be responsible for:
 - a. Proper performance of functions designated for command
 - b. Efficiency and discipline of personnel assigned to command
 - c. Informing members of command of current directives and orders
 - d. Serviceability, proper care and use of equipment assigned to command
 - e. Patrol, administrative and record keeping functions of the command.
3. Review **CENTRAL PERSONNEL INDEX BACKGROUND REQUEST (PD449-160)** for personnel assigned to critical positions within the command, upon assignment to a command.
 - a. Review the disciplinary history of members in Performance Monitoring Programs assigned to command.
4. Instruct and frequently test the knowledge of members of command regarding their duties and responsibilities.
5. Investigate and report on police conditions and activities.
6. Respond to major radio runs and unusual occurrences within command, when available, and perform prescribed functions.
 - a. Request assistance of the duty captain, if necessary.
7. Make frequent personal inspections of the uniforms, equipment and general appearance of members of the service at outgoing roll calls and while on patrol.
8. Delegate administrative tasks as follows:
 - a. Assign ranking officers within command to perform tasks normally reserved specifically for commanding officers (e.g., the preparation, signing and forwarding of required reports, forms, **PERFORMANCE EVALUATIONS**, communications, etc.)
 - b. Assign competent members of command to read, analyze and report on, verbally or in writing, any voluminous communications directed to the commanding officer.
 - c. Assign ranking officer to inspect command facility daily to ensure security, cleanliness and orderly condition.
9. Inspect command facility periodically to ensure cleanliness, orderly condition and that assigned equipment is accounted for and in good condition.

NOTE

The periodic inspection of the command facility will be augmented to include a check of both female and male restrooms and locker rooms for any structural defects, that would permit visual access by persons located outside these private areas. If such a condition is identified, immediate corrective action must be taken.

10. Designate manner in which members of command proceed to assignments, e.g., Department auto, public transportation, etc.
11. Review activity of members of command each month.
 - a. Personally review and sign monitoring profiles of members in Level II or Level III Monitoring Programs. Performance profiles (original copies only) are due by the fifth (5th) day of each month (quarterly for Level II and monthly for Level III), as appropriate.

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COMMANDING OFFICER (continued)

12. Investigate a report of neglect of duty by subordinates.
13. Assign members proportionately to squads according to the needs of command. Members having special qualifications are to be assigned to permit greatest use of abilities.
14. Permit uniformed members of assigned command performing similar duties to exchange tours voluntarily when there is no interference with police service.
 - a. Members are NOT permitted to perform two consecutive tours (i.e., perform duty on a third platoon followed by a first platoon). *(IO 10 s.12)*
15. Notify borough command if at least two (2) supervisors are not available to perform duty on each tour.
 - a. Notify Transit Bureau Wheel for commands within the Transit Bureau.
16. Assign personnel to specific patrol and staff functions.
17. Supervise and monitor performance of the integrity control officer assigned to the command. *(IO 19 s.16)*
18. Assign command police officer to cover traffic posts when traffic conditions require such assignments.
19. Provide formal orientation program for newly assigned lieutenants, sergeants and police officers on two (2) consecutive day tours including interviews, introductions, and various command conditions, problems, boundaries, crime statistics, etc.
20. Maintain record of members who volunteer for specialized units and make assignments accordingly. Prior to member being permanently assigned to anti-crime duty, have **CENTRAL PERSONNEL INDEX BACKGROUND REQUEST** prepared and forwarded as per distribution on form.
 - a. If the member is currently in a Level II or Level III Monitoring Program, contact the Bureau/Borough Commander.
21. Assignment of specialized unit personnel will be based on command crime analysis trends and patterns, with emphasis on violent street crime and burglaries.
 - a. Specialized unit personnel may also be utilized as a resource to solve local priorities such as car thefts and break-ins.
22. Ensure specialized unit personnel are properly supervised, trained and equipped.
23. Closely monitor the performance of uniformed members of the service assigned to specialized units.
 - a. Long term assignments are to be carefully reviewed, i.e., uniformed members assigned to specialized units for a period of five (5) years will be recommended for career path assignments to either the Organized Crime Control Bureau or Detective Bureau.
24. Consult with immediate supervisor of member before recommending or granting change of precinct assignment, etc.
 - a. If the member is in a Level II or Level III Monitoring Program, confer with the Commanding Officer, Performance Analysis Section, prior to a change in that officer's assignment.
25. Be thoroughly familiar with "Confidential Performance Profile" of subordinate members.

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NOTE

The "Confidential Performance Profile" is an up-to-date and confidential profile of uniformed members who are "personnel concerns" to assist in the supervision, training and development needs of such uniformed members. Included in the profile would be such matters as all past administrative transfers, transfers made by the borough commander at the request of member's previous commanding officer, sick record, disciplinary record and all other Central Personnel Index indicators as well as appropriate command data.

COMMANDING OFFICER (continued)

26. Maintain patrol by a supervising officer in a radio equipped Department automobile.
27. Use a Department auto when on patrol, when presence is required at the scene of an emergency or when traveling within the city on official business.
28. Make entry in Command Log when reporting on or off-duty. When leaving for patrol, emergencies, etc., indicate manner of patrol, Department auto number, if applicable, and whether in uniform or civilian clothes.
29. Perform duty in uniform whenever practical.
30. Maintain as much personal contact as possible with business, civic, fraternal, religious, political, recreational, charitable, youth and poverty corporation groups, local radio stations, local newspapers and other groups or media with community influence and interests to keep abreast of community tensions and trends.
31. Review and evaluate upon initial assignment to command, all Clergy Liaisons. (IO 84 s.15)
32. Assign competent member to attend scheduled local meetings of the planning board, school board, poverty corporation, or any other community group, to obtain information which will be used to facilitate planning of procedures and/or programs to minimize community tensions and negative trends.
33. Supervise and direct community affairs officer, where appropriate. (IO 19 s.16)
34. Utilize resources of command to cope efficiently with existent problems and accomplish mission of command.
35. Act as the senior problem-solving coordinator for the command. As such be responsible to:
 - a. Identify major crime and quality of life problems affecting the command.
 - b. Perform an analysis of the identified crime and quality of life problems in order to separate them into their essential components.
 - c. Design a response utilizing command, Department and community resources, and where possible the resources of other agencies.
 - d. Implement the designed response.
 - e. Evaluate the effectiveness of the response and modify it, if necessary.
36. Administer command discipline.
37. Direct executive officer to adjudicate command discipline, when appropriate.
38. Consult with supervisor who has initiated command discipline against member of the service concerning severity of penalty before announcing penalty. Indicate date and time of consultation on form.
39. Confer with patrol borough adjutant prior to adjudicating third command discipline for same individual within period of six (6) months to determine if charges and specifications should be prepared.

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COMMANDING OFFICER (continued)

40. Notify the borough adjutant or borough executive officer within respective Bureau (Patrol Services, Housing, Transit), upon discovery or notification that there is invoiced property stored in the command in excess of thirty (30) days and:
 - a. Conduct investigation
 - b. Expedite transfer of property to final storage location.
41. Cooperate with other units and agencies to accomplish mission of the command.
42. Confer with Commanding Officer, Performance Analysis Section regarding removal proceedings when member of the service fails to perform assigned duties in a satisfactory manner. *(IO 67 s.16)*
43. Observe special patrolmen on duty within command and report any misconduct to Commanding Officer, License Division.
44. Inspect uniform, shield, cap device and identification card of special patrolmen during March and September.
45. Have minimum of 10% uniformed members of the service qualified as patrolwagon operators and distributed proportionately to squads.
46. Ensure that all members of command are familiar with nature and function of command receptionist program.
47. Situate required furniture and clerical equipment for command receptionist near command entrance.
 - a. Provide secure location for Receptionist Log and files.
48. Provide transportation, within command, IF NECESSARY, to ensure receptionist's safety to and from command.
49. Read Performance Evaluations submitted by sergeants carefully and make sergeants justify the ratings given to officers assigned to their squads.
 - a. If an officer performs below competent (2.5 or lower), or is rated extremely competent (5.0), the commanding officer MUST be the reviewer.
50. Visit upon assignment to command and semi-annually thereafter, for briefing, the following:
 - a. Civilian Complaint Review Board
 - b. Internal Affairs Bureau
 - c. Community Affairs Bureau
 - d. Quality Assurance Division.
51. Visit the Office of Equal Employment Opportunity for briefing, upon assignment to command and annually thereafter. *[IO 4 s.10]*
52. Designate a supervisor within the command to serve as the alternate in the event of long term absence of the training sergeant.
53. Designate one (1) uniformed member of the service to function solely as the precinct's Domestic Violence Prevention Officer.
54. Develop and review precinct School Security Plan, Summer Youth Security Plan and Safe Corridor Plan and Safe Passage Plan for Transit Bureau commands.
55. Ensure that complaints of crimes occurring on the transit system are faxed to the Transit Bureau Crime Analysis Section and the district of occurrence, and that the proper Jurisdiction Code 01 is affixed to all reports.

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COMMANDING OFFICER (continued)

56. Meet, annually, with ranking officers/supervisors within command to discuss their responsibilities under the New York City Police Department's Equal Employment Opportunity Policy.
57. Discuss the N.Y.P.D.'s sexual harassment policy with all members of the command, both uniformed and civilian, or ensure that such discussions are held by designated supervisor(s).
58. Reiterate to supervisors that they are responsible for creating a professional work environment for their subordinates.
59. Assess, regularly, the working environment within the command/unit to maintain a professional atmosphere and rectify those situations, which undermine professional conduct and achievement.
60. Advise employees that vulgar language, sexually degrading statements or jokes, as well as the display of photographs or magazines of a sexual nature are offensive, unwelcome, inappropriate in the work place, and subject to disciplinary action.
61. Encourage all members of the service to report inappropriate conduct.
62. Instruct all members of the command that retaliation against those members of the service who come forward to report misconduct (corruption, violations of E.E.O. policies, etc.) is against Department policy and will not be tolerated.
63. Have the command integrity control officer review Department records pertaining to the assignment of radios.
64. Review the assignments of radios assigned outside of command on a permanent basis and determine the necessity of its continuance.
65. Make a background inquiry, if necessary, through the Internal Affairs Bureau Command Center during the initial stages of an official investigation involving a member of the service and PRIOR to suspending, modifying or placing the member concerned on restricted duty pending an evaluation of duty status.

NOTE

This conferral is to obtain background information that may assist in the investigation. All decisions regarding the investigation, as well as any resulting determination regarding the member's duty status, remain the responsibility of the commanding officer/duty captain concerned

66. Select uniformed members of the service for steady sector officers.
67. Select uniformed members of the service for neighborhood coordination officers (NCOs) and neighborhood coordination sergeant, considering factors such as:
 - a. Commitment to the neighborhood
 - b. Knowledge of preliminary investigations and street enforcement operations
 - c. Work ethic
 - d. Critical thinking skills
 - e. Accountability
 - f. Resourcefulness

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- g. Ability to be an active listener
- h. Temperament for collaboration
- i. Appreciation for community leaders as real partners
- j. Leadership and team-building skills
- k. Commitment to the Department's mission
- l. Communications skills, and
- m. Work history.

NOTE

Permanency is a key component of this program. Uniformed members of the service should not be accepted with pending transfers, imminent promotions, etc. [10 23 s.17]



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EXECUTIVE OFFICER			
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EXECUTIVE OFFICER

1. Assume command and perform functions of the commanding officer during absence.
 - a. Sign routine communications and reports, during absence of twenty-four (24) hours or more.
2. Respond to major radio runs and unusual occurrences within command, when available, and perform prescribed functions.
 - a. Request assistance of the duty captain, as necessary.
3. Make entry in Command Log when reporting on or off-duty, when leaving for patrol, emergencies, etc., indicate manner of patrol, Department auto number, if applicable, and whether in uniform or civilian clothes.
 - a. Use Department auto when on patrol, when presence is required at scene of an emergency or when traveling within city on official business.
4. Supervise performance of administrative functions in the command.
5. Study deployment of resources of command and recommend more effective deployment to commanding officer, where appropriate.
6. Coordinate all specialized units.
7. Evaluate training, planning and personnel functions and needs of the command and make recommendations to the commanding officer.
8. Inspect uniforms, equipment, and general appearance of members of the command frequently.
9. Inspect and sign **ACTIVITY LOGS (PD112-145)** of platoon commanders, special operations lieutenants and patrol supervisors at least once a month.
10. Supervise the investigation of communications and preparation and forwarding of written reports.
11. Perform duty under the chart, or as directed by the borough commander and perform functions of "duty captain" when directed.
12. Perform tours, on "open days," which best meet the day to day needs of the command.
13. Do not perform the same duty as commanding officer, if both working the same tour. (One will perform patrol duty and conduct field inspections, etc.).
14. Conduct investigations as directed by commanding officer or other competent authority.
15. Insure that command is clean, all equipment is accounted for and in good condition, and personnel are performing a necessary police duty.
16. Represent the commanding officer at community meetings of concern to command when designated.
17. Perform duty in uniform, when practical.
18. Inspect and sign Interrupted Patrol Log once each tour.
19. Adjudicate command discipline as directed by commanding officer.

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EXECUTIVE OFFICER (continued)

20. Review Command Log entries regarding invoiced property daily and if any property is stored in the command in excess of thirty (30) days, consult with the operations coordinator, desk officer, evidence/property control specialist etc., to determine the appropriate course of action to expedite the transfer of the property to the final storage location.
 - a. Brief the commanding officer on actions taken.
21. Personally conduct, in conformance with the Quality Assurance Division self-inspection program, the command self-inspection of **STOP, REPORT (PD388-151)**. *[IO 48 s.16]*
22. Manage the Field Training Program within the precinct, police service area, or transit district. *(IO 77 s.15)*
23. Manage the Neighborhood Policing Program within the precinct or police service area. *[IO 23 s.17]*
24. Ensure that the utilization of steady sector officers, neighborhood coordination officers, and neighborhood coordination sergeants is in accordance with program guidelines.
 - a. Steady sector officers, neighborhood coordination officers, and neighborhood coordination sergeants are not to be utilized as backfill for other precinct assignments (i.e., shooting posts, prisoner transports, hospital posts, patrol supervisor, desk officer, etc.).
 - b. Steady sector officers, neighborhood coordination officers, and neighborhood coordination sergeants are not to be assigned to out-of-precinct details during their regularly scheduled tours of duty without permission of the Bureau Chief concerned, the Chief of Department or the Police Commissioner.
25. Ensure that patrol supervisors are coordinating uncommitted time for steady sector officers in an efficient manner, with the goal of one-third of their tour dedicated to uncommitted time.

Uncommitted time is utilized by steady sector officers to engage the community, participate in community meetings, address conditions, and conduct enforcement operations. Uncommitted time consists of approximately two hours and forty minutes, or one-third of an eight hour tour, to be taken by steady sector officers as conditions dictate, in one or more blocks of time.
26. Ensure that precinct crime analysis staff prepare weekly sector-based crime analysis reports and provides them to neighborhood coordination sergeant, neighborhood coordination officers, and steady sector officers.
27. Conduct weekly sector-based meetings with neighborhood coordination sergeant, neighborhood coordination officers, steady sector officers, and other command personnel (i.e., special operations lieutenant, precinct detective squad supervisor, etc.) to promote awareness of sector crime conditions.



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SPECIAL OPERATIONS LIEUTENANT			
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SPECIAL OPERATIONS LIEUTENANT

1. Perform duty in uniform whenever practical.
2. Report to the desk officer at the start of tour for entry in the **Command Log** as present for duty.
 - a. Sign **Command Log** at end of tour. (IO 43 s.14)
3. Perform tours as approved by the commanding officer, choosing tours that will maximize supervision of subordinate personnel.
4. Enter in Command Log the time arriving and leaving command and the reason (except start of tour entry).
5. Monitor field performance of subordinate personnel and personally observe command conditions.
6. Coordinate the crime prevention enforcement program of command.
7. Supervise and coordinate command's specialized personnel, including school safety sergeant, anti-crime supervisor, SNEU, crime prevention officer, youth officer, auxiliary police coordinator, peddler enforcement, and domestic violence sergeant. (IO 19 s.16)
8. Inspect records and logs of subordinate units and personnel.
9. Inspect and sign **ACTIVITY LOGS (PD112-145)** of anti-crime, school safety, SNEU, neighborhood coordination (IO 23 s.17) and, where applicable, peddler enforcement sergeants each month.
10. Review and sign the **OFFICER PROFILE REPORT** (IO 9 s.17) for subordinates and confer with detail sergeants as necessary.
 - a. Deliver **REPORTS** to operations coordinator within seven days following month for which submitted.
11. Review and approve schedules for subordinate personnel on a weekly basis.
12. Act as the problem solving coordinator for the command, in conjunction with, and at the direction of the commanding officer.
 - a. Be responsible for assisting the commanding officer to:
 - (1) Identify major crime and quality of life problems affecting the command.
 - (2) Perform an analysis of the identified crime and quality of life problems in order to separate them into their essential components.
 - (3) Design a response utilizing command, Department and community resources, and where possible the resources of other agencies.
 - (4) Implement the designed response.
 - (5) Evaluate the effectiveness of the response and modify it, if necessary.
13. Attend Community Council, Community Board, and similar meetings, at the direction of the commanding officer.
 - a. Be cognizant of community crime trends and quality of life conditions, allocating resources to address these concerns.

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SPECIAL OPERATIONS LIEUTENANT (continued)

14. Maintain contact with community associations and civic groups to foster positive community relations and mutual involvement in addressing crime and quality of life conditions.
15. Attend public meetings where subordinate members are addressing groups to observe and supervise performance.
16. Prepare annual evaluations for subordinate supervisors under direct control.
17. Maintain contact with principals of local schools.
 - a. Ensure that **school safety sergeant and youth officer (IO 78 s.15)** are maintaining contact with these institutions.
18. Be knowledgeable in current orders and procedures.
 - a. Instruct and test subordinate personnel in these matters.
19. Confer regularly with platoon commanders regarding conditions within command.
 - a. Encourage exchange of information between specialized units and platoons.
20. Confer regularly with the command's detective squad commander to share information.
 - a. Encourage exchange of information between the detective squad and specialized units.
21. Supervise and coordinate the activities of the command's Auxiliary Police Program through the Auxiliary Police Coordinator.
22. Ensure that the Auxiliary Police Coordinator actively recruits new members, conducts required training courses, and properly equips Auxiliary Police personnel.
23. Integrate the auxiliary police functions into the command's problem solving objectives, e.g., crime prevention, **community affairs, youth planning**, etc.
24. Keep commanding officer apprised of all Auxiliary Police activities.
25. Act as the command liaison officer to the New York State Office of Victim Services (OVS) and external State and City victim advocacy agencies. *(IO 30 s.14)*



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LIEUTENANT – PLATOON COMMANDER			
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LIEUTENANT - PLATOON COMMANDER

1. Be responsible for all command operations during the tour performed.
 - a. Perform duties of desk officer as outlined in *P.G. 202-14, "Desk Officer,"* if assigned to a Patrol Services Bureau precinct.

NOTE

At the discretion of the precinct commanding officer, lieutenant platoon commanders may perform field duties as specified in step 26 below, provided that two (2) or more sergeants are assigned to duty with that platoon, one of whom has been designated as patrol supervisor.

- b. The lieutenant platoon commander will not ordinarily perform the duties of the patrol supervisor, and will remain responsible for ALL duties listed in this procedure.
- c. Identify conditions to be addressed by members working the platoon on a continuing basis.
- d. Allocate, based upon conferral with special operations lieutenant, all resources available for the platoon including, anti-crime (IO 78 s.15), street narcotics enforcement unit(s) and peddler enforcement personnel.
- e. Ensure steady sector officers, neighborhood coordination officers, and neighborhood coordination sergeants are not utilized as backfill for other precinct assignments (i.e., shooting posts, prisoner transports, hospital posts, patrol supervisor, desk officer, etc.).
- f. Ensure steady sector officers, neighborhood coordination officers, and neighborhood coordination sergeants are not assigned to out-of-precinct details during their regularly scheduled tours of duty without permission of the Bureau Chief concerned, the Chief of Department or the Police Commissioner. [IO 23 s.17]

NOTE

*When a lieutenant platoon commander is performing the duties of the desk officer in a Patrol Services Bureau precinct, he/she will remain at the desk area of the command facility. However, in the event of an emergency situation occurring in the field, the lieutenant platoon commander may respond to the scene, e.g., mobilizations, homicides, firearms discharges by uniformed members of the service. A Command Log entry will be made indicating the time of departure, the location, and the details of the event requiring the lieutenant platoon commander's presence. Lieutenant platoon commanders will remain on the scene only as long as their presence is **required**, upon which time they will return to the command and resume the duties of the desk officer. In the lieutenant platoon commander's absence, a supervisory officer will assume the responsibilities of the desk officer.*

2. Report to the desk officer at the start of tour for entry in the **Command Log** as present for duty.
 - a. **Sign Command Log** at end of tour. (IO 43 s.14)
3. Perform duty in uniform.

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- LIEUTENANT - PLATOON COMMANDER (continued)**
4. **Supervise and** (10 19 s.16) review actions of patrol supervisors to ensure compliance with Department policies and procedures.
 5. Participate as a member of the precinct management team.
 6. Advise and confer with commanding/executive officers, operations coordinator, special operations lieutenant, integrity control officer, squad commander and BRAM commander, if appropriate, on matters of importance, unusual arrests or occurrences, personnel and integrity concerns, and other conditions requiring their attention.
 7. Confer with integrity control officer regarding personnel, civilian complaints, sick records, overtime concerns and integrity issues.
 8. Confer frequently with the special operations lieutenant regarding command crimes and conditions.
 9. Confer with lieutenant platoon commander or patrol supervisor from previous tour, at start of tour.
 10. Access the Department's intranet webpage to ascertain active Paid Detail locations and times of assignment within the precinct, at start of tour.
 - a. Make a Command Log entry indicating results of inquiry into active Paid Detail locations, including times of assignments.
 - b. Print reference copy of Paid Detail assignments scheduled during tour and attach to roll call.

NOTE

If the lieutenant platoon commander is unavailable, any other lieutenant or above performing duty within the command will perform the above step.

11. Confer with lieutenant platoon commanders of adjacent precincts, police service areas and transit districts to coordinate crime strategies.
12. Ensure radio transmissions affecting the command are monitored at all times.
13. Cause necessary changes or adjustments in roll call at beginning of tour.
 - a. Schedule meals for supervisors assigned to platoon so that a supervisor is on duty at all times.
 - b. Grant tour changes and excusals for members of platoon when appropriate.
14. Supervise roll call.
 - a. Personally inspect the outgoing platoon to ensure the personal appearance of members meets Department standards.
 - b. Instruct and question members relative to command conditions.
 - c. Ensure members are familiar with integrity concerns.
 - d. Ensure members are aware of active Paid Detail locations and times of assignments at these locations within the precinct.
15. Ensure all personnel of the platoon are properly supervised and performing duty in a satisfactory manner.
 - a. Evaluate effectiveness of assignments.
 - b. Review and sign the **OFFICER PROFILE REPORT** (10 9 s.17) for subordinates and confer with detail sergeants as necessary.
 - (1) Deliver **REPORTS** to operations coordinator within seven days following month for which submitted.

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LIEUTENANT - PLATOON COMMANDER (continued)

- c. Conduct interviews personally with personnel assigned to the platoon performing in an unsatisfactory manner.
- d. Conduct all return from sick interviews for members of the platoon.
- e. Review disciplinary records (CCRB, CPI) of all members assigned to platoon.
- f. Assume responsibility for Early Intervention Monitoring for members of platoon.
16. Prepare annual evaluations of subordinate platoon supervisors.
17. Inspect the command facility each tour and record results in the Command Log.
18. Be responsible for proper entries of complaint information in the On Line Complaint System for the tour.
19. Evaluate training needs and confer with training sergeant as required.
 - a. Recommend members of the platoon receive specific training required for complete tour operations, i.e., fingerprint training, scooter qualification, etc.
20. Designate a supervisor to conduct "platoon briefing."

NOTE

The "platoon briefing" should include information compiled by the training sergeant, i.e., Police Commissioner's messages, bulletins, and addresses by commanding officers, executive officers, integrity control officers, etc. The "platoon briefing" will include incident critiques by lieutenant platoon commanders and patrol supervisors, and regular updates regarding crime patterns, crime trends, wanted persons and discussions of precinct conditions and tactics for addressing these conditions.

21. Investigate communications and perform assigned self-inspections, as directed by commanding officer.
 - a. Ensure sergeants properly and accurately complete self-inspections, communications, and reports.
22. Inspect and sign **ACTIVITY LOGS (PD112-145)** of patrol supervisors daily.
23. Maintain **ACTIVITY LOG** and make entries listing times, names, locations and assignments of members visited.
24. FIRST PLATOON - Review reports and forms prepared for the previous twenty-four (24) hours.
25. SECOND PLATOON - Be responsible for maintenance and weekly inspection of Department vehicles.
26. Perform the following duties when assigned as a lieutenant platoon commander in a command other than a Patrol Services Bureau precinct:
 - a. Perform duty in civilian clothes when directing plainclothes units or making discreet observations with the integrity control officer, when directed by commanding officer or other competent authority.
 - b. Divide one's time and movement during tour between the field and command facility, as needs dictate.
 - c. Sign Command Log and notify **radio dispatcher (10 21 s.15)** when leaving to and returning from patrol.

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**PLATOON
COMMANDER
(continued)**

- d. Ensure radio transmissions affecting the command are monitored at all times.
- e. Respond to radio runs unannounced to observe performance of sergeants and police officers.
- f. Evaluate driving habits and abilities of members of the platoon and take corrective action as necessary.
- g. Respond to and direct police activities at serious crimes and emergencies.
- h. Ensure all arrests are processed expeditiously and under proper supervision.
- i. Perform tour as designated by commanding officer.



PATROL GUIDE

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DESK OFFICER			
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- DESK OFFICER**
1. Sign name and time in **Command Log** when assuming duties of desk officer and at end of tour.
 - a. Enter the names of sergeants and lieutenants in the **Command Log** as present for duty at the start of their tours. (IO 43 s.14)
 2. Perform duty in uniform.
 3. Be responsible for all police operations within command during tour.
 4. Check command email frequently throughout tour. (IO 91 s.13)
 - a. Checks are required immediately after the start of tour and again during the fourth hour of tour. Record checks in the **Command Log**.
 - b. Ensure important or actionable information is relayed to the outgoing platoon or appropriate command personnel, as required.
 5. Visit all areas of the command facility at least once each tour.
 - a. Personally check both female and male restrooms and locker rooms for any structural defects that would permit visual access by persons located outside these private areas, and take immediate corrective action to rectify any such condition, when circumstances dictate.
 - b. Inspect command for display of any offensive material.
 6. Sign out in **Command Log** when leaving desk area for any reason, e.g., personal necessity, meal, inspection of command facility, and sign in upon return.

NOTE

When there is more than one patrol supervisor working on patrol, one will relieve the desk officer for meal. Meal relief is not considered an emergency. Police officers will not be assigned to desk duty.

7. Supervise arrest processing officer and monitor arrest processing. (IO 19 s.16)
 - a. Periodically inspect the arrest processing area and ascertain number of prisoners on hand and length of time in command.
 - b. Reassign personnel as necessary.
8. Question arresting officers regarding circumstances of arrest (i.e., details of occurrence, use of force, evidence recovered, determination of charge, etc.)
9. Inspect the property locker and all areas within command where invoiced property is being held at the commencement of each tour.
 - a. Conduct "Physical Inventory" of property utilizing the **Property and Evidence Tracking System**. (IO 69 s.13)
 - b. Inspect seals on all plastic and jewelry security envelopes present for tampering and conduct immediate investigation if seal is violated.
 - c. Inspect **Property Clerk Division** seals on all **street vendor** property bags and compare their serial numbers with those serial numbers listed on the **PROPERTY CLERK INVOICE (PD521-141)**. (IO 46 s.14)

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DESK OFFICER (continued)

- d. Enter results of inspection of invoiced property and Property Clerk Division seals in Command Log by documenting the “Physical Inventory” number ascertained from the Property and Evidence Tracking System. Make a separate entry indicating any **INVOICES** stored within command in excess of thirty days, listing each **PROPERTY CLERK INVOICE** number.
- e. Notify the operations coordinator of the number of **PROPERTY CLERK INVOICES** stored within the command in excess of thirty (30) days and expedite delivery of the invoiced property to its final storage location.
- f. Safeguard key and invoiced property during tour.
10. Certify to accuracy and completeness of entries in Command Log concerning vouchered property.
11. Make required adjustments at roll call and finalize as per ARCS procedures.
 - a. After platoon is posted record post changes in the Command Log and on front of **ROLL CALL (PD406-144)** as they occur. *(IO 72 s.13)*
 - b. Ensure steady sector officers, neighborhood coordination officers, and neighborhood coordination sergeants are not utilized as backfill for other precinct assignments (i.e., shooting posts, prisoner transports, hospital posts, patrol supervisor, desk officer, etc.).
 - c. Ensure steady sector officers, neighborhood coordination officers, and neighborhood coordination sergeants are not assigned to out-of-precinct details during their regularly scheduled tours of duty without permission of the Bureau Chief concerned, the Chief of Department or the Police Commissioner. *[IO 23 s.17]*
12. Conduct roll call and, in the absence of a lieutenant platoon commander, inspect uniforms and equipment of members of outgoing platoon, question member’s knowledge of command conditions, and ensure familiarity with integrity concerns.
13. Upon completion of roll call, provide the communications dispatcher with a complete ‘Rundown’ of the command’s resources (e.g., sector assignments, neighborhood coordination officers, fixed posts, transit/housing posts, bike units, etc.) and special resources (e.g., house of worship car, truancy auto, etc.) as listed on the **ROLL CALL**.
 - a. Notify communications dispatcher throughout the tour with changes as they occur (i.e., resources have been reassigned or additional resources have been added, etc.).
14. Log into the Domain Awareness System (DAS) after communications dispatcher has updated the command’s resources into the ICAD system and enter the resource’s tax number(s), tour assignment (e.g., Anti-Crime, Domestic Violence Officer, truancy auto, etc.) and their assigned vehicle information, if applicable.

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DESK OFFICER (continued)

- a. If a device is not functioning, contact the Information Technology Bureau (ITB) Help Desk for further instructions.
 - (1) Make an entry in the Telephone Record regarding notification.
 - (2) Inform the patrol supervisor of notification made to ITB Help Desk. (IO 49 s.16)
15. Notify patrol supervisor of reassignment of members returning from court or other details.
16. Maintain Command Log.
17. Interview visitors entering command.
18. Monitor FINEST for messages affecting command or members of command.
19. Supervise performance of:
 - a. Command clerk
 - b. Telephone switchboard operator
 - c. Police (IO 19 s.16) attendant
 - d. Patrolwagon operator
20. DO NOT assign attendant any duty requiring them to leave cell block while prisoners are lodged therein.
21. Supervise entries made on **PRISONER ROSTER (PD244-145)**.
22. Examine and sign forms and reports as required.
23. Process summonses issued during previous twenty-four hour period when performing duty with first platoon.
24. Supervise issuance of summons books.
25. Process application for bail and personal recognizance.
26. Verify return roll call.
 - a. Supervise platoon sign-out at end of tour.
27. Enter in Interrupted Patrol Log identity of all members of platoon entering command for any reason.
28. Certify entries in **TELEPHONE DISPATCH LOG (PD112-143)** by signing the **LOG** after 4th hour and at end of tour.
29. Record hourly rings for all uniformed members performing duty between 0200 and 0700 hours.
30. Maintain Telephone Record.
31. Operate and monitor base radio.
32. Arrange meals and reliefs for personnel assigned to duty in command facility.
33. Ascertain that supervisor conducts investigation when a member of the service is injured and/or Department property is damaged and submit required reports in connection therewith.
34. Make required notifications to members of the service assigned to or residing within command.
35. Supervise distribution of paychecks and make appropriate Command Log entries.
36. Notify commanding officer of important matters, i.e., unusual arrest or occurrences and important messages or conditions requiring personal attention.

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DESK OFFICER (continued)

37. Promptly notify the **Intelligence Bureau's Criminal Intelligence Section (IO 2-8 s.13)** of major incidents i.e., homicides; assaults involving shootings, stabbings or slashings; home invasions; crime resulting in serious injury to members of the service, significant seizure of contraband, drugs, money, or fireworks; burglary, robbery, firearms, shooting, or pattern crime arrests; gang incidents; hidden compartments (traps) in specific vehicles and any other special circumstances deemed appropriate by the **Commanding Officer, Intelligence Bureau** and/or precinct/PSA/transit district commanding officer.
38. Confer with commanding officer, executive officer, and operations coordinator concerning any trends observed or other matters of importance.
39. Safeguard and distribute portable radios giving priority to nature of member's assignment.
40. Check on repair, availability and distribution of field equipment, i.e., portable radios and emergency equipment and make entries in pertinent records.
41. Examine reports and forms prepared during previous twenty-four (24) hours and process as required when performing duty with the First Platoon.
42. Forward reports or forms to Departmental units or other commands.
43. Ensure that the United States flag is displayed properly between sunrise and sunset on each day.
44. DO NOT permit unauthorized person behind desk except the following persons when performing their official duties:
 - a. Members of the service
 - b. Judicial Officers
 - c. M.E. or assistant
 - d. Corporation Counsel or assistant
 - e. Comptroller or assistant
 - f. District Attorney or assistant
45. Accept service of civil process for member of command and notify member concerned, when principal administrative associate not performing duty.
46. Assign qualified member to operate patrolwagon when civilian operator is not available. If neither is available in command, request patrol borough command to assign operator.
47. DO NOT assign patrolwagon operator any duty outside stationhouse without prior approval of borough court section concerned. (Assignments from borough court section concerned have priority over precinct assignments).
48. Verify arrival and departure of command receptionist by signing Personnel Schedule and Time Sheet.
49. Forward command receptionist program reports as required.
50. Supervise subordinate members of command.
51. Lieutenant platoon commanders serving as desk officers will evaluate effectiveness of command patrol assignments.
52. DO NOT deploy SNEU/Anti-Crime/Peddler Enforcement personnel unless a SNEU/Anti-Crime/Peddler Enforcement supervisor is assigned directly and totally to their supervision.
53. Ensure that meals assigned to supervising officers performing duty are scheduled so that a supervisor is on patrol at all times.
54. Notify telephone switchboard operator of all post changes.

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DESK OFFICER (continued)

55. Report defective gas pumping equipment to Fleet Services Division, Fuel Control.
56. Promptly post any messages which modify the "Uniform of the Day."
57. Prepare **DAILY VEHICLE ASSIGNMENT SHEET (PD120-141)** on each tour. Maintain SHEETS for the current month on a clipboard behind the desk.
 - a. Verify **DAILY VEHICLE ASSIGNMENT SHEET** when performing duty with the first platoon.
 - b. Have completed **SHEETS** filed after each month.
58. Prepare **PRECINCT CONSOLIDATED TOUR REPORT (PD120-140)** on every tour and attach to the desk copy of the **ROLL CALL**.
59. Inspect all areas containing Department computer systems at least once each tour and ensure that all systems are being used within Department guidelines and are not damaged in any way.
60. Make required entries on **Roll Call Adjustment (Misc. 3084)** and corresponding changes on desk copy of **ROLL CALL** prior to the start of the incoming platoon. (IO 72 s.13)
61. Make Command Log entry prior to being relieved at end of tour. Entry must include:
 - a. Identity, condition and location of any member of the service injured during the tour
 - b. Location and time of any confirmed shots fired jobs
 - c. Location and time of any 10-13 or 10-85 radio runs called during the tour
 - d. Open missing persons cases requiring follow up and include identity, age and residence
 - e. Hospitalized prisoners and their locations
 - f. Any fixed posts that require relief
 - g. Number of **COMPLAINT REPORTS** and **Police Accident Reports (MV104AN)** [IO 27 s.16] pending sign-off
 - h. Other pertinent information, as required.

NOTE

The final entry serves as a written resource for the relieving desk officer for information about notable incidents and postings that affect personnel deployment.

Sample final entry: "Sgt. Smith off desk. No MOS injured during tour. No shots fired/10-13's/10-85's to report. One missing person: Jones, Sally, F/16, 1808 3rd Ave, #16H. One hospitalized prisoner at Lincoln Hospital E.R. – needs relief. DOA at 123 Main St. #12B – needs relief. Two complaint reports pending sign-off. RMP #1234 placed out of service (mechanical) at 1300 hours." (I.O. 22 s.14)



PATROL GUIDE

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COMMAND INTEGRITY CONTROL OFFICER			
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COMMAND INTEGRITY CONTROL OFFICER

1. Perform NO DUTIES other than integrity control.
2. Perform duty regularly in one command.
3. Develop and Maintain:
 - a. An Integrity Control Program suitable and responsive to command conditions and
 - b. A comprehensive overtime control plan which includes an audit and review process.
4. Make recommendations to commanding officer concerning integrity control.
5. Observe command conditions and visit corruption prone locations frequently, at irregular hours. Keep commanding officer advised of conditions and possible corruption hazards.
6. Visit command holding cells, detective holding cells, emergency rooms and hospitalized prisoner rooms.
7. Assist commanding officer in developing sources of information regarding integrity and corruption by maintaining rapport with members of the service (uniformed and civilian) and private citizens.
8. Instruct uniformed members of the service, during roll call training, on the proper methods of identifying, reporting and combating corruption.
 - a. Inspect the non-public areas of the command to ensure the two Department signs entitled, "Reporting Corruption and Misconduct (SP 7)" and "Corruption Tears Us All Apart (SP 7-1)" are conspicuously posted. (10 50 s.14)
9. Provide advice to commanding officers/unit commanders concerning appropriate penalties for violations of Department regulations.
10. Conduct investigations and submit reports in response to official communications received from the Internal Affairs Bureau and patrol borough investigations units when so assigned by commanding officer.
11. Compile, maintain and update "Confidential Performance Profile" of subordinate members. Verify the "Profile" annually with the Central Personnel Index of the Personnel Bureau, and forward all necessary "Profile" information to member's commanding officer when member is transferred.
12. Confer with all sergeants upon their assignment to the command and annually thereafter, apprising them of those members of the command who have significant negative information in their "Confidential Performance Profile."
13. Conduct CPI check when new members are assigned to command.
14. Inspect time cards, overtime records, property records, **SUPERVISOR FEEDBACK FORM** [10 9 s.17], vending machine ledgers, etc.
15. Maintain records concerning the Integrity Control Program including a "Integrity Monitoring File" (see P.G. 203-21).
16. Review records relating to court appearances resulting in overtime.
17. Inspect and sign **ACTIVITY LOG (PD112-145)** of sergeants.

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**COMMAND
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(continued)**

18. Inform local businessmen of Departmental policy and provisions of the Penal Law, concerning corruption and gratuities.
19. Develop liaison with Internal Affairs Bureau and patrol borough investigations units to exchange information for self initiated anti-corruption programs.
20. Review Command Log entries regarding invoiced property daily and if any property is stored in the command in excess of thirty (30) days, consult with the operations coordinator, desk officer etc., to determine if an integrity or corruption hazard exists. If so, brief the executive officer/commanding officer and take appropriate action to correct the situation.
21. Notify patrol borough investigations unit concerned regarding self initiated cases.
22. Verify Identification Section's printout of Criminal History Record Inquiries (name checks).
23. Ensure the annual issuance and collection of the NYPD Restricted Parking Permits (Misc. 23-N) is in compliance with *P.G. 219-29, "Distribution and Use of NYPD Restricted Parking Permits."*
 - a. Maintain a record of the issuance and return of the NYPD Restricted Parking Permits in a command Parking Permit Log as follows:

PERMIT NO.	DATE ISSUED	NAME OF MEMBER	VEHICLE MAKE PLATE #	DATE RETURNED	REMARKS
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24. Check equipment and supplies regarding misuse or misappropriation.
25. Ascertain that computer security and integrity is maintained, including all official Department recorded media or recorded media coming into possession of the Department as evidence or for investigative purposes (e.g., video tape, photographic images or pictures, audio recordings, electronic or internet files, etc.).
26. Conduct investigations when member of the service in the military fails to provide appropriate military contract and drill schedule to precinct timekeepers.
27. Physically inspect all Department radios assigned to command monthly to ensure accountability.
28. Identify all radios assigned outside of command on a permanent basis and confer with the commanding officer regarding the necessity for its continuance.
29. Debrief prisoners concerning corruption/serious misconduct, when possible.
30. Ensure accuracy of the license plates recorded on **CERTIFICATION OF PARKING SUMMONSES SERVED (PD160-146)** by performing random checks of summonses in accordance with established command self-inspection procedures.
31. Become well versed in the use of the computerized Accident System Index and its "AAMZ/AQIA screens".

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**COMMAND
INTEGRITY
CONTROL
OFFICER
(continued)**

32. Utilize the aforementioned “screens” to regularly scan **Police Accident Reports (MV104AN)** for the following corruption indicators:
 - a. An inordinate amount of **Police Accident Reports (PAR’s)** submitted by the same UMOS.
 - b. Discrepancies between the dates and times of submitted **PAR’s** and those of UMOS scheduled tours.
 - c. Any **PAR** submitted by a command clerk and
 - d. Any **PAR** submitted by a UMOS assigned to an outside command, i.e. **Strategic Response Group (IO 53 s.16)**, bordering precinct, etc.
33. Conduct investigation when warranted and contact the **Fraudulent Collision (IO 73 s.13)** Investigation Squad for assistance, if necessary.
34. Access the Department’s intranet webpage each month to ascertain Paid Detail activities of individual members assigned to command, including times and locations.
 - a. Select an appropriate representative sampling and compare against command roll call and overtime records to ensure there are no discrepancies.
 - b. Include in command overtime self-inspection program.
35. Inspect all male and female lockers annually, during the month of November, for proper display of Department stickers **POLICE DON’T MOVE (PD672-133)** and **PROPER TACTICS SAVE LIVES (PD642-110)**.
 - a. Ensure that the **POLICE DON’T MOVE** sticker contains the member’s rank, name, shield and squad number information
 - b. Enter results of inspection of Department locker stickers in Command Log.
36. Conduct a monthly audit of the Domain Awareness System (DAS) to ensure desk officers are updating the Automatic Vehicle Location (AVL) system each tour. **(IO 60 s.15)**

NOTE

Borough Investigations Units and the Borough Training Coordinator will conduct random inspections of Command Level Training Program to ensure all members are receiving required training.



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COMMAND INTEGRITY CONTROL OFFICER			
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COMMAND INTEGRITY CONTROL OFFICER

1. Perform NO DUTIES other than integrity control.
2. Perform duty regularly in one command.
3. Develop and Maintain:
 - a. An Integrity Control Program suitable and responsive to command conditions and
 - b. A comprehensive overtime control plan which includes an audit and review process.
4. Make recommendations to commanding officer concerning integrity control.
5. Observe command conditions and visit corruption prone locations frequently, at irregular hours. Keep commanding officer advised of conditions and possible corruption hazards.
6. Visit command holding cells, detective holding cells, emergency rooms and hospitalized prisoner rooms.
7. Assist commanding officer in developing sources of information regarding integrity and corruption by maintaining rapport with members of the service (uniformed and civilian) and private citizens.
8. Instruct uniformed members of the service, during roll call training, on the proper methods of identifying, reporting and combating corruption.
 - a. Inspect the non-public areas of the command to ensure the two Department signs entitled, "Reporting Corruption and Misconduct (SP 7)" and "Corruption Tears Us All Apart (SP 7-1)" are conspicuously posted. (10 50 s.14)
9. Provide advice to commanding officers/unit commanders concerning appropriate penalties for violations of Department regulations.
10. Conduct investigations and submit reports in response to official communications received from the Internal Affairs Bureau and patrol borough investigations units when so assigned by commanding officer.
11. Compile, maintain and update "Confidential Performance Profile" of subordinate members. Verify the "Profile" annually with the Central Personnel Index of the Personnel Bureau, and forward all necessary "Profile" information to member's commanding officer when member is transferred.
12. Confer with all sergeants upon their assignment to the command and annually thereafter, apprising them of those members of the command who have significant negative information in their "Confidential Performance Profile."
13. Conduct CPI check when new members are assigned to command.
14. Inspect time cards, overtime records, property records, **SUPERVISOR FEEDBACK FORM** [10 9 s.17], vending machine ledgers, etc.
15. Maintain records concerning the Integrity Control Program including a "Integrity Monitoring File" (see P.G. 203-21).
16. Review records relating to court appearances resulting in overtime.
17. Inspect and sign **ACTIVITY LOG (PD112-145)** of sergeants.



PATROL GUIDE

Section: Duties and Responsibilities		Procedure No: 202-16	
PRINCIPAL ADMINISTRATIVE ASSOCIATE			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 1

PRINCIPAL ADMINIS- TRATIVE ASSOCIATE

1. Acts as principal assistant in precinct/police service area/transit district to operations coordinator.
2. Responsible for direct line supervision and training of both uniformed and civilian members of the service assigned to clerical, administrative, and custodial staff, including roll call, payroll/time records, clerical, crime analysis and communications.
3. Assists in providing staff supervision of SP9, telephone switchboard, command clerk positions and all non-clerical civilian personnel.
 - a. Inform and train personnel regarding changes in position functions.
 - b. Consult with desk officer and training officer regarding training needs.
 - c. Request civilian personnel be included in **Command Level Training Program (Rev 08-01)**, when appropriate.
4. Monitors attendance and punctuality of members of the service under his/her supervision.
5. Responsible for scheduling adequate coverage of positions under his/her supervision.
6. Develops and/or assists in developing procedures and methods, records and operational controls.
7. Communicates new and/or modified policy methods and procedures to staff and evaluates results.
8. Prepares routine, complex, and confidential communications, including self-inspection reports.
9. Prepares performance evaluations for designated staff members using "Tasks and Standards Guide."
10. Attends supervisory staff meetings and conducts meetings with subordinate staff.
11. Have a Command Log entry made of the time arriving and leaving the precinct stationhouse, police service area, or transit district, and the reason.
12. Performs other assignments as directed by commanding officer and/or operations coordinator.
13. Prepare self-inspection of command's military leave records, as required.
14. Notify the operations coordinator and integrity control officer if member's current military contract and current drill schedule are not provided by the member concerned.
15. **Regularly confer with assigned personnel administrative manager as a resource to aid and assist in identifying, clarifying and resolving matters relating to civilian members of the service. (IO 50 s.16)**

NOTE

In commands where there is no principal administrative associate assigned, the commanding officer concerned will designate a member of the service to perform the above functions.



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PATROL SUPERVISOR			
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PATROL SUPERVISOR

1. Report to the desk officer **at the start (IO 43 s.14)** of tour for entry in the **Command Log** as present for duty.
2. Supervise all police field operations within command during tour of duty.
3. Immediately respond to and direct activities at radio runs involving any weapons (firearms, knives, etc.), serious crimes, burglaries and emergencies.
 - a. Make appropriate **ACTIVITY LOG (PD112-145)** entries.
 - (1) Communications Section will immediately dispatch a patrol supervisor from an adjoining command if patrol supervisor, command of occurrence, is not available.
4. Conduct roll call, if directed by lieutenant platoon commander or desk officer.
 - a. Ensure steady sector officers, neighborhood coordination officers, and neighborhood coordination sergeants are not utilized as backfill for other precinct assignments (i.e., shooting posts, prisoner transports, hospital posts, patrol supervisor, desk officer, etc.).
 - b. Ensure steady sector officers, neighborhood coordination officers, and neighborhood coordination sergeants are not assigned to out-of-precinct details during their regularly scheduled tours of duty without permission of the Bureau Chief concerned, the Chief of Department or the Police Commissioner. [IO 23 s.17]
5. Confer with commanding officer, executive officer, operations coordinator, lieutenant platoon commander and desk officer concerning trends observed or other matters of mutual interest and importance.
6. Conduct investigation and submit reports on injuries to members of the service (uniformed and civilian) or damage to Department property.
7. Report serious deficiencies in RMP seatbelts to lieutenant platoon commander or in his/her absence, direct to commanding officer.

NOTE

Take appropriate action if defects in seatbelts are deemed to be of a nature not consistent with normal usage. In addition, be vigilant for indications that members are disabling or improperly using seatbelts (e.g. buckling seatbelt behind occupant's body or behind seat).

8. Report all vandalism of RMP seatbelts to the Internal Affairs Bureau.
9. Visit various locations within command at different times during the first platoon to ascertain that uniformed members of the service are performing duty at all times.
10. Conduct investigations and submit reports as required.
11. Maintain **ACTIVITY LOG** and make entries listing times, names and assignment of police officers visited.
12. Be cognizant of crimes and other conditions within command and instruct police officers concerning activities that affect their sector/posts.
13. Patrol command in uniform equipped with portable radio, as directed.
14. Supervise inspection of Department vehicles assigned to members of platoon.

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PATROL SUPERVISOR (continued)

15. Visit police officers assigned to foot and radio motor patrol frequently and at irregular intervals during tour and indicate visit by signing **ACTIVITY LOG** of each member.
16. Visit uniformed members of the service assigned to hospital and special posts at least once each tour.
17. Ensure that radio messages directed to member assigned to sector/post are acknowledged.
18. Direct RMP units to resume patrol when services are no longer required.
19. Report derelictions of duty to commanding officer.
20. Keep lieutenant platoon commander or desk officer notified of current matters of importance.
21. Notify switchboard operator of location where meal will be taken and relieve lieutenant platoon commander or desk officer for meal, when designated.
22. Direct uniformed members assigned to scooter duty to report to lieutenant platoon commander or desk officer for reassignment when weather/road conditions make scooter operation dangerous.
23. Review and sign **OFFICER PROFILE REPORT** [IO 9 s.17] of police officers/detectives specialists, **monthly**. (IO 70 s.15)
 - a. Make required entries and deliver completed **REPORTS** to platoon commander for review by the fifth day for the previous month.
24. Sign return **ROLL CALL (PD406-144)** after completion of tour.
25. Supervise member's performance of duty, test knowledge of command conditions and closely evaluate member's activity.
26. Submit to commanding officer, in writing, recommendations for special assignment, detective designation, or change in assignment for members under supervision.
27. Evaluate driving habits and abilities of members of the platoon and take corrective action as necessary.
28. Use the Automatic Vehicle Location (AVL) feature in the Domain Awareness System (DAS) to monitor the location of RMP units during the tour to enhance the safety of members of the service and to ensure the proper delivery of police services.
 - a. Contact the Information Technology Bureau (ITB) Help Desk for further instructions if the AVL is not working properly.
 - (1) Make an entry in the Telephone Record regarding the notification.
 - (2) Inform the desk officer regarding notification made to ITB Help Desk.
 - b. Do not remove Department vehicle from service for an inoperable AVL unless directed to do so by Internal Affairs Bureau or the Information Technology Bureau Help Desk. (IO 60 s.15)



PATROL GUIDE

Section: Duties and Responsibilities		Procedure No: 202-18	
SUPERVISOR OF ANTI-CRIME PATROL			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 1

SUPERVISOR, ANTI-CRIME PATROL

1. Report to the desk officer at the start of tour for entry in the **Command Log** as present for duty. (IO 43 s.14)
2. Confer with commanding officer, special operations lieutenant, crime analysis officer and uniformed supervisors on patrol to identify locations of high crime within the command.
3. Examine **COMPLAINT REPORTS (PD313-152)** and **ON LINE BOOKING SYSTEM ARREST WORKSHEETS (PD244-159)** to establish times and locations of violent street crimes and burglaries.
4. Inspect members daily for proper equipment and ensure that each member is equipped with a nylon windbreaker jacket (including Transit Bureau anti-crime members) conforming to the specifications of **P.G. 204-04, "Optional Uniform Items,"** and **Oleoresin Capsicum (IO 40 s.16)** pepper spray.
5. Inspect Department autos daily for necessary equipment, including portable red light.
6. Ensure that members are properly trained regarding duties as described in current Department directives.
7. Supervise member's performance, be cognizant of location of anti-crime members, and be able to contact personnel at all times.
8. Apprise patrol sergeants of anti-crime activity locations for information of uniformed members on patrol.
9. Ensure that anti-crime personnel do not conduct decoy operations without prior approval of the bureau chief concerned.
10. Notify platoon commander and special operations lieutenant of all incidents of importance that occur during tour.



PATROL GUIDE

Section: Duties and Responsibilities		Procedure No: 202-19	
TRAINING SERGEANT			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 2

TRAINING SERGEANT

1. Perform duty, in uniform, as the command's primary training instructor and coordinator of field training.
2. Perform tours of duty at the direction of the commanding officer, as necessary.
3. Report to the desk officer at the start of tour for entry in the **Command Log** as present for duty. (IO 43 s.14)
4. MUST dedicate a minimum of four (4) hours and thirty (30) minutes of each tour to patrol related functions, e.g., meal relief for desk officer and/or patrol supervisor, investigating communications, etc.
5. Conduct training sessions for the three (3) platoons as follows:
 - a. 1st and 2nd Platoons - 0720 to 0745 hours
 - b. 3rd Platoon - 1515 to 1535 hours.
6. Schedule and conduct training sessions for all uniformed and, when appropriate, civilian members of the command not assigned to a steady platoon (i.e., **Anti-Crime** [IO 78 s.15], Street Narcotics Enforcement Unit and civilians).
 - a. Training sessions will be conducted twice weekly for forty-five to sixty minutes duration.
7. Maintain and sign the Training Attendance Log daily.
8. Have tours adjusted, where applicable, by the commanding officer to ensure that all police officers working tours outside the training sergeant's normal tour will receive training.
9. Attend Police Academy training seminars and conduct training in topics selected by the Department's Training Advisory Committee.
 - a. Research and prepare lesson outlines in accordance with schedules promulgated by the Borough Training Coordinator.
10. Confer frequently with commanding officer to identify training needs.
11. Implement training directives of commanding officer.
12. Keep abreast of occurrences within the command and conditions to aid commanding officer in identifying problems which may be solved by command level instruction.
13. Maintain attendance records at training sessions and other Department training programs.
 - a. Coordinate the attendance by members of the command at all Department training programs.
14. Monitor and review attendance records to ensure that all members of the command, both uniformed and civilian, when appropriate, are trained within each training cycle and that training is conducted each day as required.

NOTE

*Appropriate investigation unit and the Borough Training Coordinator will conduct random inspections of **Command Level Training Program (Rev 08-01)** to ensure all members are receiving required training.*

PATROL GUIDE

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TRAINING SERGEANT (continued)

15. Ensure that lesson plans and training materials are available and accessible to the alternate trainer when not scheduled or unavailable to conduct training.
16. Prepare roll call training messages.
17. Prepare and maintain bulletin board training within the command.
 - a. Supervise maintenance of other command bulletin boards/pin maps.
18. Measure effectiveness of training efforts on members of command.
19. Attend community meetings when designated to do so by commanding officer.
20. Give advance notice of future training topics to increase interest.
21. Maintain command library.
22. Keep abreast of current orders (i.e., Interim/Operations Orders, FINEST messages, etc.).
 - a. Include pertinent material during training sessions.
23. Distribute Patrol Guide Revision Notices and other Department directives as required.
24. Confer with principal administrative associate or designee to determine civilian training needs.
25. Confer with the Department's Facilities Management Division in the implementation of an effective recycling program.
 - a. Post information on what and how to recycle where appropriate (e.g., bulletin boards, etc.)
 - b. Ensure members of the service receive information about recycling procedures and best practices for waste reduction and reuse
 - c. Contact, quarterly, the Facilities Management Division's Recycling/Sustainability Coordinator to report actions that were taken to implement the Waste Prevention, Reuse, and Recycling Plan. (IO 7 s.12)

NOTE

The Police Academy will develop and supply training sergeants with training curriculums and materials in coordination with the Office of the Chief of Department.



INTERIM ORDER

SUBJECT: TRAFFIC SAFETY SERGEANT		
DATE ISSUED:	REFERENCE:	NUMBER:
03-30-16	**P.G. 202-19a**	15

TRAFFIC SAFETY SERGEANT

1. Perform tours of duty at the direction of the commanding officer.
2. Report to the desk officer at the start of tour for entry in the Command Log as present for duty.
3. Supervise traffic safety officer and other members of the command as directed by the commanding officer.
4. Monitor and review all **Police Accident Reports (MV104AN)**.
5. Review and analyze all **TRAFFIC INTELLIGENCE REPORTS (PD178-150)**.
6. Supervise and review the precinct Traffic Safety Plan and Emergency Plans 'A,' 'B,' and 'C.'
7. Attend patrol borough traffic safety meetings with traffic safety officer.
8. Review prepared statistical data for Trafficstat meetings and attend meeting with executive officer.
9. Attend patrol borough traffic safety meetings.
10. Attend community council and safety board meetings, as well as, other public forums to discuss traffic safety at the direction of the commanding officer.
11. Ensure the maintenance and updating of the precinct's traffic safety bulletin board with current collision-prone locations, school/house of worship crossings, and other traffic safety information.
12. Ensure borough level training is attended by newly assigned precinct traffic safety officers.

NOTE

All traffic safety sergeants will be familiar with the "Procedural Manual for Traffic Safety Officers."

BY DIRECTION OF THE POLICE COMMISSIONER

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All Commands



INTERIM ORDER

SUBJECT: DOMESTIC VIOLENCE SERGEANT		
DATE ISSUED:	REFERENCE:	NUMBER:
08-10-16	**P.G. 202-19b	59

DOMESTIC VIOLENCE SERGEANT

1. Report to the desk officer at the start of tour for entry in the Command Log as present for duty.
2. Perform duty in uniform, unless specifically authorized to do otherwise.
3. Perform tours of duty at the direction of the commanding officer.
4. Report to special operations lieutenant.
5. Act as the command's primary domestic violence prevention officer.
6. Supervise members performing domestic violence duties.
7. Review and approve all New York State Domestic Incident Reports (DIR) (DCJS3221) daily.
8. Review and update all cases in ECMS/DVIMS, as appropriate.
9. Frequently review Order of Protection Log and ensure referral/service of all Orders of Protection received at command.
10. Maintain a file of completed DOMESTIC VIOLENCE HOME VISIT CHECKLISTS (PD313-148).
11. Recommend to commanding officer additions/removals to High Propensity/Child at Risk Lists.
12. Collaborate with precinct detective squad on active domestic violence cases and offender apprehension efforts.
13. Ensure all wanted domestic violence offenders are prioritized within the command.
14. Confer with special operations lieutenant, supervisor of anti-crime patrol, and field intelligence officer regarding wanted domestic violence offenders.
15. Be command's primary liaison to Family Court/Family Justice Centers.
16. Assign home visits as necessary, in absence of domestic violence prevention officer (e.g., sector concerned, etc.).
17. Maintain current contact information of domestic violence service providers.
 - a. Provide information to all members of the command to ensure appropriate referrals of services for all family/households.
18. Coordinate semi-annual domestic violence outreach events in area of assignment.
 - a. Ensure that culturally diverse communities receive culturally relevant outreach.

**DOMESTIC
VIOLENCE
SERGEANT
(continued)**

19. Be responsible for, and review/update the ICAD Exception Log.
20. Notify New York State Department of Corrections and Community Supervision (DOCCS) or New York City Department of Probation, as applicable (*10 18 s.17*), within 72 hours upon becoming aware of a known parolee/probationer involved in a domestic incident requiring the preparation of a New York State Domestic Incident Report (DIR).
21. Supervise the preparation and submission of all monthly domestic violence reports (e.g., New York State Domestic Incident Reports [DIR], DOMESTIC VIOLENCE HOME VISIT CHECKLISTS, arrests, Orders of Protection, etc.).
22. Review all unfounded/refused New York State Domestic Incident Reports (DIR) and conduct follow-up investigations when warranted.
23. Confer with precinct training sergeant to ensure command domestic violence training needs are met.”

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INTERIM ORDER NO. 59



INTERIM ORDER

SUBJECT: NEIGHBORHOOD COORDINATION SERGEANT		
DATE ISSUED:	REFERENCE:	NUMBER:
04-13-17	**P.G. 202-19c	23

NEIGHBORHOOD COORDINATION SERGEANT

1. Perform duty in uniform.
2. Report directly to the executive officer.
3. Work flexible tours as command conditions and community needs dictate.
4. Oversee schedule for neighborhood coordination officers, ensuring:
 - a. Tours are scheduled based on sector conditions and community needs
 - b. Neighborhood coordination officers (NCOs) assigned to the same sector work the same tour, unless one officer is assigned to a court tour or is on vacation/leave, etc.
 - c. Neighborhood coordination officers are not assigned to details during their regularly scheduled tour of duty.
5. Regularly confer with the commanding officer, executive officer, special operations lieutenant, platoon commanders, precinct detective squad commander, NCOs, community leaders, residents, school principals, school safety personnel, and business persons to identify crime and quality of life conditions affecting the command.
6. Assist NCOs in identifying strategies to address sector conditions.
7. Coordinate the activities of NCOs with other members of the command.
8. Assist NCOs with activities involving other Department units, governmental agencies, and community groups.
9. Supervise and evaluate performance of all members assigned as NCOs.
10. Monitor level of NCOs' effectiveness by determining success of crime reduction and problem solving strategies, level of engagement with other Department units, conducting conferrals with community residents or business persons, etc.
11. Utilize the **SUPERVISOR FEEDBACK FORM** on the Craft application to highlight commendable actions by NCOs and steady sector officers (i.e., an arrest that closes a precinct pattern, an exceptional community interaction, etc.), when warranted.
12. Regularly participate in community meetings, school activities/events, and Neighborhood Work Groups, as appropriate.
13. Maintain a master file for all sectors of all active community groups/persons at the command.
14. Maintain other unit records, as necessary.
15. Liaise with borough/bureau to acquire training for NCOs, as necessary.
16. Liaise with counterpart in Housing Bureau if assigned to Patrol Services Bureau, and Patrol Services Bureau if assigned to Housing Bureau.

NOTE

Neighborhood coordination sergeants will not be utilized as backfill for other precinct assignments (i.e., patrol supervisor, desk officer, etc.).

NOTE
(continued)

Neighborhood coordination sergeants will not be assigned to details during their regularly scheduled tours of duty without permission of the Bureau Chief concerned, the Chief of Department, or the Police Commissioner.

All members of the service who are serving as neighborhood coordination sergeants are authorized to wear a NCO breast bar above their shield, immediately below any Unit Citation or individual recognition awards, for the duration of their tenure in the assignment.

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INTERIM ORDER NO. 23



PATROL GUIDE

Section: Duties and Responsibilities		Procedure No: 202-20	
PRECINCT SCHOOL SAFETY SERGEANT			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 1

PRECINCT SCHOOL SAFETY SERGEANT

1. Report to the desk officer at the start of tour for entry in the **Command Log** as present for duty. *(IO 43 s.14)*
2. Assist precinct commanding officer in developing and implementing the precinct school safety plan.
3. Coordinate precinct resources to address developing school-related conditions.
4. Perform an operational tour of duty, ensuring that hours are consistent with school hours of operation, particularly dismissal times.
5. Maintain ongoing liaison with principals and school staff.
6. Coordinate the evaluation and supervision of school safety agents.
7. Assist with training of school safety personnel.
8. Coordinate activities with precinct youth officer.
9. Evaluate and coordinate "Safe Passage" and "Safe Corridor" Programs.
10. Act as conduit to Department for school safety agents' requests for resources.
11. Visit schools and track statistics on violence in schools by conferring with school principals and school safety agents.
12. Establish liaison and coordinate precinct efforts with the **School Safety Division, Truancy Coordinator.** *(IO 47 s.12)*
13. Liaison with the precinct domestic violence prevention officer on cases involving child abuse.
14. Respond to incidents where a school safety agent is a victim of an offense while performing duty.
15. Keep special operations lieutenant apprised of activities in and around school facilities.
16. Identify locations at the beginning of every school year, for all schools within the precinct, where truants will be delivered to and identify at least one person in each school who will accept responsibility for truants delivered.



PATROL GUIDE

Section: Duties and Responsibilities		Procedure No: 202-21	
POLICE OFFICER			
DATE ISSUED: 03/06/09	DATE EFFECTIVE: 03/13/09	REVISION NUMBER: 09-01	PAGE: 1 of 3

POLICE OFFICER

1. Perform duty in uniform as indicated on roll call or as directed by competent authority.
2. Proceed to post, sector or assignment as directed by supervisor.
3. Comply with meal and post relieving points as directed by commanding officer.
4. Report to desk officer when entering or leaving stationhouse/police service area/transit district during tour of duty indicating reason for presence therein.
5. Be aware of, and inspect, post or sector for conditions requiring police attention.
6. Report immediately to the patrol supervisor and the platoon commander any unusual crime, occurrence or condition.
7. Report conditions not requiring immediate attention to the command clerk.
8. Render all necessary police service in assigned area and as otherwise directed.
9. Familiarize self with the everyday routine of people residing, doing business or frequenting post or sector.
10. Investigate suspicious conditions and circumstances on the post.
11. Give attention to crime hazards.
12. Signal the command each hour, if not equipped with radio.
 - a. All uniformed members will ring between 0200 and 0700 hours direct to the desk officer.
 - b. When assigned to school or church crossing, signal before and after crossing.
 - c. Do not signal when assigned to a traffic post.
 - d. Uniformed members assigned to the Transit Bureau will signal the command when arriving and leaving assigned post, going on and coming off meal, and as indicated on the roll call.
13. When dispatched to an assignment by the telephone switchboard operator, keep the telephone switchboard operator informed of police services rendered.
14. Report police services rendered in another command to desk officer of that command.
15. Submit **OFFICER PROFILE REPORT** [IO 9 s.17] to the designated sergeant **by the second day of the month for the previous month.** (IO 70 s.15)
 - a. Submit **REPORT** prior to leave, or if not possible, without delay upon return to duty if scheduled for vacation or other leave.
16. Call the desk officer when detained at court or elsewhere and unable to return to command to sign the Return Roll Call at end of tour.
17. Maintain **ACTIVITY LOG (PD112-145)**.
18. Preserve completed **ACTIVITY LOGS** and produce them as required by competent authority.
19. Monitor portable radio.
20. Do not leave post/sector until meal actually commences and be back on post when meal is over. (Travel time is not authorized).

PATROL GUIDE

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POLICE OFFICER (continued)

21. When assigned as a steady sector officer in a Neighborhood Policing command:
- Perform duty in uniform as permanently assigned member of sector car.
 - Adhere to P.G. 202-22, "Radio Motor Patrol Operator," or P.G. 202-23, "Radio Motor Patrol Recorder," depending on assignment of the day.
 - Respond to calls for service in assigned sector.
 - Participate in community meetings in assigned sector.
 - When not assigned to calls for service, utilize uncommitted time to assist neighborhood coordination officers in implementing strategies to address crime and order maintenance problems within assigned sector.

NOTE

Uncommitted time is utilized by steady sector officers to engage the community, participate in community meetings, address conditions, and conduct enforcement operations. Uncommitted time consists of approximately two hours and forty minutes, or one-third of an eight hour tour, to be taken by steady sector officers as conditions dictate, in one or more blocks of time.

- Notify Communications Section radio dispatcher utilizing radio code signal 10-75C for community visits and radio code signal 10-75D when addressing sector conditions and make detailed **ACTIVITY LOG (PD112-145)** entry to initiate uncommitted time.
- Be knowledgeable about crime conditions, community issues, and resources in assigned sector.
- Obtain sector crime information from precinct crime analysis personnel weekly and as needed.
- Review crime analysis reports and become well-versed in crime patterns and trends within assigned sector, with the assistance of precinct crime analysis personnel.
- Utilize the **OFFICER SELF-REPORT FORM** on the Craft application to report achievements in crime prevention, problem-solving, community engagement, etc.

NOTE

Steady sector officers will not be utilized as backfill for other precinct assignments (i.e., shooting posts, prisoner transports, hospital posts, etc.).

Steady sector officers will not be assigned to details during regularly-scheduled tours of duty without permission of the Bureau Chief concerned, the Chief of Department or the Police Commissioner.

PATROL GUIDE

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**POLICE
OFFICER
(continued)**

22. When assigned as a response officer in a Neighborhood Policing command:
- a. Perform duty in uniform.
 - b. Adhere to *P.G. 202-22, "Radio Motor Patrol Operator,"* or *P.G. 202-23, "Radio Motor Patrol Recorder,"* depending on assignment of the day.
 - c. When assigned to response car, patrol as determined by platoon commander or other competent authority.
 - d. Answer calls for service so that steady sector officers can engage in uncommitted time.
 - e. Provide back-up for and assist sector cars, when necessary. [10 23 s.17]



PATROL GUIDE

Section: Duties and Responsibilities		Procedure No: 202-22	
RADIO MOTOR PATROL OPERATOR			
DATE ISSUED: 03/23/07	DATE EFFECTIVE: 03/30/07	REVISION NUMBER: 07-02	PAGE: 1 of 2

RADIO MOTOR PATROL OPERATOR

1. Inspect the serviceability of seatbelts in the radio motor patrol car.
 - a. Notify patrol supervisor of any deficiencies found in accordance with *Patrol Guide 219-01, "Inspection of Department Vehicles Each Tour by Operator."*
2. Wear seat belts.
 - a. Wear three-point seatbelts, when provided.
 - b. Wear two-point safety belts (lap belts) if three-point safety belts are not provided.
 - c. Use safety belt extender when three-point safety belt becomes difficult to engage due to space constraints. (IO 44 s.15)

NOTE

There is an increased risk of significant injury to members of the service who do not wear safety belts. There is no question that wearing a safety belt when involved in a motor vehicle collision (IO 71 s.13) reduces the extent and severity of injuries and saves lives.

Therefore, the wearing of safety belts is required for all individuals operating or riding in a Department vehicle (marked or unmarked) or a private vehicle authorized for Department use. Safety belts may be removed ONLY when a member of the service is involved in what appears to be a dangerous tactical situation and the wearing of the safety belt may impair the member's ability to take police action.

3. Exchange assignments every four (4) hours with the recorder of the radio motor patrol car.
4. Operate car for the entire tour when assigned as driver of ranking officer.
 - a. Monitor radio messages directed to assigned area when supervisor is out of car.
5. Permit only uniformed members of the service performing related police duty to enter or ride in a radio motor patrol car on patrol.
6. Respond to messages of serious police emergency within five (5) blocks of location even if messages are directed to another car, regardless of sector, precinct and borough boundaries.
7. Do not carry electric blasting caps in vehicles or transmit within 150 feet of any electric blasting operation.
8. Monitor radio when recorder is assigned to a school or church crossing.
 - a. Pick up recorder and respond to assignment when directed by radio dispatcher.
9. Leave radio on and have the car ready for instant use when car is being cleaned or supplied with fuel.
 - a. Do not put car out of service if fuel is to be obtained in assigned command.
10. Avoid remaining in areas where radio reception is poor.
11. Proceed to an emergency scene with due caution. (Do not use the siren unnecessarily; approach the scene of a reported crime quietly).

PATROL GUIDE

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CRIME PREVENTION OFFICER (continued)

16. Notify crime victim/surviving relative by mailing a pamphlet/application through the Mail and Distribution Unit within five (5) days of receipt of **COMPLAINT REPORT**.
 - a. If requested, provide assistance to crime victim or relative in completing Application for Compensation form. Another available officer from Community Affairs or Domestic Violence should be designated to assist crime victim/relative in the absence of the crime prevention officer. *(IO 36 s.07)*
 - b. Operations Coordinator will be responsible for maintaining the notification system in the absence of the Crime Prevention Officer.
17. Maintain written records of the month's activity of all notifications made and forward a report on **Typed Letterhead**, by the fifth (5th) of each month, to the patrol borough command concerned.
 - a. Patrol borough commands will consolidate monthly reports and forward them, within three (3) days, to Crime Victims Unit, Office of **Chief** *(IO 1-7 s.11)*, Community Affairs.
18. Administer VIN etching, CAT, HEAT, BAT, and similar programs.
19. Administer the Trespass Affidavit Program in accordance with *Administrative Guide 303-27, "Trespass Affidavit Program."* *[IO 31 s.17]*



PATROL GUIDE

Section: Duties and Responsibilities		Procedure No: 202-27	
PLANNING OFFICER			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 1

PLANNING OFFICER

1. Perform duty in uniform, when practical, as member of the command administrative staff.
2. Conduct planning activities of the command under the direction of the commanding officer.
3. Maintain liaison with Operations Unit, and other planning officers.
4. Maintain records and prepare reports relating to planning activities.
5. Develop innovative plans in the areas of crime prevention, traffic, patrol and investigative techniques, community affairs and other operating functions of the command.
6. Devise methods for measurement of performance.
7. Conduct analysis of operations, including workload, functions, allocation and utilization of personnel and other resources.
8. Make recommendations concerning use of available resources to achieve objectives.
9. Study specific problems peculiar to the command, such as crime patterns and incidence, personnel activity, prisoners in a hospital, and method or type of patrol technique employed.
10. Prepare projections of future resource requirements, make recommendations for revision of post or sector boundaries, and changes in allocation or utilization of patrol resources.
11. Study and update existing disorder, disaster or other plans affecting the command.
12. Identify need for new plans.
13. Study and document changing conditions within the command and determine impact on police services.
14. Make estimates of the command situation and provide the commander with information on how significant factors will affect the situation.
15. Participate in development and/or evaluation of pilot projects.
16. Develop local procedures to facilitate the introduction of new Department-wide procedures.
17. Collect, collate, evaluate and then disseminate information within the command and with higher, lower and parallel commands.
18. Represent commanding officer, when designated, at community meetings.
19. Coordinate activities with the crime prevention officer.



INTERIM ORDER

SUBJECT: NEIGHBORHOOD COORDINATION OFFICER		
DATE ISSUED:	REFERENCE:	NUMBER:
04-13-17	**P.G. 202-32a	24

NEIGHBORHOOD COORDINATION OFFICER

1. Perform duty in uniform.
2. Work flexible tours as sector conditions and community needs dictate.
 - a. Work same tour as other neighborhood coordination officer assigned to sector, unless one officer is assigned to a court tour or is on vacation/leave, etc.
3. Patrol sector in a manner that strengthens the lines of communication with residents, schools and businesses in the sector, as well as preventing crime and disorder.
4. Coordinate and lead sector efforts to engage the community and address problems of concern to the community by establishing effective and continuous communication with officers assigned to the sector and members of the community regarding the development and implementation of strategies to address crime and order maintenance problems within the sector.
5. Regularly confer with residents, business persons, officials at public institutions (i.e., schools and hospitals), clergy, and community leaders within the sector.
6. Visit schools frequently and confer with school principals and school safety agents at public schools regarding problematic conditions, violent crime, and gang/crew activity. When possible, participate in school activities/events to build positive relationships with students.
7. Regularly confer with sector car officers, patrol supervisors, platoon commanders, special operations lieutenant, neighborhood coordination sergeant, field intelligence officer, community affairs officer, etc.
 - a. Meet regularly with the precinct crime prevention officer to determine outreach efforts.
8. Assist precinct detective squad with open cases in assigned sector by conducting canvasses, etc. and updating the Electronic Case Management System (ECMS), as directed by the assigned detective/squad supervisor.
9. Establish community relationships and lead Neighborhood Work Group, consisting of community stakeholders who live or work in assigned sector and permanent sector car officers.
10. Develop strategies to identify and address crime and quality-of-life problems affecting the sector, and coordinate police, City, and community resources to implement strategies.
11. Initiate contact with other Department units, governmental agencies, as appropriate, regarding strategies to address sector conditions, and render assistance, as necessary.
12. Convene and participate in community and block association meetings and if none exist, work with community to start groups.

**NEIGHBORHOOD
COORDINATION
OFFICER**

13. Maintain a close liaison with the management of facilities within sector where large events are held.
14. Visit schools, houses of worship, hospitals and similar public institutions frequently.
15. Assist precinct youth officer in identifying at-risk juveniles who reside in sector and referring youth to Department, City, and community-based social services and prevention programs.
16. Confer with precinct domestic violence officers to ascertain the identity of recurrent domestic violence offenders with a propensity for violence who reside in sector.
17. Obtain sector crime information from precinct crime analysis personnel weekly and as needed.
18. Review crime analysis reports and be well-versed in crime patterns and trends within assigned sector, with the assistance of precinct crime analysis personnel.
19. Develop, with community input, where possible, innovative plans in the area of crime prevention, patrol, community affairs, etc.
20. Create and maintain a database of key community contacts, including name, address, phone number, email, business, title, etc. for assigned sector.
21. Perform patrol duty as a sector officer in assigned sector only when sector officer is unavailable or as otherwise necessary.
22. Perform other duties as directed by the neighborhood coordination sergeant.
23. Liaise with counterpart in Housing Bureau if assigned to Patrol Services Bureau, and Patrol Services Bureau if assigned to Housing Bureau.
24. Utilize the **OFFICER SELF-REPORT FORM** on the Craft application to report achievements in crime prevention, problem-solving, community engagement, etc.

NOTE

Neighborhood coordination officers will not be utilized as backfill for other precinct assignments (i.e., shooting posts, prisoner transports, hospital posts, etc.).

Neighborhood coordination officers will not be assigned to details during their regularly scheduled tours of duty without permission of the Bureau Chief concerned, the Chief of Department, or the Police Commissioner.

All members of the service who are serving as neighborhood coordination officers are authorized to wear a NCO breast bar above their shield, immediately below any Unit Citation or individual recognition awards, for the duration of their tenure in the assignment.

BY DIRECTION OF THE POLICE COMMISSIONER

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INTERIM ORDER NO. 24



PATROL GUIDE

Section: General Regulations		Procedure No: 203-07	
PERFORMANCE ON DUTY-PERSONAL APPEARANCE			
DATE ISSUED: 04/03/09	DATE EFFECTIVE: 04/10/09	REVISION NUMBER: 09-02	PAGE: 1 of 5

- PERFORMANCE ON DUTY – PERSONAL APPEARANCE**
1. Be neat and clean.
 2. Keep uniforms 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 the short-sleeved shirt is worn, the collar button may be left unbuttoned but all other buttons shall be fastened.
 4. 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. Cap must be worn when members are assigned to foot patrol, traffic posts, or details.
 - c. Members riding in Department vehicles may remove the cap while in the vehicle.
 - d. Police officers and detectives assigned to subway patrol duties in uniform have the option of wearing the cap during the period of June 1 to October 1.

NOTE

At all other times, the uniform cap must be worn except where there are exigent circumstances. When the exigent circumstances have stabilized, the cap must be worn.

When required because of religious accommodation and with written approval of the Office of the Deputy Commissioner, Equal Employment Opportunity, uniformed members of the service will be permitted to wear the Department approved religious head covering. The religious head covering must conform to the standards prescribed by the Deputy Commissioner, Equal Employment Opportunity and have a cap device affixed to the front of the head covering, if appropriate. All hair must be neatly tied inside the religious head covering and in case of an incident where the use of a tight-fitting helmet is required, religious head covering must be removed to don appropriate protective head gear. [IO 90 s.16]

5. Prevent non-uniform articles from showing above uniform collar.
 - a. When the short-sleeve shirt is worn, undershirts, neck chains, or other non-uniform articles shall not be visible within the open collar or below the sleeve ends of the shirt.
 - b. Shirt sleeves may not be rolled up.

NOTE

Members of the service who are hired on or after January 1, 2007, must cover any visible tattoos by either regulation uniform, proper business attire, or a neutral colored skin covering such as a sports wrap or bandage. Such covering must resemble the skin tone of the member and must cover the entire tattoo. This includes but is not limited to any tattoo visible above the shirt collar, below the sleeve ends of any shirt, or on a visible area of the leg, ankle or foot. A limited exception may be granted by the member's commanding officer in writing due to the nature of the member's assignment. Such approval must be filed in the member's personnel folder.

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**PERFORMANCE
ON DUTY –
PERSONAL
APPEARANCE
(continued)**

6. Wear hair so that it is neatly groomed.
 - a. All regulations regarding the appearance of members' hair apply equally to male and female uniformed members of the service.
 - b. When a member is in uniform, regardless of whether or not the uniform cap is required, hair will not be worn so that it falls over the eyebrows or reaches the collar. Ponytails are strictly prohibited while in uniform.
 - c. When the uniform cap is required, long hair must be securely gathered and placed under the uniform cap without the use of a ponytail. The hairstyle must allow for the cap to be placed squarely on the head, without visible bulk.
 - d. The length and bulk of the hair should not interfere with the wearing of any uniform headgear, including emergency equipment.
 - e. Any designs shaved into a uniformed member's hair/scalp are prohibited [IO 8 s.14].
7. Necessary hair holding devices (such as but not limited to rubber bands, clips, barrettes, pins), when 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 and decorative fabric-covered elastic bands, large plastic clips, or other ornamental items are prohibited.
8. Keep sideburns closely trimmed and not extending below bottom of earlobe.
9. Have mustache neatly trimmed, not extending beyond, nor drooping below corners of mouth.
10. Do not grow a beard except under the following circumstances:
 - a. When required because of a medical condition, a beard may be grown up to one millimeter [IO 90 s.16] with written approval of the Police Surgeon concerned. (Copy of written approval will be in possession of member of the service whenever in uniform.)
 - b. When approved, in writing, by member's commanding officer because of nature of member's assignment. The member's commanding officer will ensure the member is clean shaven when the member is in uniform. (Copy of written approval will be in possession of member of the service whenever in uniform.)
 - c. When required because of religious accommodation, a beard may be grown up to half inch unless the applying member requests additional length. A request for additional length will be reviewed and decided upon by the Office of the Deputy Commissioner, Equal Employment Opportunity. (Copy of written approval will be in the possession of member of the service whenever in uniform.)

NOTE

Approval to grow a beard for a medical condition or religious accommodation does not grant a member permission to grow goatees, designer beards, or "chin strap" beards, all of which are strictly prohibited.

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PERFORMANCE ON DUTY – PERSONAL APPEARANCE (continued)

11. Do not wear ornaments or jewelry visible on the head, neck, or wrist while performing duty in uniform. Prohibited ornaments include, but are not limited to earrings, necklaces, neck chains, bracelets, and body piercing.
 - a. Medical alert bracelets may be worn visibly.
 - b. Watchbands must be a conservative color, such as navy, black, brown, yellow metal, white metal, or similar colors.
 - c. Rings may be worn if they are generally smooth, and not likely to catch on other objects. Rings with jagged edges, raised stones, etc., are not permitted.
12. Keep fingernails neatly trimmed and extending no more than ¼ inch from the fingertip.
 - a. Nail polish may be worn only if it is clear, or of a natural, conservative color.
 - b. Any designs or decorations on nails are prohibited.
13. Only those cosmetics which are of conservative color and amount shall be permitted.
14. 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.
15. While in uniform in public view, do not chew gum, use tobacco in any form, or hold toothpicks in the mouth.
16. When authorized to perform duty in civilian clothing, wear attire appropriate for assignment.

ADDITIONAL DATA

PROPER UNIFORM AND APPEARANCE FOR UNIFORMED MEMBERS OF THE SERVICE REPORTING FOR PROMOTION

Newly promoted members must set an example for subordinates and should demonstrate this at each promotion ceremony they attend. To ensure observance of uniform regulations at promotion ceremonies, the promotee's current commanding officer/designated supervisor will inspect promotee prior to the promotion ceremony. The results of this inspection will be recorded on a "Uniform Promotion Checklist" (see Appendix "A"). Promotees will submit the signed checklist to a member of the Personnel Bureau on the day of their scheduled promotion. PROMOTION CANDIDATES MUST APPEAR FOR PROMOTION WITH THE COMPLETED CHECKLIST. The attached Appendix "A" may be photocopied for member's use.

Promotees will be inspected prior to the ceremony by Personnel Bureau representatives on the day of their scheduled promotion. ANY MEMBER NOT PROPERLY GROOMED OR ATTIRED ACCORDING TO DEPARTMENT REGULATIONS WILL NOT BE PROMOTED UNTIL THE MEMBER IS IN COMPLIANCE WITH THESE REGULATIONS.

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**ADDITIONAL
DATA
(continued)**

All members being promoted are required to have a uniform inspection performed as soon as they are notified of the promotion. The member's current commanding officer will immediately conduct a uniform inspection, using the "Uniform Inspection Checklist." The promotee will present the completed "Uniform Inspection Checklist" to the Commanding Officer, Leadership Training Section, when assigned to the leadership training course. Once the immediate uniform inspections are completed by the current Commanding Officer, the Commanding Officer, Leadership Training Section will assume responsibility for conducting a second uniform inspection a day or two prior to promotion.

**RELATED
PROCEDURES**

*General Uniform Regulations (P.G. 204-01)
Uniform Classifications (P.G. 204-02)
Uniforms (P.G. 204-03)*

Appendix "A"

Uniform Promotion Checklist - Inspection of Promotion Candidate by Commanding Officer

The supervisor completing this checklist will be held accountable for uniform or appearance indiscretions noted on the day of promotion. Commanding officers or designated supervisors completing this checklist should review candidate's compliance with each uniform or appearance item. The commanding officer/designated supervisor should mark each item as Pass or Fail in the respective box, complete the captions below, and sign where indicated. The member concerned will be advised of deficiencies to be corrected prior to promotion.

Uniform / Appearance Item	P / F
Regulation black high-gloss, lace-type Oxford shoes.	
Summer blouse, properly fitted. - Neither excessively loose nor stretched taut. - Sleeves come to a point midway between wrist and thumb when arm is at side.	
Regulation eight-point cap in good condition - Wear cap squarely on head, with center of visor directly over the nose. - No hair is to show beneath the visor of the cap.	
Regulation long sleeve shirt, properly fitted.	
Command insignia or designated rank (collar brass) must be worn on the uniform shirt and summer blouse.	
Regulation tie (in good condition).	
Regulation dress trousers, properly fitted (no duty trousers); not stretched taut.	
White gloves.	
Hair to be properly cut, trimmed, worn off the collar and neatly groomed conforming to the shape of the head. Ponytails are strictly prohibited.	
No earrings (both males and females).	

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No personal adornment or unauthorized modification of the uniform (i.e. fraternal pins, etc.).	
Members assigned to Highway and Mounted Units are permitted to wear boots and britches.	
Under no circumstance will a member of the service appear in uniform with a beard, long hair, or mustache extending below the corner of the mouth (except as authorized by the Chief Surgeon or Deputy Commissioner, Equal Employment Opportunity). Documentation must be attached to this form, if applicable.	

Name/Tax # of Member Inspected (Print)

Name/Tax # of inspecting C.O./Supervisor
(Print)

Signature of inspecting
C.O./Supervisor



PATROL GUIDE

Section: General Regulations		Procedure No: 203-09	
PUBLIC CONTACT - GENERAL			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 1

PUBLIC CONTACT

1. Courteously and clearly state your rank, name, shield number and command, or otherwise provide them, to anyone who requests you to do so. Allow the person ample time to note this information **unless a CONTACT CARD (PD142-011) is offered.**
 - a. Offer a **CONTACT CARD** to person requesting information with rank, name, shield and command captions completed, or under other appropriate circumstances.

*A uniformed member of the service performing duty in an undercover (UC) capacity and those UMOS operating in operational support of a UC or a confidential informant, are exempt from providing **CONTACT CARDS** due to the sensitive nature of their assignment. (10 74 s.16)*

2. Be courteous and respectful.
3. Avoid conflict with Department policy when lecturing, giving speeches or submitting articles for publication. Questions concerning fees received will be resolved by Chief of Personnel.



INTERIM ORDER

SUBJECT: PUBLIC CONTACT – PROHIBITED CONDUCT		
DATE ISSUED:	REFERENCE:	NUMBER:
06-22-12	*P.G. 203-10	26

PUBLIC CONTACT – 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.
2. Knowingly associate with any person or organization:
 - a. Advocating hatred, oppression, or prejudice based on race, religion, gender, gender identity/expression, sexual orientation, or disability.
 - 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 performance of police duty.
3. Divulging or discussing official Department business, except as authorized.
4. Manipulating manually or electronically, transmitting in any form, or distributing any official Department recorded media or recorded media coming into possession of the Department as evidence or for investigative purposes except as authorized for official Department business. Recorded media includes videotapes, photographic images or pictures, audio recordings, electronic or internet files, or any like forms to be available in the future.
5. Engaging in conduct prejudicial to good order, efficiency, or discipline of the Department.
6. Making recommendation for or concerning any person or premises to any government agency in connection with issuance, revocation, or suspension of any license or permit, except when required in performance of duty.
7. Soliciting, collecting, or receiving money for any political fund, club, association, society, or committee.
8. Joining any political club within the precinct to which assigned.
9. Being a candidate for election to, or serving as member of a School Board, if School District is located within City of New York (see Section 2103-a, Education Law).

**PUBLIC
CONTACT –
PROHIBITED
CONDUCT
(continued)**

10. While on duty or in uniform, endorsing political candidates or publicly expressing personal views and opinions concerning the merits of:
 - a. Any political party or candidate for public office;
 - b. Any public policy matter or legislation pending before any government body; or
 - c. Any matter to be decided by a public election, except with the permission of the Police Commissioner.
11. Having an interest in or association with premises engaged in illegal gambling operations, smoke shops, after hours clubs, or similar illegal activities, except in performance of duty.
12. Patronizing unlicensed premises (social clubs, after hours clubs, etc.) where there is illegal sale of alcoholic beverages and/or use of drugs, except in performance of duty.
13. Violating Section 1129 of the New York City Charter. This section provides that any uniformed member who shall accept any additional place of public trust or civil emolument, OR who shall be nominated for any office elective by the people, and does not decline said nomination within ten days, shall be deemed thereby to have vacated his or her position/office in the Department. This vacatur of office **shall not** apply to the following:
 - a. A member of a community board
 - b. An appointment, nomination, or election to a board of education outside the City of New York
 - c. A member, who with the written authorization of the Mayor, shall accept any additional place of public trust or civil emolument, while on leave of absence without pay from the Department.
 - d. A member who, with the written approval of the **Deputy Commissioner, Legal Matters [10 s.17]**, shall accept any additional place or position outside the City of New York, limited to volunteer work as a member or volunteer in, of, or for a community board, not-for-profit corporation, volunteer fire department, or other similar community-oriented entity.

NOTE

*Uniformed members of the service seeking to volunteer off-duty in any of the above-indicated positions must complete and submit form **APPLICATION FOR OFF-DUTY VOLUNTEER WORK (PD407-1622)** to the Deputy Commissioner, Legal Matters, One Police Plaza, Room 1406. No off-duty volunteer work can commence until written approval is received by the uniformed member of the service. Members who have already obtained the written approval of the Police Commissioner do not need to re-submit a request, unless there has been a substantial change in a member's NYPD duties or assignment, or a change in the type or frequency of off-duty volunteer work. [10 s.17]*

14. Smoking in public view while in uniform.
15. Occupying seat in a public conveyance, while in uniform, to exclusion of paying passenger.
16. Occupying seat on a train, while in uniform and assigned to train patrol duties.

INTERIM ORDER NO. 26

**PUBLIC
CONTACT –
PROHIBITED
CONDUCT
(continued)**

17. Using personal card describing police business, address, telephone number, or title except as authorized by Department Manual.
18. Using Department or command identifiers as part of a privately held social media account moniker (e.g., @nypd_johndoe, @053Pct_janedoe, etc.). *[IO 22 s.16]*
19. Rendering any service for private interest, which interferes with proper performance of duty.
20. Possessing or displaying police shield, **IDENTIFICATION CARD (PD416-091)**, or similar object except as authorized by the Police Commissioner.
21. Failing to provide notice to the Department of an obligation or intention to perform services in any federal military branch or state militia organization.
22. Serving on a community board's Public Safety Committee (which deals directly with Police Department and other law enforcement matters).
23. Voting on any matter that comes before the community board concerning Police Department activities in the district that the board serves.
24. Wearing any item of command-related merchandise which contains a Department logo or shield, or in any way identifies its wearer with the New York City Police Department, unless approved by the commanding officer concerned prior to being worn by a member of the service, uniformed or civilian, on or off duty.
 - a. This prohibition extends to the use of the Department logo or shield in artistic or mural form, in caricature or cartoon-like representation, or on such items that include, but are not limited to:
 - (1) Pins
 - (2) Jewelry
 - (3) Hats
 - (4) Mugs
 - (5) Clothing items
 - (6) Patches
 - (7) Writing implements
 - (8) Challenge coins
 - (9) Department property (walls, muster room entryway, watercraft, etc.)
 - (10) Any other adornment or curio. *(IO 36 s.14)*

BY DIRECTION OF THE POLICE COMMISSIONER

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INTERIM ORDER NO. 26



INTERIM ORDER

SUBJECT: EXTENDED LEAVE OF ABSENCE - EDUCATIONAL FELLOWSHIP/SCHOLARSHIP NOTIFICATION OF INTENT		
DATE ISSUED:	REFERENCE:	NUMBER: O.O. 30 s.13
10-28-10	**P.G. 203-26	37

PURPOSE

To ensure that the Department is notified in a timely manner when a member of the Service (uniformed or civilian) intends to apply for a specified opportunity that will require an extended leave of absence.

DEFINTION

ELIGIBILITY - A member of the service (uniformed or civilian) is not eligible to apply for any extended leave of absence with pay for thirty (30) consecutive days or more for an educational fellowship/scholarship or similar opportunity after previously receiving such a leave during his/her career.

PROCEDURE

When a member of the service (uniformed or civilian) intends to apply for a non-Department sponsored educational fellowship/scholarship (e.g., White House Fellowship, Fulbright Award, Kennedy School of Government Scholarship, etc.) or similar opportunity (e.g., United Nations Civilian Policing position [UNCIVPOL], etc.) that will result in a request for an extended leave of absence (paid or unpaid) for thirty (30) consecutive days or more:

MEMBER OF SERVICE

1. Prepare a "Request to Attend/Participate," on **Typed Letterhead**, detailing the specific nature of the educational fellowship/scholarship (e.g., anticipated leave requirements, deadline for submission of application, etc.).
2. Forward the "Request to Attend/Participate" to the Chief of Personnel, through channels.

NOTE

Final approval of the "Request to Attend/Participate" must be obtained prior to applying for the non-Department sponsored educational fellowship/scholarship. Failure to do so will result in being denied the leave of absence.

CHIEF OF PERSONNEL

3. Forward an acknowledgement of receipt on **Typed Letterhead** to the requesting member of the service indicating that the "Request to Attend/Participate" has been received and is being processed.
4. Forward the "Request to Attend/Participate," with endorsements, to the Office of the Police Commissioner for final approval.
 - a. Forward a copy of the "Request to Attend/Participate," with endorsements, to the **Chief, Management Analysis and Planning //O 13 s.17** for informational purposes.

OFFICE OF THE POLICE COMMISSIONER

5. Forward, through channels, approval/disapproval "Request to Attend/Participate" to the member of service making the request.

**ADDITIONAL
DATA**

Members of the service are urged to submit the "Request to Attend/Participate" well in advance of any application deadline for a non-Department sponsored educational fellowship/scholarship in order to allow ample time for the approval process and the forwarding of any necessary documentation.

Approval of the "Request to Attend/Participate" is independent of the individual's eligibility and selection criteria for the specific educational fellowship/scholarship being sought by the member of the service.

It is the policy of the Department to encourage its members to pursue educational opportunities in furtherance of their police careers.

BY DIRECTION OF THE POLICE COMMISSIONER

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REQUIRED EQUIPMENT (continued)

18. Serviceable Flashlight – all tours. The following types of flashlights are authorized and may be carried:
 - a. Incandescent Flashlight - not to exceed 12 ½ inches in length, tubular design (without attachments that alter the size, shape or weight of the device), powered by a maximum of three “D” batteries and a minimum of two “C” batteries
 - b. Serviceable Light Emitting Diode (LED) Flashlight – no smaller than four inches in length, tubular design. (IO 2 s.15)

NOTE

Members of the service may elect to carry a secondary flashlight as an adjunct to their primary flashlight. Secondary lights may be either a miniature flashlight or a lantern type flashlight. These secondary lights may be used as a backup for the mandatory flashlight and may be useful in situations such as a search where a lantern can provide greater illumination and longer battery life. Under no circumstances should these lights be considered a substitute for the primary light which must be carried on all tours regardless of the availability of a secondary flashlight. As an enhancement to visibility, it is recommended that flashlights be powered by alkaline or lithium batteries for their durability and be equipped with an LED bulb for additional brightness. Halogen bulbs are not recommended because they drain battery power too quickly.

19. Serviceable watch, properly set.
20. Reflective belt (1600 - 0800).
21. Reflective traffic safety vest.

NOTE

Transit Bureau members assigned to uniform patrol in the transit system or assigned to any detail in uniform performing traffic related duties will have in their possession the authorized reflective traffic safety vest (fluorescent yellow). It will be at the discretion of a supervisor as to whether uniformed members assigned to patrol in the transit system will wear or simply carry the traffic safety vest. (IO 2 s.10)

22. Dual-purpose disorder control/scooter helmet with face shield, as indicated in Patrol Guide procedure 203-05, Performance on Duty – General. (Rev. 01-01)
23. Pepper spray device and holder.
24. Keepers (four [4]) - attached to the gun belt and trouser belt regardless of type of weapon carried.
25. Glove pouch – all uniformed members of the service are required to wear a synthetic leather glove pouch on their gun belt. Members on bicycle patrol are required to wear a nylon glove pouch. Both versions of the glove pouch must conform to those available at the Equipment Section. This pouch is designed to hold disposable plastic gloves. (IO 8 s.02)

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REQUIRED EQUIPMENT (continued)

26. Tactical Response Hood and Personal Protective Equipment
- a. Members performing patrol duties in a Department vehicle will have the hood and pouch available in the vehicle.
 - b. Members performing foot patrol duties and/or assigned to a detail such as a parade, fixed post, etc. will carry the tactical response hood by attaching the pouch to their gun belts on the side opposite which the member carries his/her firearm.
 - (1) Members will secure the tactical response hood pouch to both their gun belt and their thigh using the straps and clips provided.
 - c. Members performing administrative or other duties inside a Department facility will have the tactical response hood and pouch readily available at all times.
 - d. The balance of the personal protective equipment issued to uniformed members of the service will be carried in Department vehicles by those members of the service performing patrol duties in such vehicles. All other uniformed members of the service will have the balance of the personal protective equipment readily available, e.g. stored in their Department locker. (IO 26, 26-3 s.03)
27. At least **ten CONTACT CARDS (PD142-011)**, at the commencement of tour. (IO 74 s.16)
28. Naloxone kit, if trained and equipped. [IO 28 s.17]

ADDITIONAL DATA

Uniformed members of the service below the rank of captain who are assigned to enforcement duties must carry a sufficient amount of summonses.

*Uniformed members of the service assigned to civilian clothed enforcement duties are required to have their service 9MM semi-automatic pistol and one extra fully loaded magazine or their service .38 caliber revolver with twelve extra cartridges, handcuffs with key, **at least ten CONTACT CARDS at the commencement of tour (IO 74 s.16)** and the "color of the day" head/arm band on their persons. In addition, O.C. pepper spray device and holder will be carried by such members as specified in P.G. 221-07, "Use of **Oleoresin Capsicum (IO 40 s.16)** Pepper Spray Devices."*

Commanding officers have the authority to allow members of their respective commands to be armed with an authorized off duty weapon, if they believe it is more suitable for a particular assignment.



PATROL GUIDE

Section: Personnel Matters		Procedure No: 205-08	
TRAUMA COUNSELING PROGRAM			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 3

PURPOSE

To provide Trauma Counseling Services for members of the service (uniformed and civilian) involved in shooting incidents, disasters, or other violent occurrences resulting in death or injury.

SCOPE

A member of the service (uniformed or civilian) will be referred to the Trauma Counseling Program when involved in a shooting incident, disaster, or other violent occurrences resulting in death or injury. These include, but are not limited to, the following:

- Member is shot or otherwise seriously injured.
- Member discharges a weapon causing injury or death to another.
- Member causes, accidentally or otherwise, serious physical injury or death to another.
- Member is directly involved in an incident where his/her partner was killed or seriously injured, etc.
- Member is directly involved in incidents or serious disasters where multiple serious injuries and deaths have occurred.

The Trauma Counseling Team will respond to all incidents involving:

- Member of the service is shot, killed, or seriously injured in the performance of duty.
- Any incident pursuant to a request from a captain or above.

PROCEDURE

When a member of the service (uniformed or civilian) is involved in a shooting incident, disaster or other violent occurrence resulting in death or injury:

DESK OFFICER

1. Notify Operations Unit and provide details of incident.

OPERATIONS UNIT SUPERVISOR

2. Notify Sick Desk supervisor, provide detailed information and request response of Trauma Counseling Team.

SICK DESK SUPERVISOR

3. Ascertain from Operations Unit and/or the ranking supervisor at the scene:
 - a. Location the Trauma Team should respond to
 - b. Name of supervisor who will be contact person at the scene.
4. Arrange for transportation of Trauma Team.

RANKING SUPERVISOR AT SCENE

5. Ensure members in need of trauma counseling are available for interview, where possible, by responding Trauma Team upon their arrival.
6. Provide a suitable place for the trauma interview, where possible.

SUPERVISOR TRAUMA COUNSELING TEAM

7. Respond to location and report to designated contact person at the scene.

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NOTE *Trauma Team members will wear authorized nylon windbreaker jackets with the NYPD logo on the front and the words "N.Y.C. POLICE" printed on the back (P.G. 204-04, "Optional Uniform Items").*

- TRAUMA COUNSELING TEAM**
8. Respond, if required, to stationhouse of precinct of occurrence or other location, to make contact and converse with member(s) of the service involved in the incident.
 9. Visit the place of occurrence, if necessary.
 10. Notify the member concerned that he/she will be contacted for a follow-up meeting forty-eight (48) hours after the event or initial contact, as appropriate.
 - a. Any additional counseling/interview sessions after the forty-eight (48) hour meeting will be scheduled within one (1) to six (6) weeks after the incident.

NOTE *ALL CONVERSATION WITH THE TRAUMA COUNSELING TEAM BY MEMBERS OF THE SERVICE (UNIFORMED AND CIVILIAN) WILL BE STRICTLY CONFIDENTIAL.*

- MEMBER OF THE SERVICE**
11. Cooperate with members of the Trauma Counseling Team and keep appointments for follow-up meetings as scheduled.
 12. Report to Psychological **Evaluation Section (IO 67 s.16)** or other location as required, forty-eight hours after the incident, or initial contact with Trauma Counseling Team.
 - a. Report for additional follow-up counseling/interview meetings scheduled with the Trauma Counseling Team.

- COMMANDING OFFICER/ DUTY CAPTAIN**
13. Cooperate with members of the Trauma Counseling Team and permit them access to the individual member(s) of the service involved in the shooting, disaster or other violent event.
 14. Verify that a member(s) of the service involved in the shooting, disaster or violent incident has been referred and contacted in person by a member of the Trauma Counseling Team.
 15. Have **UNUSUAL OCCURRENCE REPORT (PD370-152)** prepared and list members of the service involved in the incident who were contacted by the Trauma Counseling Team.
 16. Forward copies of the report, **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT WORKSHEET (PD370-154) (IO 37 s.16)** if prepared, and other reports prepared to the Commanding Officer, Medical Division, 59-17 Junction Boulevard, 16th Floor, Corona, New York 11368.

ADDITIONAL DATA *The Trauma Counseling Team is staffed by the Chief Surgeon, Director, Psychological **Evaluation Section** and licensed certified professionals of the Medical Division. Trauma Team members will not interfere with on-going investigations. In addition, team members will not be assigned any duties outside their functions as Trauma Counselors when responding to the occurrence site.*

**ADDITIONAL
DATA
(continued)**

When hair samples are required, three hair samples will be collected, cut as close to the skin as possible. The samples should be collected from the same body area, preferably the head. The samples will be individually placed in separate laboratory supplied "Sample Acquisition Cards," and sealed by the collector in the presence of the test subject. These cards will be placed in separate plastic bags, sealed by the collector, and initialed and dated by the test subject. Two hair samples will be forwarded to the contracted laboratory for analysis. The third hair sample will be secured at the Medical Division for use in testing, should the test of the first two hair samples reveal positive results for illegal drugs/controlled substances. Appropriate chain of custody will be maintained at all times.

Except in unusual circumstances, samples will be taken at a facility operated by the Medical Division, or at another health care facility.

In the event that the member concerned is unable to provide adequate hair samples as required in this procedure, the Commanding Officer, Medical Division, or designee, will be contacted. The Commanding Officer, Medical Division, or designee, may authorize the collection of alternate specimen(s) to complete the drug screening test.

When urine samples are required, two urine samples will be collected, each in a separate vial. Prior to testing, the drug screening serial number assigned by the Medical Division and date of test will be affixed to each vial. The serial number will be logged separately with the member's name and maintained at the Medical Division. The member being tested and the witness will then initial the vial stickers. The vials will be sealed in the member's presence after the urine samples have been collected. Appropriate chain of custody will be maintained at all times.

Privacy and dignity will be protected. Hair and urine samples will be collected under maximum feasible privacy. Except in unusual circumstances, only one person of the same sex will be present with the test subject to observe the urine sample being provided. For chain of custody purposes, that same person will also collect the hair samples.

One or more scientifically accepted initial screening samples will be employed in analysis. A positive report will be made only after final confirmation testing has been conducted. Negative test samples will not be maintained; instead, they will be destroyed.

Positive test samples will be maintained by the analyzing laboratory in a secure area, and will remain confidential unless and until Department disciplinary Charges and Specifications are served. A member whose test is positive may, within sixty days of notification of such result, submit a written request to the Department Advocate's Office for further independent testing of the third sample by a laboratory certified by the State of New York Department of Health, and approved by the Medical Division to conduct the particular type of forensic drug testing (i.e., urine or hair) being requested. All additional testing expenses, including chain of custody, will be paid by the affected member of the service. The results of the additional test will be forwarded by the independent laboratory to the Medical Division. The Medical Division will then forward the results to the Department Advocate's Office. The affected member/counsel will be notified of the results by the Department Advocate's Office.

**ADDITIONAL
DATA
(continued)**

Positive test results, which indicate illegal drug/controlled substance use, will result in Department Charges and Specifications, and suspension from duty.

Uniformed members of the service screened under this procedure will continue to be subject to drug screening pursuant to the Department's random drug screening procedures.

**RELATED
PROCEDURES**

Reporting Violations Observed by Supervisors (P.G. 206-01)

Preparation Of Charges And Specifications or Schedule "C" Command Discipline [10 27 s.17] (P.G. 206-05)

Service and Disposition of Charges and Specifications (P.G. 206-06)

Cause for Suspension or Modified Assignment (P.G. 206-07)

Interrogation of Members of the Service (P.G. 206-13)

Suspension From Duty-Uniformed Member of the Service (P.G. 206-08)

Modified Assignment (P.G. 206-10)

**FORMS AND
REPORTS**

IDENTIFICATION CARD (PD416-091)

INVESTIGATING OFFICER'S REPORT (PD313-153)

PROPERTY CLERK INVOICE (PD521-141)

BY DIRECTION OF THE POLICE COMMISSIONER

**DISTRIBUTION
All Commands**

INTERIM ORDER NO. 82

PATROL GUIDE

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NOTE

*A uniformed member (with the exception of Tier 3 uniformed members) wishing to terminate police duties IMMEDIATELY, who has used all accrued time, vacation and/or terminal leave, MUST, after calling the Police Pension Fund for an appointment, submit one copy of **LEAVE OF ABSENCE REPORT (PD433-041)** to the Police Pension Fund and the remaining two copies of **LEAVE OF ABSENCE REPORT** to his commanding officer, requesting **LEAVE WITHOUT PAY** for up to thirty days. (IO 46 s.15) This leave MAY BE granted a member applying for discontinuance of police service. Upon approval of the request by the unit commander, the member concerned MUST personally deliver all copies of the **LEAVE OF ABSENCE REPORT** to the commanding officer of the next higher command for approval and then present all copies to the Police Pension Fund for processing.*

UNIFORMED MEMBER CONCERNED (continued)

7. Bring **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE** to Police Pension Fund and ensure all property is disposed of as indicated in step "8." If additional tours of duty are to be performed subsequent to appearance at the Police Pension Fund, report with **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE** form ONLY. Upon completion of last tour of duty, report with ALL property to Police Pension Fund on date specified by Police Pension Fund personnel OR after last tour of duty (ensure ALL property is disposed of as indicated in step "8"). (IO 46 s.15)

NOTE

*When a valid reason exists for testing firearm(s) of member discontinuing police service, member's commanding will ensure the preparation of **REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)**, if applicable, and have member hand deliver firearm(s) with **REQUESTS** direct to Firearms Analysis Section.*

8. Deliver property and obtain receipt on **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE**, as follows:
 - a. Shield and **IDENTIFICATION CARD (PD416-091)** to the Shield, ID and Retirement Unit after conferral with Police Pension Fund personnel. (IO 67 s.16)
 - b. Firearm(s), if not previously invoiced - to Manhattan Property Clerk's Office if NOT LEOSA qualified and NOT applying for a handgun license. (Member discontinuing police service will prepare **PROPERTY CLERK INVOICE (PD521-141)** at Property Clerk facility). Firearm(s) previously vouchered at other borough Property Clerk Offices will be forwarded to the Manhattan Property Clerk's Office by the Property Clerk.
 - c. Helmet and **Oleoresin Capsicum (O.C.) pepper spray** (IO 5 s.17), with holster - to Firearms and Tactics Section, Police Headquarters range
 - d. New York City Transit Police Pass MetroCards – to desk officer, who will ensure that All MetroCards are hand delivered to the Employee **Resources Section**
 - e. Long Island Rail Road and Metro-North Police Passes – to desk officer, who will ensure that ALL Long Island Rail Road and Metro-North Police Passes are hand delivered to the Employee **Resources Section**

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UNIFORMED MEMBER CONCERNED (continued)

- f. **NYPD Restricted Parking Permit (Misc. 23-N), Headquarters Annex Parking Permit (Misc. 814HQ-Annex)** or any other Department issued vehicle parking permit - if applicable, to issuing command's integrity control officer/counterpart, to ensure that return is recorded in Department record book
- g. **NYPD Vehicle Identification Plate (Misc. 740)** - if applicable, to command's integrity control officer/counterpart, who will ensure that the plate is forwarded by messenger to the Chief of Department's Vehicle Identification Unit at 300 Gold Street, Room 312, Brooklyn
- h. Department issued bullet resistant vest - if applicable, to Police Academy, Ballistic Vest Unit.
 - (1) A retiring uniformed member of the service has the option of retaining their Department issued bullet resistant vest or returning it to Police Academy, Ballistic Vest Unit for proper disposal.
- i. Permanently assigned portable radio with all accessories – if applicable, to ITB Telecommunications Unit, One Police Plaza, Room 910B
- j. Personal laptop computer and/or tablet with all accessories - if applicable, to ITB Telecommunications Unit, One Police Plaza, Room 910B
- k. Cellular telephone with all accessories - if applicable, to ITB Telecommunications Unit, One Police Plaza, Room 910B
- l. MIFI device and/or VPN token - if applicable, to ITB Telecommunications Unit, One Police Plaza, Room 910B. (10 65 s.16)

NOTE

*Regardless of residency, members with at least twenty years of service and those retiring due to line of duty injuries, when separating in "good standing," may obtain a LEOSA Certification Card from the Department at the time they are given their retired Department **IDENTIFICATION CARD**.*

*A member intending to apply for a handgun license will comply with instructions received from License Division. (10 46 s.15) Members who reside within the confines of New York City **MUST** have **HANDGUN LICENSE APPLICATION (PD643-041)** typed and notarized prior to reporting to the Police Pension Fund. A member residing outside New York City must make application for a handgun license to the licensing officer in the municipality in which the member resides.*

- 9. Deliver to Executive Director, Police Pension Fund:
 - a. Five (5) copies of **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE** indicating disposition of property
 - b. Copy of **PROPERTY CLERK INVOICE**, if applicable.
- 10. Prepare and submit **PENSION APPLICATION (PD440-045)**, which grants terminal leave, if applicable.



PATROL GUIDE

Section: Personnel Matters		Procedure No: 205-43	
DISCONTINUATION OF POLICE SERVICE - RESIGNATION			
DATE ISSUED: 05/06/11	DATE EFFECTIVE: 05/13/11	REVISION NUMBER: 11-02	PAGE: 1 of 6

- PURPOSE** To facilitate the resignation of a uniformed member of the service.
- DEFINITION** RESIGNATION - Voluntary separation from the Department other than retirement/vested interest.
- PROCEDURE** When a uniformed member of the service decides to resign from the Department:
- MEMBER CONCERNED**
1. Report to permanent command and notify commanding officer.
 - a. If commanding officer is NOT present, inform desk officer.
- COMMANDING OFFICER**
2. Instruct member that resignation bars reinstatement EXCEPT if approved by the Police Commissioner within one (1) year of date of resignation.
 3. Request member concerned to complete, in ink, and sign appropriate section of **RESIGNATION AND EXIT INTERVIEW (PD452-151)**.
 4. Interview member and record responses under appropriate captions of **RESIGNATION AND EXIT INTERVIEW**.
 5. Sign **RESIGNATION AND EXIT INTERVIEW** and distribute as indicated on bottom of each copy of form.
 6. Have command clerk prepare set of **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE (PD520-013)**.
 7. Sign **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE**.
- DESK OFFICER**
8. Make Command Log entry of resignation.
 9. Obtain New York City Transit Police Pass MetroCard and Long Island Rail Road and/or Metro-North Rail Road Police Passes from resigning member, if appropriate, and have hand delivered to the Employee Relations Section (IO 67 s.16).
 10. Notify Operations Unit that uniformed member is resigning.
 11. Give member on duty at Operations Unit the following information concerning resigning member:
 - a. Rank
 - b. Last name, first name, middle initial
 - c. Shield number
 - d. Tax registry number
 - e. Social Security number
 - f. Command
 - g. Date of appointment
 - h. Hour and date of resignation.

NOTE *Operations Unit personnel will notify Communications Section (for transmittal of FINEST Message), Internal Affairs Bureau, Payroll Section, Police Pension Fund and Human Capital Division.*

PATROL GUIDE

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- DESK OFFICER (continued)**
12. Assign member concerned to second platoon on last working day.
 - a. If last working day of resigning member is on Saturday or Sunday, member will report to Police Pension Fund for processing on Friday and perform clerical duty in command on Saturday and Sunday.

- RESIGNING MEMBER**
13. Prepare **PROPERTY CLERK INVOICE (PD521-141)** listing firearms to be safeguarded.
 14. Prepare separate **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE (PD424-150)** for each firearm safeguarded.
 15. Deliver firearms with **PROPERTY CLERK INVOICE** and **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE** to borough Property Clerk's Office, ONLY.
 16. Report to Police Pension Fund on last working day in civilian clothes with **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE**, ALL property and two copies of - **PROPERTY CLERK INVOICE**.
 - a. Resigning uniformed member of the service will retain "Gold-A/O's Copy" of **PROPERTY CLERK INVOICE** as receipt for firearms.

NOTE *If uniformed member of the service refuses to report to Police Pension Fund for processing, commanding officer will accept property and have it delivered to appropriate commands.*

17. Deliver Department property to commands indicated below and obtain receipt on **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE** form.
 - a. **IDENTIFICATION CARD (PD416-091)** and shield - to **Shield, ID and Retirement Unit (IO 67 s.16)**
 - b. Helmet and **Oleoresin Capsicum (O.C.) pepper spray (IO 5 s.17)** with holster - to officer-in-charge, Firearms and Tactics Section, Police Headquarters range
 - c. **NYPD Restricted Parking Permit (Misc. 23-N), Headquarters Annex Parking Permit (Misc. 814HQ-Annex)** or any other Department issued vehicle parking permit - if applicable, to issuing command's integrity control officer/counterpart, to ensure that return is recorded in Department record book
 - d. **NYPD Vehicle Identification Plate (Misc. 740)** - if applicable, to command's integrity control officer/counterpart, who will ensure that the plate is forwarded by messenger to the Chief of Department's Vehicle Identification Unit at 300 Gold Street, Room 312, Brooklyn
 - e. Department issued bullet resistant vest - to Police Academy, Ballistic Vest Unit

PATROL GUIDE

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RESIGNING MEMBER (continued)

- f. Permanently assigned portable radio with all accessories – if applicable, to ITB Telecommunications Unit, One Police Plaza, Room 910B
- g. Personal laptop computer and/or tablet with all accessories - if applicable, to ITB Telecommunications Unit, One Police Plaza, Room 910B
- h. Cellular telephone with all accessories - if applicable, to ITB Telecommunications Unit, One Police Plaza, Room 910B
- i. MIFI device and/or VPN token - if applicable, to ITB Telecommunications Unit, One Police Plaza, Room 910B. (10 65 s.16)

NOTE

ALL uniformed members of the service MUST return the Patrol Guide. Detectives, detective investigators and detective supervisors MUST return the Patrol Guide and Detective Guide. All uniformed members of the service in the rank of lieutenant MUST return the Patrol Guide and Administrative Guide. All uniformed members of the service in the rank of captain and above MUST return the Patrol, Administrative, Detective and Organization Guides.

POLICE PENSION FUND REPRESENT- ATIVE

18. Examine **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE** to insure that ALL property is returned or accounted for.
19. Prepare necessary resignation papers and give resigning member appropriate instructions.
20. Forward to desk officer/counterpart following forms in Department mail:
 - a. **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE**
 - b. **PROPERTY CLERK INVOICE.**

DESK OFFICER

21. File copy of **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE** in Property Receipt Book.
22. Notify commanding officer, roll call clerk and next higher command of resignation.

IF MEMBER IS RESIGNING IN PERSON, NOT AT PERMANENT COMMAND, AND WILL NOT REPORT TO POLICE PENSION FUND FOR PROCESSING:

DESK OFFICER, COMMAND OF RESIGNATION

23. Prepare **RESIGNATION AND EXIT INTERVIEW** (five [5] part snap-out).
24. Request member to sign form.
 - a. If member refuses, so indicate.
25. Sign and distribute form as indicated in step “5” above.
26. Notify Operations Unit of member’s resignation.
 - a. Operations Unit personnel will make required notifications.
27. Notify member’s permanent command of resignation.
28. Make Command Log entry of member’s resignation including names of persons notified.
29. Question resigning member concerning location of property.

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**DESK
OFFICER,
COMMAND OF
RESIGNATION
(continued)**

30. Instruct member concerned that benefits, pension contributions, etc., will NOT be returned until ALL property is accounted for and that the Police Commissioner will decide if resignation is without permission.
31. Assign uniformed member to deliver property of resigning member to permanent command.
32. Instruct resigning member to contact Police Pension Fund for instructions concerning benefits.

**DESK
OFFICER,
PERMANENT
COMMAND**

33. Have following forms prepared:
 - a. **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE**
 - b. **PROPERTY CLERK INVOICE**
 - c. **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE.**
34. Inspect member's **FORCE RECORD (PD406-143)** to determine Department property and firearms possessed by member.
35. Have uniformed supervisor and clerical member of the service open member's locker and obtain property.
36. Have uniformed member of the service deliver resigning member's firearms with related forms to borough Property Clerk's Office.
37. Assign member to deliver **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE** (five copies), **two (10 66 s.13)** copies of **PROPERTY CLERK INVOICE** and ALL Department property to Police Pension Fund.

**POLICE
PENSION FUND
REPRESENT-
ATIVE**

38. Process papers of resigning member and check **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE** to insure ALL Department property and firearms are returned.
39. Forward to member's permanent command a copy of:
 - a. **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE**
 - b. **PROPERTY CLERK INVOICE.**

**DESK OFFICER
PERMANENT
COMMAND**

40. Check **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE** to insure that ALL Department property and firearms of resigning member are accounted for, and/or safeguarded.

IF MEMBER RESIGNS OTHER THAN IN PERSON (BY TELEGRAM, REGISTERED LETTER, ETC.):

**C.O./
SUPERVISING
OFFICER,
RECEIVING
RESIGNATION**

41. Notify Operations Unit of member's resignation.
 - a. Operations Unit personnel will make required notifications.
42. Notify resigning member's permanent command, if necessary.



INTERIM ORDER

SUBJECT: EVALUATIONS – GENERAL – MEMBERS OF THE SERVICE		
DATE ISSUED:	REFERENCE:	NUMBER:
07-03-12	*P.G. 205-48	40

PURPOSE

To ensure that each uniformed and civilian member of the service is evaluated at least once each year.

PROCEDURE

To provide guidance to processing the evaluation of uniformed and civilian members of the service:

COMMANDING OFFICER CONCERNED

1. Utilize the “Evaluations Due” computer application in the NYPD Intranet and examine command roster to determine which members of the command may require a **PERFORMANCE EVALUATION**.
2. Assign supervisor(s) to evaluate performance of subordinates.
 - a. Designate an appropriate supervisor to prepare **PERFORMANCE EVALUATIONS** of members assigned to the VIPER units, if applicable.

RATER

3. Prepare appropriate **PERFORMANCE EVALUATION** form according to directions contained on the form and in the Performance Evaluation Guide.
4. Examine ratee’s CPI record, Department recognition, sick record, commendation letters, CCRB record, for entries pertaining to the rating period, as well as any other record of performance documentation (e.g., Command Discipline Log, **SUPERVISOR FEEDBACK FORM** [IO 9 s.17], etc.).
5. Comment on all Performance Areas/Behavioral Dimensions rated below competent (i.e., rated either 2 or 1).
6. Discuss the Department’s equal employment opportunity (EEO) policy with ratee.
 - a. Make all evaluation decisions in accordance with the Department’s EEO policy to ensure compliance
 - b. Record any disciplinary action received by a member of the service that was a result of an EEO related issue (see “*ADDITIONAL DATA*”)
 - c. Record comments in the section devoted to the “Overall Rater’s Comments”, indicating that the employee’s rights and responsibility regarding EEO issues were discussed
 - d. Record comments in the section devoted to the “Overall Rater’s Comments”, indicating how well a supervisor has demonstrated his/her compliance with the Department’s EEO policy.
7. Review ratee’s **FORCE RECORD (PD406-143)** with member to ensure emergency notification and personal information is up to date.
 - a. Update ratee’s **FORCE RECORD** as required. (IO 31 s.15)
8. Report efforts made to improve attendance of members who are classified “Chronic Absent - Category A” or “Chronic Absent - Category B.”
 - a. Include a statement concerning efforts made to improve attendance.
9. Confer with ratee’s former supervisor and consult transfer **PERFORMANCE EVALUATION** if observation of ratee is of a limited duration, when appropriate.
 - a. Include identity of supervisor conferred with in Overall Rater’s Comments.

- | | | |
|------------------------------|------------|--|
| RATER
(continued) | 10. | Forward completed PERFORMANCE EVALUATION to appropriate reviewer by entering the reviewer's tax registry number. |
| REVIEWER | 11. | Review all PERFORMANCE EVALUATIONS of subordinate personnel. |
| | 12. | Ensure the ratings of members designated "Chronic Absent" are accurate and objectively reflect the ratee's performance and the impact of absenteeism on such performance. <ul style="list-style-type: none"> a. Give consideration to attendance record of ratee who is classified "Chronic Absent - Category A" in determining appropriate overall rating. b. Consider evaluating ratee "Very Low" if member is or has been classified as "Chronic Absent - Category B" during the rating period. |
| | 13. | Provide additional comments regarding the ratee's performance and submit PERFORMANCE EVALUATION to rater. |

WHEN REVIEWER IS IN DISAGREEMENT WITH RATER'S EVALUATION

- | | | |
|-----------------|------------|---|
| REVIEWER | 14. | Prepare additional PERFORMANCE EVALUATION if in disagreement with any portion of the rater's evaluation of ratee. <ul style="list-style-type: none"> a. Forward the additional PERFORMANCE EVALUATION to immediate supervisor for review by entering the immediate supervisor's tax registry number. |
|-----------------|------------|---|

- | | | |
|--|------------|--|
| EXECUTIVE OFFICER/
COMMANDING OFFICER | 15. | Review the additional PERFORMANCE EVALUATION prepared by initial reviewer and add comments as the new reviewer. <ul style="list-style-type: none"> a. Submit the additional PERFORMANCE EVALUATION to initial reviewer. |
|--|------------|--|

- | | | |
|-------------------------|------------|--|
| INITIAL REVIEWER | 16. | Discuss the additional PERFORMANCE EVALUATION with ratee after comments have been made by executive officer/commanding officer. |
|-------------------------|------------|--|

IN ALL CASES WHEN A PERFORMANCE EVALUATION IS PREPARED

- | | | |
|------------------------------------|------------|--|
| INITIAL REVIEWER/
RATER | 17. | Discuss PERFORMANCE EVALUATION with ratee after the rater and the reviewer have made comments. |
| | 18. | Comply with <i>P.G. 205-58, "Appeal of Evaluation – Uniformed Members of the Service"</i> or <i>P.G. 205-59, "Appeal of Evaluation – Civilian Member of the Service,"</i> when member of the service appeals his/her PERFORMANCE EVALUATION . <ul style="list-style-type: none"> a. Notify commanding officer of ratee's decision to appeal. |
| | 19. | Print PERFORMANCE EVALUATION for signature of ratee, rater, and reviewer. |

**INITIAL
REVIEWER/
RATER
(continued)**

- 20. Schedule and conduct interview with ratee.
 - a. Be cognizant of any scheduled vacations or absences that may cause a delay in conducting the interview and “finalizing” of **PERFORMANCE EVALUATION**.
- 21. Provide a copy of **PERFORMANCE EVALUATION** to ratee at interview.
- 22. Ensure that a completed and signed **PERFORMANCE EVALUATION** is filed in the member’s command folder.
- 23. Certify evaluation process as complete by “finalizing” **PERFORMANCE EVALUATION**.
 - a. Submit **PERFORMANCE EVALUATIONS** prior to leaving for vacation or other leave, if such absence would cause a delay in preparation and/or submission of the **PERFORMANCE EVALUATION**.

**COMMANDING
OFFICER/
REVIEWER**

- 24. Prepare interim **PERFORMANCE EVALUATION** if significant change occurs in ratee’s performance or as otherwise directed.
 - a. If a ratee receives an overall evaluation of below competent (2.5 or lower) or is rated extremely competent (5.0), the reviewer must be in the rank of captain or above, or selected civilian managerial titles.
 - b. If ratee is in any Performance Monitoring Program, the reviewer must be the commanding officer. The commanding officer will consult with all appropriate supervisors prior to making any comments.
- 25. Review delinquent **PERFORMANCE EVALUATIONS** recapitulation on the NYPD Intranet Home Page (Evaluations Due) frequently to determine status of overdue **PERFORMANCE EVALUATIONS** (see “*ADDITIONAL DATA*”).
- 26. Ensure all **PERFORMANCE EVALUATIONS** are forwarded electronically after completion by utilizing the “Print Command Evaluations” feature on the main menu.
 - a. This feature provides a supervisor in the rank of lieutenant or above to view all finalized **PERFORMANCE EVALUATIONS** in the command.
- 27. Ensure a signed copy of the original **PERFORMANCE EVALUATION** prepared for a probationary police officer, probationary sergeant, probationary lieutenant and probationary captain is forwarded to the Employee Management Division, Probationary Monitoring Unit.
- 28. Direct rater being transferred or retiring to prepare **PERFORMANCE EVALUATION** for each member the rater is regularly required to evaluate, prior to transfer/retirement.
- 29. Direct that a transfer **PERFORMANCE EVALUATION** be prepared for members transferred.
 - a. Forward **PERFORMANCE EVALUATION** to member’s new command.

**COMMANDING
OFFICER/
REVIEWER
(continued)**

- 30.** Ensure that members are rated in the command to which assigned or temporarily assigned on the last day of the rating period (conferrals may be made if required).
- a. If a member of the service is not observed during the rating period, (i.e., sick report, leave, retired or resigned, etc.), an explanation, including dates, must be entered on **PERFORMANCE EVALUATION**.

**ADDITIONAL
DATA**

PERFORMANCE EVALUATIONS and guidebooks for the ranks of police officer through captain, and civilian sub-managerial employees may be found by accessing the Online Evaluation System via the Department Intranet. Commanding officers will ensure additional copies of guidebooks are made available in the command reference library.

Probationary members of the service do not receive annual **PERFORMANCE EVALUATIONS**. An annual **PERFORMANCE EVALUATION** will be prepared during the next rating period after a member attains permanent rank.

Uniformed members of the service who are in rank on probation (e.g., entry-level probationary police officers, probationary sergeants, etc.) and civilian members of the service who have not completed their probationary period or have served less than two years in a provisional status are not permitted to appeal their **PERFORMANCE EVALUATION**.

All newly promoted sergeants, lieutenants and captains are on probation in rank for a period of twelve months unless cause exists to extend such period for an additional six months. Extension of probation beyond twelve months may be authorized on a case-by-case basis.

A waiver of probation may be requested after six months. This request must be made by the probationary member's commanding officer and accompanied by the fourth month **PERFORMANCE EVALUATION**. All requests are to be forwarded through channels to the **Human Capital Division (10 67 s.16)**.

Members of the service are reminded that appraisal of subordinates' performance is a continuous process. The use of an annual evaluation system **DOES NOT** relieve supervisors of their responsibility to monitor and document subordinates' performance throughout the rating period. The "Evaluations Due" web page provides a roster of annual and probationary **PERFORMANCE EVALUATIONS** that are due for specific personnel. Certain commands are required to provide additional **PERFORMANCE EVALUATIONS** (i.e., investigative track commands and requests due to monitoring). The Online Evaluation System does not preclude commands from providing additional **PERFORMANCE EVALUATIONS** when necessary.

When preparing a **PERFORMANCE EVALUATION**, the rater will take into account the ratee's performance concerning equal employment opportunity (EEO) issues. EEO factors having a bearing on the rating in that category will include, but not be limited to, whether the member has engaged in conduct that violates provisions of the Department Manual, Title VII, other applicable equal employment opportunity laws, or the Department's equal employment opportunity policy.

A uniformed or civilian member of the service who is absent for either the majority or the entirety of a rating period due to military service is still entitled to receive a PERFORMANCE EVALUATION. Pursuant to New York State Military Law, to compute the rating for such a member, raters are to take the average of the three PERFORMANCE EVALUATIONS that the member received prior to his/her absence

**ADDITIONAL
DATA
(continued)**

for military duty. However, the credited rating must not be less than satisfactory (3.0) or less than the rating that the member received for the period immediately prior to his/her absence for military service. In the "Overall Rater's Comments:" caption the rater will note the length of time the member was on military duty during the evaluation period and that the evaluation is being prepared pursuant to New York State Military Law. Additional questions concerning evaluations of members of the service absent from their positions due to military service may be directed to either the Performance Analysis Section or the Legal Bureau. (IO 20 s.16)

In addition, raters will ensure that recognition is given to members who utilize their language proficiency for translation and interpretation in the performance of their regular duties, or as part of the volunteer language initiative. The use of this skill shall be afforded the same recognition as any other special skill needed by the Department. Any experience gained while serving as a translator/interpreter in criminal investigations will be included in the Overall Rater's Comments of the **PERFORMANCE EVALUATION**. Commanding officers will ensure that evaluations of volunteer members are not negatively affected by their assignment to translation/interpretation duties. These tasks shall be evaluated as a proportionate part of their assigned duties.

When a sub-managerial civilian member is transferred, the commanding officer/supervisory head will direct that the **PERFORMANCE EVALUATION** is completed online and the form is forwarded to the **Employee Resources Section (IO 67 s.16)** and to the new command. The ratee will be given a copy of the form. The immediate supervisor in the new command will prepare a new Task and Standards of the ratee's new assignment via the Online Evaluation System.

If excessive absence, tardiness or poor performance is cited as a reason(s) for a BELOW STANDARDS or WELL BELOW STANDARDS rating, include a copy of the appropriate form including: **ABSENCE AND TARDINESS RECORD (PD433-145)**, **CIVILIAN RECORD OF SUPERVISORY CONFERENCES (SUB-MANAGERIAL) (PD433-1411)**, **CIVILIAN LATENESS/WARNING NOTIFICATION (PD449-122)**, or **CIVILIAN UNSATISFACTORY PERFORMANCE WARNING (PD439-012)**, when appropriate.

Chronic Absence Control Program (P.G. 205-45)

Police Officer's Monthly/Quarterly Performance Review and Rating System (P.G. 205-57)

Appeal of Evaluation - Uniformed Members of the Service (P.G. 205-58)

Appeal of Evaluation - Civilian Member of the Service (P.G. 205-59)

**RELATED
PROCEDURES**

PERFORMANCE EVALUATION

FORCE RECORD (PD406-143)

ABSENCE AND TARDINESS RECORD (PD433-145)

CIVILIAN RECORD OF SUPERVISORY CONFERENCES (SUB-MANAGERIAL) (PD433-1411)

**FORMS AND
REPORTS**

CIVILIAN LATENESS/WARNING NOTIFICATION (PD449-122)

CIVILIAN UNSATISFACTORY PERFORMANCE WARNING (PD439-012)

SUPERVISOR FEEDBACK FORM

Online Performance Evaluation Guide

BY DIRECTION OF THE POLICE COMMISSIONER

INTERIM ORDER NO. 40



PATROL GUIDE

Section: Personnel Matters		Procedure No: 205-49	
EVALUATION OF PROBATIONARY POLICE OFFICERS			
DATE ISSUED: 05/21/10	DATE EFFECTIVE: 05/28/10	REVISION NUMBER: 10-03	PAGE: 1 of 2

PURPOSE To insure proper evaluation of probationary police officers.

PROCEDURE Before a probationary police officer is permanently assigned to a command:

COMMANDING OFFICER, POLICE ACADEMY

1. Ensure preparation of two (2) copies of **RECRUIT EVALUATION (PD439-1412)**, prior to permanent assignment.
2. Forward original to permanent command.
3. Forward duplicate to **Human Capital Division (10 67 s.16)** upon assignment to permanent command.

COMMANDING OFFICER/ SUPERVISOR CONCERNED (PERMANENT COMMAND)

4. Evaluate continuously, the conduct and performance of probationary police officers.
5. Evaluate probationary police officers via the Online Evaluation System available on the Department's Intranet, three (3) times during their probationary period: the tenth (10th), sixteenth (16th) and twenty-second (22nd) month.

NOTE *The first sixteen (16) months of a probationary police officer's field assignment is a critical phase in the training and maturation of a new police officer. Supervisors must conscientiously evaluate probationary police officers to ensure that members who are unable to satisfactorily perform their duties are identified.*
*In addition to evaluation reports, commanding officers will submit the following reports during the probationary period as they occur, on **Typed Letterhead**.*

- a. *Request for Charges and Specifications to First Deputy Commissioner.*
- b. *Report of any matter that may bear upon the fitness of probationer to Chief of Personnel in a sealed envelope.*

COMMANDING OFFICER (PERMANENT COMMAND)

6. Ensure that twenty-second (22nd) month evaluation specifically recommends "Permanent Appointment," "Extension of Probation" or "Termination of Services," in reviewer's comments area.
 - a. Notify the Performance Analysis Section whenever a probationary police officer receives an overall evaluation less than 3.0.
7. Forward completed **PERFORMANCE EVALUATIONS** via Department Intranet by finalizing the **PERFORMANCE EVALUATION** online.
 - a. Ensure a signed copy of the **PERFORMANCE EVALUATION** is printed out and forwarded to **Personnel Services Unit (10 67 s.16)**.

NOTE *When recommending "Termination of Services" or "Extension of Probation" a detailed report to **Commanding Officer, Personnel Services Unit**, including all pertinent facts related to the probationary police officer's performance, will be forwarded with a copy of the **PERFORMANCE EVALUATION**. If warranted, these recommendations may also be forwarded at any time during the probationary period, prior to the twenty-second month anniversary.*

PATROL GUIDE

PROCEDURE NUMBER:	DATE EFFECTIVE:	REVISION NUMBER:	PAGE:
205-49	05/28/10	10-03	2 of 2

ADDITIONAL DATA

*The probationary period should be utilized to closely scrutinize the member's performance to assess his or her abilities as a police officer. The entry level probationary period may be extended an additional six (6) months, if necessary, to allow the Department more time to further review and evaluate a probationer's suitability to remain a police officer. When a probationary officer is transferred to a command, his or her performance from the previous command must be reviewed. Interim evaluations should be prepared when it is apparent there is a problem with an officer's performance. The rater will discuss the probationary evaluation with the ratee. This will make the probationary officer aware of his or her performance and also place those probationary officers with a "below standards" evaluation on notice that their performance must show an improvement. When a commanding officer becomes aware that a probationary officer's performance may be below standards, supervisors should be instructed to carefully document the member's performance by utilizing the **SUPERVISOR FEEDBACK FORM [109s.17]**, command discipline, and when appropriate, charges and specifications. The probationer will be notified of the observed performance deficiencies and instructed on proper Department procedure. Written documentation that the probationer was instructed and counseled will be maintained in the officer's personnel folder.*

RELATED PROCEDURES

*Evaluations - General - Members of the Service (P.G. 205-48)
Appeal of Evaluation - Uniformed Members of the Service (P.G. 205-58)*

FORMS AND REPORTS

RECRUIT EVALUATION (PD439-1412)
**PERFORMANCE EVALUATION POLICE OFFICER-DETECTIVE
SPECIALIST (PD439-157)**
SUPERVISOR FEEDBACK FORM
Typed Letterhead



PATROL GUIDE

Section: Personnel Matters		Procedure No: 205-56	
<div>POLICE OFFICER'S ANNUAL EVALUATION UTILIZING THE MONTHLY/QUARTERLY PERFORMANCE REVIEW AND RATING SYSTEM</div>			
DATE ISSUED: 06/13/08	DATE EFFECTIVE: 06/20/08	REVISION NUMBER: 08-02	PAGE: 1 of 2

PURPOSE

To ensure that the Annual Overall Evaluation rating assigned to a police officer on the annual **PERFORMANCE EVALUATION POLICE OFFICER - DETECTIVE SPECIALIST (PD439-157)** corresponds to the annual total of quarterly points awarded under the Police Officer's Monthly/Quarterly Performance Review and Rating System.

PROCEDURE

When preparing annual evaluations of police officers and detective specialists:

RATER

1. Examine **OFFICER PROFILE REPORTS (IO 9 s.17)** prepared during the rating period for each police officer assigned to patrol duties being evaluated in enforcement commands.

NOTE

The **OFFICER PROFILE REPORTS** and the Monthly/Quarterly Performance Review and Rating System should be the primary basis and documentation for the annual evaluation of police officers.

2. Assign Overall Evaluation using the following chart that illustrates the expected correlation between total annual points earned and the assignment of the annual Overall Evaluation.

TOTAL ANNUAL POINTS	OVERALL EVALUATION
60-68	4.5 TO 5.0
55-59	4.0 TO 4.5
48-54	3.5 TO 4.0
40-47	3.0
BELOW 40	2.5 AND BELOW

NOTE

In assigning quarterly points during the year, supervisors must expect to avoid any inconsistency between the sum of quarterly points to be totaled at the end of the year for a police officer and the rating designation in the Overall Evaluation category on the **PERFORMANCE EVALUATION**.

REVIEWER

3. Ensure that raters accurately and fairly assign Overall Evaluations and that such Overall Evaluations reflect actual performance as measured by the Monthly/Quarterly Performance Review and Rating System.

NOTE

The Monthly Quarterly Performance Review and Rating System, when used properly, will provide an indication of the appropriate Overall Evaluation. There will, however, be exceptions to this general rule. When there is a manifest difference between a police officer's annual total of quarterly points and the Overall Evaluation, the rater must explain and justify this imbalance in the Overall Rater's Comments section of the **PERFORMANCE EVALUATION**. Reviewers must ensure that such discrepancies are justified. If there is no clear explanation, the **PERFORMANCE EVALUATION** will be rejected by the **Performance Analysis Section (IO 67 s.16)** and the form will require re-examination at the command level.

PATROL GUIDE

PROCEDURE NUMBER:	DATE EFFECTIVE:	REVISION NUMBER:	PAGE:
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**RELATED
PROCEDURES**

Evaluations - General - Members of the Service (P.G. 205-48)
Police Officer's Monthly/Quarterly Performance Review and Rating System (P.G. 205-57)

**FORMS AND
REPORTS**

OFFICER PROFILE REPORT
PERFORMANCE EVALUATION POLICE OFFICER - DETECTIVE SPECIALIST
(PD439-157)



INTERIM ORDER

SUBJECT: POLICE OFFICER / DETECTIVE SPECIALIST MONTHLY/QUARTERLY PERFORMANCE REVIEW		
DATE ISSUED:	REFERENCE:	NUMBER:
02-02-17	*P.G. 205-57	9

PURPOSE

To evaluate the monthly and quarterly performance, when applicable, of all police officers/detective specialists assigned to non-investigative Bureaus and non-investigative administrative Bureaus/Deputy Commissioner commands.

SCOPE

The Police Officer/Detective Specialist Monthly/Quarterly Performance Review, utilizing the **OFFICER PROFILE REPORT**, measures the performance levels of uniformed members of the service.

All police officers/detective specialists assigned to non-investigative Bureaus (e.g., precinct, police service area [PSA], transit district, Strategic Response Group, etc.) will be assessed monthly utilizing the **OFFICER PROFILE REPORT** and evaluated quarterly using the Supervisor's Quarterly Evaluation. All police officers/detective specialists assigned to non-investigative administrative Bureau/Deputy Commissioner commands (e.g., Personnel Bureau, Deputy Commissioner, Collaborative Policing, etc.) will be evaluated quarterly using the Supervisor's Quarterly Evaluation.

PROCEDURE

When preparing monthly/quarterly performance reviews of police officers and detective specialists utilizing the Police Officer/Detective Specialist Monthly/Quarterly Performance Review:

UNIFORMED MEMBER OF THE SERVICE

1. Access the Performance Evaluation System and print out a hard copy of the **OFFICER PROFILE REPORT** at the conclusion of each month.

NOTE

*The **OFFICER PROFILE REPORT** is an electronic form that is generated in the Performance Evaluation System, which compiles data from numerous Department databases to provide an accurate account of a uniformed member's performance. It will include statistical data (e.g., 7 Majors, Top 911 Locations, Top Collision Locations, etc.) unique to the precinct and platoon to which the reporting member is assigned. In addition, the **OFFICER PROFILE REPORT** will contain information from **OFFICER SELF – REPORT FORMS** and the **SUPERVISOR FEEDBACK FORMS**, when submitted (see **ADDITIONAL DATA**).*

2. Review and submit **OFFICER PROFILE REPORT** to designated supervisor for review by the second day of the following month.
 - a. Submit **REPORT** prior to leave, or if not possible, without delay upon return to duty if scheduled for vacation or other leave.
 - b. Inform designated supervisor of any excessive time off patrol for the reported month due to vacation, sick, administrative duties, details, etc.

*The designated supervisor or another supervisor may print the **OFFICER PROFILE***

NOTE

REPORT for the uniformed member concerned, if the member is unavailable for an extended period due to vacation or other leave.

**DESIGNATED
SUPERVISOR**

3. Review member's **OFFICER PROFILE REPORT**.
 - a. Evaluate the uniformed member's performance in proactively addressing community concerns.
 - b. Assess the quality and caliber of the member's efforts by carefully reviewing activity including, **SUPERVISOR FEEDBACK FORMS** and **OFFICER SELF-REPORT FORMS**.
 - (1) Determine the accuracy, validity, and integrity of the **OFFICER SELF-REPORT FORMS**.
 - c. Provide positive feedback and comments for proactive and quality activity.
 - d. Compare member's current monthly performance to other members with similar duties by referring to the "Officer Comparison" page of the **OFFICER PROFILE REPORT**.
 - e. Provide guidance and direction for improvement and conduct regular follow-ups, when a deficiency is identified.
 - (1) Take appropriate steps to improve the uniformed member's performance. These steps include, but are not limited to, assisting the uniformed member in identifying the conditions to be addressed.
 - (2) If member fails to improve performance, confer with platoon commander/special operations lieutenant or next higher supervisor.
4. Sign **OFFICER PROFILE REPORT**.
5. Deliver completed **OFFICER PROFILE REPORTS** to platoon commander or other reviewer by the fifth day of the following month.

**PLATOON
COMMANDER
OR OTHER
REVIEWER**

6. Review and sign **OFFICER PROFILE REPORTS**.
7. Forward completed **OFFICER PROFILE REPORTS** to operations coordinator by the seventh day of the month for filing.

**OPERATIONS
COORDINATOR**

8. File copies of **OFFICER PROFILE REPORTS**.

**COMMANDING
OFFICER**

9. Log into Performance Evaluation System periodically, and review completed **OFFICER PROFILE REPORTS**.

EACH JANUARY, APRIL, JULY AND OCTOBER

NOTE

The following guidelines for the administration of the Supervisor's Quarterly Evaluation for uniformed members of the service will take effect on 0001 hours, April 1, 2017 and commence with the rating period for 01/01/17 – 03/31/17.

INTERIM ORDER NO. 9

NOTE
(continued)

The Supervisor's Quarterly Evaluation will be conducted for all police officers/detective specialists assigned to non-investigative Bureaus (e.g., precinct, police service area [PSA], transit district, Strategic Response Group, etc.) and non-investigative administrative Bureau/Deputy Commissioner commands (e.g., Personnel Bureau, Deputy Commissioner, Collaborative Policing, etc.).

**DESIGNATED
SUPERVISOR**

10. Log into the Performance Evaluation System to conduct Supervisor's Quarterly Evaluation within seven days following the quarter for which the review is due (e.g., January-March, April-June, July-September and October-December).
 - a. Review activity for all three months of the quarter.
 - b. Rate uniformed member of the service in each of twelve performance areas and be guided by instructions on the electronic form.
 - (1) Documentation is mandatory for any rating above or below "Meets Standards." Examples of documentation include, but are not limited to, **SUPERVISOR FEEDBACK FORMS**, **OFFICER SELF-REPORT FORMS**, and content listed on the **OFFICER PROFILE REPORT**.
 - (2) **SUPERVISOR FEEDBACK FORMS**, **OFFICER SELF-REPORT FORMS** and above average activity on the **OFFICER PROFILE REPORT** are to be considered to support rating criteria.
 - (3) Performance Evaluation System in the Department Intranet will automatically calculate members rating as a score out of 100 points based on ratings.
 - c. In the "Supervisory Comments" section of the Supervisor's Quarterly Evaluation, note the following:
 - (1) Any outstanding action or achievement. Examples of outstanding action or achievement include, bribery arrests, pattern robbery arrest or other action, which significantly impacts on crime or issues of community concern
 - (2) Any deficiencies or areas that need improvement. Include notation if member is designated chronic sick, subject of any disciplinary action or placed on performance monitoring.
11. Sign off on completed evaluation.
12. Interview member in a private setting and discuss overall performance.
 - a. Review evaluation with member and direct member to sign off on evaluation.
13. Forward evaluation to the platoon commander or other reviewer by the seventh day of the month following reporting period.

NOTE

If a member consistently fails to perform at satisfactory levels, the supervisor will confer with the platoon commander or next higher level supervisor regarding referring the member for performance monitoring. Each quarter, the commanding officer will review all under-performing members and notify the next higher command in writing of action taken and/or recommended.

**PLATOON
COMMANDER
OR OTHER
REVIEWER**

14. Log into the Performance Evaluation System to review Supervisor's Quarterly Evaluation.
 - a. If reviewer concurs with rater's evaluation:
 - (1) Sign off and enter comments.
 - b. If reviewer disagrees with rater's evaluation:
 - (1) Confer with rater and direct rater to re-evaluate performance based on conferral and review of activity.
 - (2) If reviewer still disagrees with rater:
 - (i) Sign and enter reasons for disagreement in comments
 - (ii) Prepare separate evaluation, if appropriate.

NOTE

Supervisor's Quarterly Evaluation rating points will not be finalized until platoon commander or other reviewer reviews and concurs with rating.

Supervisor's Quarterly Evaluation may be appealed to the next higher-ranking supervisor. In all cases, the member's commanding officer (in the rank of captain or above) will make the final determination.

15. Deliver printed copy of Supervisor's Quarterly Evaluation to the operations coordinator by the tenth day of the month following the reporting period.

**OPERATIONS
COORDINATOR**

16. Ensure Supervisor's Quarterly Evaluations are finalized by the fifteenth day of the month following the reporting period.

**COMMANDING
OFFICER**

17. Access the Performance Evaluation system and review Supervisor's Quarterly Evaluations.
18. Personally conduct performance interview for those members who receive a numerical score below 65 (out of 100) for any quarter.
 - a. Provide direction and/or take necessary corrective action to improve member's performance.
 - b. Inform member that continued below standard performance will, absent mitigating circumstances, result in the member being placed on performance monitoring and possible imposition of sanctions by the Personnel Review Board concerned.
 - c. Record and file results of interview.
19. Notify next higher command in writing of uniformed members of the service who received a score below 65 in any two quarters within a one year period.

**NEXT HIGHER
COMMAND**

20. Provide oversight and direction in monitoring and improving a uniformed member's performance when they are underperforming.
21. Establish a Personnel Review Board to review all cases of members who receive a score below 65 in any two quarters within a one year period.
 - a. Select a minimum of three supervisory members who through assignment and/or knowledge of the member's performance are appropriate for inclusion for the Personnel Review Board.

INTERIM ORDER NO. 9

**PERSONNEL
REVIEW
BOARD
CONCERNED**

22. Review cases and recommend corrective action to be taken.
- a. Corrective action may include change of assignment within the command, intraborough or interborough transfer, transfer from administrative command and/or disciplinary action.

**NEXT HIGHER
COMMAND**

23. Review recommendations of Personnel Review Board concerned and make final determination and/or recommendation.
- a. Endorse recommendation concerning transfers and/or disciplinary action, through channels, to the Chief of Personnel.

**ADDITIONAL
DATA**

*The **OFFICER SELF-REPORT FORM** can be accessed on a member's Department mobile phone through the "Craft" application and will allow uniformed members of the service to document notable actions that they consider to be positive (e.g., achievements in crime prevention, problem-solving, community engagement, etc.). By noting community interactions and engagements, members are afforded the ability to showcase their efforts towards furthering the Department's commitment to neighborhood policing.*

*The **SUPERVISOR FEEDBACK FORM** can be accessed on a supervisor's Department mobile phone through the "Craft" application and will allow the supervisor to highlight commendable actions by a uniformed member of the service (e.g., supervisor observes or becomes aware of exceptional community interaction, uniformed member of the service makes an arrest that closes a precinct pattern, etc.). The **FORM** will also allow supervisors to note areas that may need improvement and indicate what actions were taken to address the deficiency. In addition, minor violations of Department regulations committed by uniformed members of the service can be documented using the **FORM**. The **FORM** can also be completed by supervisors for uniformed members outside of their command (e.g., UMOS assigned to supervisors on details, etc.).*

Commanding officers will be responsible for determining performance standards within their respective commands and resolving all issues within their command relative to the Monthly Performance Review. Precinct, PSA and transit district commanding officers will also review and direct the conditions to be addressed consistent with applicable crime control strategies and areas of community concern.

**RELATED
PROCEDURES**

*Implementation of **OFFICER PROFILE REPORT** (Operations Order 2, Series 2017)*

**FORMS AND
REPORTS**

OFFICER PROFILE REPORT
OFFICER SELF – REPORT FORM
SUPERVISOR FEEDBACK FORM

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION
All Commands

INTERIM ORDER NO. 9



INTERIM ORDER

SUBJECT: REVISION TO PATROL GUIDE 205-58, “APPEAL OF EVALUATION - UNIFORMED MEMBERS OF THE SERVICE”		
DATE ISSUED:	REFERENCE:	NUMBER:
07-03-12	*P.G. 205-58	41

1. In order to clarify the appeal process of a **PERFORMANCE EVALUATION** by a uniformed member of the service, Patrol Guide 205-58, “Appeal of Evaluation – Uniformed Members of the Service” has been revised.

2. Therefore, effective immediately, Patrol Guide 205-58, “Appeal of Evaluation – Uniformed Members of the Service” is **SUSPENDED** and the following new procedure will be complied with:

PURPOSE	To permit a uniformed member of the service in permanent rank to appeal his/her evaluation.
SCOPE	This procedure does <u>not</u> apply to uniformed members of the service who are in the rank on probation (e.g., entry-level probationary police officers, probationary sergeants, probationary lieutenants or probationary captains).
PROCEDURE	When a uniformed member in permanent rank wants to appeal a PERFORMANCE EVALUATION :
RATER	1. Inform commanding officer.
COMMANDING OFFICER	2. Act as initial hearing officer. a. Schedule interview with members concerned (i.e., rater, reviewer and ratee named on PERFORMANCE EVALUATION form), within <u>thirty days</u> of appeal notice.
NEXT HIGHER COMMAND	3. Schedule interview and serve as the hearing officer if the commanding officer is the rater on the PERFORMANCE EVALUATION form.
COMMANDING OFFICER/ NEXT HIGHER COMMAND	4. Attempt to resolve the appeal. 5. Notify the Performance Analysis Section , via Typed Letterhead , within three (IO 63 s.16) days of the hearing, detailing the outcome of the hearing or whether the member is going to continue the appeal process to the next level.
RATEE	6. Submit a report on Typed Letterhead , within <u>thirty days</u> of the hearing, if appeal is NOT RESOLVED at rater/commanding officer/next higher command level, as follows: a. Uniformed members of the service below the rank of captain - Personnel Officer concerned. b. Captains and above – Personnel Officer, Chief of Personnel (IO 67 s.16) . 7. Review the matter by interviewing appropriate parties and examining pertinent records.

**SUPERVISOR,
ABSENCE
CONTROL AND
INVESTIGA-
TIONS UNIT
(continued)**

9. Advise member of the availability of remedial firearms training.

NOTE

*Uniformed members must demonstrate and maintain minimum proficiency in the use of firearms. The Department's policy is that minimum proficiency is a condition of employment for uniformed members. Members failing to qualify within ninety (90) days of signing the **Notice of Failure to Qualify With Firearms** will receive **CHARGES AND SPECIFICATIONS (PD468-121)** and face an administrative hearing under Section 75 of the New York State Civil Service Law, "Removal and Other Disciplinary Action." Members found to be incompetent after an administrative hearing will be removed from the Department.*

IF MEMBER HAS NOT QUALIFIED WITHIN 90 DAYS OF NOTICE

**SUPERVISOR,
ABSENCE
CONTROL AND
INVESTIGA-
TIONS UNIT**

10. Consult with Department Advocate's Office.
11. Comply with P.G. 206-05, "Preparation Of Charges And Specifications or Schedule "C" Command Discipline" [10 27 s.17] as appropriate.

NOTE

Members of the service are reminded that existing Department programs provide one hundred (100) rounds of ammunition and the use of a Department firearms range for practice. Members are also reminded that it is their responsibility to take corrective action on their own time and at their own expense. Instruction is available through the Firearms and Tactics Section by appointment. Members may call 718 885-2500 to arrange for training.

*Commands will photocopy and utilize the **Notice of Failure to Qualify With Firearms**, depicted in Appendix "A", as necessary.*

3. Any provisions of the Department Manual or any other Department directive in conflict with the contents of this order are suspended.

BY ORDER OF THE POLICE COMMISSIONER

**DISTRIBUTION
All Commands**

**(DO NOT USE THIS APPENDIX FOR ORDER- GUS
CREATING NEW ONE ON PAGE MAKER)**

APPENDIX "A"

Notice of Failure to Qualify With Firearms

Date: _____

TAKE NOTICE that you have failed to achieve the minimum passing score in your most recent attempt at firearms qualifications on (date): _____. You have not qualified with firearms since (date): _____. This Department has deemed you medically and/or psychologically fit to perform full duty with firearms.

Firearms proficiency is an essential function of the job of police officer and is a condition of your employment as a uniformed member of the service. You are hereby required to demonstrate and maintain minimum firearms proficiency within ninety (90) days of this notice.

It is your responsibility to contact the Firearms and Tactics Section at (718) 885-2500 and take the firearms requalification course. If you fail to do so, the Department will schedule an appointment for you to take this course prior to 90 days after the date of this notice.

Your failure to demonstrate minimum proficiency within the above time limit will result in formal action being taken against you pursuant to Section 75 of the New York State Civil Service Law, "Removal and other disciplinary action." If there is an affirmative finding of incompetence after an administrative hearing which is approved by the Police Commissioner, this action will result in your removal from the Department.

You are reminded that existing Department programs provide a monthly allotment of ammunition and use of a Department range for practice. In addition, you may contact the Firearms and Tactics Section at (718) 885-2500 to arrange for additional remedial firearms training. However, be aware that it is your responsibility to take whatever steps are necessary for you to qualify with firearms including practice on your own time and at your own expense.

Acknowledgement of subject uniformed member of the service

Rank: _____ Signature: _____

Tax ID# _____ Name (Print) _____ Date _____

Witness:
Rank: _____ Name (Print) _____ Date _____

Tax ID# _____ Signature: _____



PATROL GUIDE

Section: Disciplinary Matters		Procedure No: 206-01	
REPORTING VIOLATIONS OBSERVED BY SUPERVISORS			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 1

PURPOSE To report violations observed by supervisory officers to commanding/executive officers for corrective action.

PROCEDURE Upon observing or becoming aware of a violation of the rules or procedures by a member of the service:

SUPERVISORY MEMBER

1. Prepare **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)**.
2. Notify desk officer of member's command and obtain next serial number from the **COMMAND DISCIPLINE LOG (PD468-102)**.
 - a. Serial numbers commence with number one each year.

DESK OFFICER 3. Make required entries in **COMMAND DISCIPLINE LOG**.

SUPERVISORY MEMBER

4. Submit **REPORT** to the commanding officer of the subject member.
5. Provide copy of **REPORT** to commanding officer for information and file if subject member is from different command.

ADDITIONAL DATA *Personnel assigned to the Department Advocate's Office are available to advise commanding/executive officers concerning command discipline charges.*

RELATED PROCEDURES *Violations Subject To Command Discipline (P.G. 206-03)*
Schedule "A" and Schedule "B" [IO 25 s.17] Command Disciplines (P.G. 206-02)
Authorized Penalties Under Command Discipline (P.G. 206-04)
Preparation Of Charges And Specifications or Schedule "C" Command Discipline [IO 27 s.17] (P.G. 206-05)

FORMS AND REPORTS **COMMAND DISCIPLINE LOG (PD468-102)**
SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)



INTERIM ORDER

SUBJECT: SCHEDULE “A” AND SCHEDULE “B” COMMAND DISCIPLINES		
DATE ISSUED:	REFERENCE:	NUMBER:
04-20-17	*P.G. 206-02	25

PURPOSE

To empower a commanding/executive officer to maintain discipline within his/her command, without resorting to formal charges and a Department trial.

DEFINITION

COMMAND DISCIPLINE - Non-judicial punishment available to a commanding/executive officer to correct deficiencies and maintain discipline within the command.

PROCEDURE

Upon receiving a **SUPERVISOR’S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)** concerning a member of the service (uniformed or civilian) assigned to his/her command:

COMMANDING/ EXECUTIVE OFFICER

1. Investigate to determine if allegation is substantiated.
 - a. Direct integrity control officer to investigate subject’s prior twelve month disciplinary history and indicate findings on the front of **SUPERVISOR’S COMPLAINT REPORT/ COMMAND DISCIPLINE ELECTION REPORT**.
 - b. Consider subject’s prior twelve month disciplinary history when adjudicating a command discipline.
2. Indicate findings on **REPORT**, if allegation is not substantiated and:
 - a. For actions described in violations subject to command discipline procedure Schedule “A”:
 - (1) File the report in back of Command Discipline Log after recording disposition.
 - b. For actions described in violations subject to command discipline procedure Schedule “B”:
 - (1) File original in back of Command Discipline Log
 - (2) Forward copy to next higher command for informational purposes.
3. Determine if the violations, when substantiated, may be disposed of under command discipline.
4. Confer with supervisor who prepared **REPORT**, if necessary.
5. Schedule interview, if possible, with member concerned on a date when supervisor who prepared **REPORT** is available.
6. Advise member that one local representative of a line organization may be present at the interview.
7. Inform member of alleged violations and conduct interview.
 - a. Do not record minutes.
 - b. Interview will be informal and non-adversarial.
8. Give member an opportunity to make a statement in rebuttal.
9. Conduct further investigation, if necessary.

**COMMANDING/
EXECUTIVE
OFFICER
(continued)**

10. Inform supervisor who prepared **REPORT** of the results of the investigation and any proposed penalty.
11. Inform member of results of investigation and any penalty.
12. Advise member that he/she is entitled to:
 - a. Accept finding and proposed penalty, or
 - b. Accept finding but appeal proposed penalty to Command Discipline Review Panel, or
 - c. Decline to accept the finding and proposed penalty and have the matter resolved through formal charges and specifications.
13. Inform the member that the decision of the Command Discipline Review Panel is final and not subject to review, and that the Panel has the authority to:
 - a. Approve proposed penalty, or
 - b. Reduce proposed penalty to any corrective measure the commanding officer was authorized to impose, or
 - c. Increase proposed penalty to not more than double that proposed by the commanding officer.
14. Give member copy of **REPORT** at close of interview.

NOTE

Absent exigent circumstances (for example: extended sick, leave of absence, etc.,) the commanding/executive officer shall ensure that the above steps are completed within sixty days of the date of issuance.

**UNIFORMED
MEMBER OF
THE SERVICE**

15. Notify commanding officer, in writing, on **REPORT** of the option elected within three working days of the commanding/executive officer's decision.

IF MEMBER ACCEPTS FINDINGS AND PROPOSED PENALTY

**COMMANDING
OFFICER**

16. Enter disposition on **REPORT** and ensure that timekeeper makes and verifies adjustments made to member's time records with Payroll Management System, as necessary.

NOTE

Command disciplines generated by investigative unit/Department Advocate's Office will not require command timekeeper to make adjustment in the Payroll Management System. The Department Advocate's Office will make the adjustment to member's time with the Leave Integrity Management Section.

17. File **REPORT** in command.
18. File **REPORT** in subject member's personnel folder in all cases where a Schedule "B" command discipline has been substantiated and disposed of.
 - a. Immediately forward one copy of **REPORT** (both sides) to the Department Advocate's Office.

IF MEMBER ACCEPTS FINDINGS AND DECLINES PROPOSED PENALTY
FOR COMMAND LEVEL COMMAND DISCIPLINE

- | | | |
|--|-----|--|
| COMMANDING/
EXECUTIVE
OFFICER | 19. | Enter disposition on REPORT . |
| | 20. | Forward to the next higher command, the REPORT , and facts of incident on Typed Letterhead with member's disciplinary history. |
| NEXT HIGHER
COMMAND | 21. | Assemble a Command Discipline Review Panel and adjudicate the matter, if necessary. |
| | a. | Inform the member's commanding officer of the findings relative to the penalty. |
| COMMANDING/
EXECUTIVE
OFFICER | 22. | Immediately forward a copy of the REPORT and a copy of the Review Panel's decision to the Department Advocate's Office <u>for all Schedule "B" violations</u> . |

IF MEMBER ACCEPTS FINDINGS AND DECLINES PROPOSED PENALTY
FOR COMMAND DISCIPLINE GENERATED BY INVESTIGATIVE UNIT/
DEPARTMENT ADVOCATE'S OFFICE

- | | | |
|--|-----|--|
| COMMANDING/
EXECUTIVE
OFFICER | 23. | Do not adjudicate command discipline. |
| | 24. | Contact commanding/executive officer, Department Advocate's Office for consultation and further direction. |

IF MEMBER ELECTS FORMAL CHARGES

- | | | |
|--|-----|--|
| COMMANDING/
EXECUTIVE
OFFICER | 25. | Enter disposition on REPORT and file. |
| | 26. | Confer with the Department Advocate's Office regarding the preparation of charges and specifications and comply with the directions of the Department Advocate's Office. |
| DEPARTMENT
ADVOCATE'S
OFFICE | 27. | Prepare and forward CHARGES AND SPECIFICATIONS (PD468-121) , after conferral with the commanding officer/executive officer, if appropriate. |
| | 28. | Record all substantiated Schedule "B" command disciplines in member's Central Personnel Index. |

WHEN A SUBSTANTIATED COMMAND DISCIPLINE IS RENDERED AS
A RESULT OF AN INTERNAL AFFAIRS BUREAU OR ANY OTHER
INVESTIGATIVE UNIT'S INVESTIGATION:

**COMMANDING/
EXECUTIVE
OFFICER**

29. Comply with the provisions of P.G. 206-04, “Authorized Penalties Under Command Discipline” and offer member concerned the three election options found in step “12” above.
- a. An investigation of the stated misconduct or determination of whether the allegation(s) are substantiated is NOT required.
 - b. Do NOT change the stated findings without conferral with and approval of the investigating entity.
 - c. Do NOT change the recommended disciplinary action (if noted), without conferral with and approval of the Deputy Commissioner, Department Advocate.

NOTE

The ICO/Asst. ICO/other authorized member is required to create a new command discipline record for each command discipline issued by entering all relevant information into the Citywide Command Discipline System within five working days of the issuance of a command discipline.

Within five working days of the adjudication of a command discipline, the ICO/Asst. ICO/other authorized member shall complete all system entries pertaining to the adjudication of the command discipline.

Within five working days of the completion of the adjudication entries by the ICO/Asst. ICO/other authorized member, the commanding officer/executive officer shall be responsible to review the command discipline record and finalize (sign-off) the record in the Citywide Command Discipline System to verify that it is accurate and complete.

ICOs and Assistant ICOs who do not have access to the Department’s Wide Area Network (WAN) must personally enter command discipline data pertaining to members of their command at their next higher command that possesses WAN access.

**ADDITIONAL
DATA**

If the subject of command discipline is transferred, the commanding/executive officer of the former command is responsible for the completion of the case. Upon adjudication of command discipline, all relevant records shall be forwarded to the member’s new commanding officer. If the commanding/executive officer is transferred, the new commanding/executive officer will complete the case.

*Remove and destroy records and dispositions of convictions listed under Schedule “A” on the anniversary date of each entry, provided the member has no subsequent disciplinary violations. Additionally, remove and destroy all unsubstantiated command disciplines from the **Command Discipline Log** on the anniversary date of entry.*

**RELATED
PROCEDURES**

*Reporting Violations Observed by Supervisors (P.G. 206-01)
Violations Subject to Command Discipline (P.G. 206-03)
Authorized Penalties Under Command Discipline (P.G. 206-04)
Preparation of Charges and Specifications or Schedule “C” Command Discipline (P.G. 206-05)
Sealing Disciplinary Records (P.G. 206-14)
Review of Disciplinary Action Proposed Under Command Discipline (A.G. 318-05)*

**FORMS AND
REPORTS**

CHARGES AND SPECIFICATIONS (PD468-121)
COMMAND DISCIPLINE LOG (PD468-102)
SUPERVISOR’S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)

INTERIM ORDER NO. 25



INTERIM ORDER

SUBJECT: VIOLATIONS SUBJECT TO COMMAND DISCIPLINE		
DATE ISSUED:	REFERENCE:	NUMBER:
03-12-10	*P.G. 206-03	7

PURPOSE

To inform members of the service (uniformed and civilian) of the violations of Department regulations which may be adjudicated by command discipline.

PROCEDURE

When any of the following violations are brought to the attention of a commanding/executive officer, the commanding/executive officer concerned may initiate command discipline:

SCHEDULE "A" VIOLATIONS

1. Absence from meal location, post or assignment
2. Failure to sign return roll call
3. Failure to signal or signal improperly
4. Improper uniform or equipment
5. Failure to maintain neat and clean personal appearance
6. **Omitted ACTIVITY LOG (PD112-145) entries [IO 36 s.15]**
7. Omitted entries in Department 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. Failure to lock an unguarded Department vehicle
13. Loss of **IDENTIFICATION CARD (PD416-091)**
14. Reporting late for duty
15. Carrying packages, newspapers or other articles as prohibited while in uniform or Department vehicle
16. Failure to notify supervising officer when leaving post for Department or personal necessity
17. Failure to make routine inspections and surveys as required
18. Unauthorized person riding in Department vehicle
19. Failure to notify commanding officer when address, telephone number, or social condition changes
20. 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 by members of the service when conducting official Department related business, or on an assigned meal, or as otherwise authorized by competent authority. The cellular phone must be carried in a concealed manner that does not interfere with authorized equipment.

21. Loss of summons or loss of summons book
22. Failure to have locker secured or properly tagged
23. Failure to sign in or out of court
24. Failure to perform duties in connection with court appearances
25. Failure to properly perform or improperly perform patrol or other assignment

**SCHEDULE “A”
VIOLATIONS
(continued)**

26. Failure to present required firearms to the range officer at firearms training cycle
27. Obvious neglect of care of firearm(s)
28. Failure to attend a training cycle (firearms included)
29. Failure to maintain live, authorized ammunition in authorized weapons (includes having the required maximum amount of ammunition in the weapon)
30. Illegal parking of Department or private vehicle(s)
31. Use or display of **Vehicle Identification Plate (Misc. 740)**, **NYPD Restricted Parking Permit (Misc. 23-N)**, **Headquarters Annex Parking Permit (Misc. 814HQ-Annex)** or any other Department issued vehicle parking permit while off duty or while not on official Department business
 - a. Failure to return any Department issued vehicle parking permit when assigned to the Military and Extended Leave Desk, when transferred or when the permit expires
32. Failure to make a timely notification to the Sick Desk and command, as required
33. Failure to comply with proper driving rules and regulations
34. Unauthorized use of Department telephones
35. Any other minor violation that, in the opinion of the commanding/executive officer is appropriate for Schedule A command discipline procedure.
35. Reporting present for duty before the start of the regular tour without prior authorization from a supervisor of a higher rank. *(IO 43 s14)*

**SCHEDULE “B”
VIOLATIONS**

1. Loss of shield
2. Failure to safeguard prisoner
3. Loss of Department property
4. Failure to respond, report disposition promptly or acknowledge radio calls directed to member’s unit
5. Bringing alcoholic beverages into a Department facility or vehicle unless it is within the scope of an assignment
6. **Loss of ACTIVITY LOG.** *[IO 16 s.11]*
7. Failure to give name and shield number to person requesting
8. Any other violation, which, in the opinion of the commanding/executive officer and after notification to the patrol borough adjutant and consultation with the Department Advocate, is appropriate for Schedule “B” command discipline procedure.

**SCHEDULE ‘C’
VIOLATIONS**

1. Any violation reviewed and determined by the Department Advocate to be suitable for a Schedule ‘C’ command discipline.
 - a. Schedule ‘C’ violations will only be adjudicated by the patrol borough/bureau adjutant. *[IO 25 s.17]*

**ADDITIONAL
DATA**

The above violations may not be processed as command discipline if the violation is aggravated by conditions that make it inappropriate for disposition by command discipline or if member concerned requests a Department trial.

**ADDITIONAL
DATA
(continued)**

The Department Advocate's Office is available to provide field commanders or internal investigation units with advice concerning charges and specifications, command disciplines, suspensions, and/or arrests of members of the service (uniformed or civilian).

When it has been determined that disciplinary action should be taken for the loss of or failure to safeguard a firearm, a consultation with the Department Advocate's Office will be made to determine appropriate disciplinary action.

*A commanding/executive officer must confer with the **patrol** borough/**bureau** adjutant, prior to adjudicating a third command discipline for the same member within a six month period, to determine if charges and specifications should be instituted. If charges are appropriate, **do not adjudicate the command discipline**, a consultation with the Department Advocate will be necessary for final approval of charges and specifications.*

Borough adjutant will inspect command discipline records to ascertain that the above procedures are complied with.

**RELATED
PROCEDURES**

*Reporting Violations Observed by Supervisors (P.G. 206-01)
Schedule "A" and Schedule "B" Command Disciplines (P.G. 206-02)
Authorized Penalties Under Command Discipline (P.G. 206-04)
Preparation of Charges and Specifications **or Schedule "C" Command Discipline [10 27 s.17]** (P.G. 206-05)
Service and Disposition of Charges and Specifications (P.G. 206-06)
Sealing Disciplinary Records (P.G. 206-14)*

**FORMS AND
REPORTS**

ACTIVITY LOG (PD112-145)
IDENTIFICATION CARD (PD416-091)

BY DIRECTION OF THE POLICE COMMISSIONER

**DISTRIBUTION
All Commands**

INTERIM ORDER NO. 7



INTERIM ORDER

SUBJECT: AUTHORIZED PENALTIES UNDER COMMAND DISCIPLINE		
DATE ISSUED:	REFERENCE:	NUMBER:
04-20-17	*P.G. 206-04	26

PURPOSE

To inform members of the service (uniformed and civilian) of the penalties a commanding/executive officer, or the Department Advocate's Office, may impose under command discipline.

PROCEDURE

When a command discipline is substantiated:

COMMANDING /EXECUTIVE OFFICER

1. Impose one of the following penalties:
 - a. Forfeiture of up to five days vacation or accrued time for Schedule "A" violations
 - b. Forfeiture of up to ten days vacation or accrued time for Schedule "B" violations
 - c. Revocation of permission to engage in outside employment for a fixed period of time, not to exceed thirty days, if the violation is related to the outside employment
 - d. Restrict out-of-command assignments, which pay "portal-to-portal" and overtime for a fixed period, not to exceed five such assignments.

NOTE

The above penalties DO NOT prohibit a commanding/executive officer from:

- a. *Warning and admonishing verbally*
- b. *Warning and admonishing in writing, copy to be filed with the papers*
- c. *Changing assignment within the command either for a fixed period or indefinitely.*

PATROL BOROUGH/ BUREAU ADJUTANT

2. Impose penalty for Schedule "C" violations, as determined by the Department Advocate's Office:
 - a. Forfeiture of up to twenty days vacation or accrued time.

NOTE

Penalties for Schedule "C" violations cannot be adjusted without the approval of the Department Advocate's office.

RELATED PROCEDURES

*Schedule "A" and Schedule "B" Command Disciplines (P.G. 206-02)
Preparation of Charges and Specifications or Schedule "C" Command Discipline (P.G. 206-05)*

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION All Commands



INTERIM ORDER

SUBJECT: PREPARATION OF CHARGES AND SPECIFICATIONS OR SCHEDULE "C" COMMAND DISCIPLINE		
DATE ISSUED:	REFERENCE:	NUMBER:
04-20-17	*P.G. 206-05	27

PURPOSE

To ensure that **CHARGES AND SPECIFICATIONS (PD468-121)** or a **SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT (PD468-123A)**, and/or related documents, are prepared expeditiously, accurately and completely.

PROCEDURE

When a violation is inappropriate for a Schedule "A" or Schedule "B" command discipline, or, the Department Advocate's Office determines that a Schedule "C" command discipline may be suitable (only the Department Advocate's Office can direct the issuance of a Schedule "C" command discipline) or, when a command discipline is declined:

TO REQUEST CHARGES AND SPECIFICATIONS

COMMANDING OFFICER/ SUPERVISOR PREFERRING CHARGES

1. Direct assigned supervisor/investigator to consult with the Department Advocate's Office regarding the alleged misconduct and to obtain verbal approval for the preparation of **CHARGES AND SPECIFICATIONS**.
 - a. Provide written documentation, files, investigative reports, and/or additional information supporting the basis for charges and specifications, upon request.
2. Provide the Department Advocate's Office with two copies of the investigative file that the charges and specifications are to be based on.
 - a. Provide any other additional documentation and/or reports (including any audio, videos, photos, etc.) that are requested by the Department Advocate's Office.
3. Provide the Department Advocate's Office with a request for charges and specifications on a **Typed Letterhead**, addressed to the First Deputy Commissioner, describing the basis for all charges and specifications.
 - a. Include the following:
 - (1) Original Internal Affairs Bureau log number
 - (2) Duty schedule of complainant and respondent
 - (3) Name of attorney consulted with from Department Advocate's Office.

DEPARTMENT ADVOCATE'S OFFICE

4. Review case and determine if violation is suitable for preparation of **CHARGES AND SPECIFICATIONS**, or a Schedule "C" command discipline.
 - a. When a Schedule "A" or Schedule "B" command discipline has been declined, a Schedule "C" command discipline will not be issued.

IF VIOLATION IS SUITABLE FOR A SCHEDULE "C" COMMAND DISCIPLINE

DEPARTMENT ADVOCATE'S OFFICE

5. Prepare a report on **Typed Letterhead** addressed to the investigative unit concerned indicating that a Schedule "C" command discipline is suitable.
 - a. Report will contain appropriate language to support violation charge and penalty.

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| INVESTIGATIVE
UNIT
CONCERNED | 6. Prepare SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT .
a. Forward SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT and the Typed Letterhead from Department Advocate's Office to patrol borough or bureau adjutant for adjudication.
b. Notify member that they are the subject of a Schedule "C" command discipline. |
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NOTE

Schedule "C" command disciplines will not be adjudicated by member's commanding officer.

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| PATROL
BOROUGH/
BUREAU
ADJUTANT | 7. Notify member of the service concerned of the date he/she is scheduled for processing of the Schedule "C" command discipline.
8. Advise member of the service that one local representative of a line organization may be present for the adjudication process.
9. Inform member of the service of alleged violation, finding and penalty.
a. Penalty cannot be adjusted without consultation with, and approval of, the Commanding/Executive Officer, Deputy Commissioner, Department Advocate's Office.
10. Advise member of the service that he/she is entitled to:
a. Accept the finding and penalty; OR
b. Decline to accept the finding and penalty, and have the matter resolved through formal charges and specifications. |
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| MEMBER OF
THE SERVICE | 11. Inform patrol borough/bureau adjutant of option elected, in writing, on SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT . |
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| PATROL
BOROUGH/
BUREAU
ADJUTANT | 12. Notify Department Advocate's Office and investigative unit concerned immediately, of the option elected by the member of the service, and the outcome of adjudication. |
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IF SUBJECT MEMBER ACCEPTS SCHEDULE "C" COMMAND DISCIPLINE AND FINDING AND PENALTY

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| PATROL
BOROUGH/
BUREAU
ADJUTANT | 13. Enter the disposition on SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT in all cases where a Schedule "C" command discipline has been accepted and adjudicated.
14. Forward original SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT immediately to Department Advocate's Office, and a copy (both sides), to each of the following:
a. Investigative unit concerned
b. Office of the First Deputy Commissioner
c. Member's permanent command, for entry in his/her personnel folder. |
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| DEPARTMENT
ADVOCATE'S
OFFICE | 15. Record all adjudicated Schedule "C" command disciplines in member's Central Personnel Index.
16. Notify Leave Integrity Management Section of penalty and confirm that appropriate adjustments are made to the member's time records. |
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IF VIOLATION IS SUITABLE FOR CHARGES AND SPECIFICATIONS OR
THE SUBJECT MEMBER DECLINES SCHEDULE "C" COMMAND
DISCIPLINE AND ELECTS FORMAL CHARGES

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| PATROL
BOROUGH/
BUREAU
ADJUTANT | 17. Complete appropriate caption on SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT and forward to investigative unit concerned and Department Advocate's Office, if member declines Schedule "C" command discipline. |
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| DEPARTMENT
ADVOCATE'S
OFFICE | 18. Direct the preparation of an original set of CHARGES AND SPECIFICATIONS , as necessary. <ul style="list-style-type: none"> a. Date stamp CHARGES AND SPECIFICATIONS. b. Enter Department Advocate's Office serial number on the CHARGES AND SPECIFICATIONS. c. Forward CHARGES AND SPECIFICATIONS to commanding officer of the originating command, along with original report on Typed Letterhead. |
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AFTER CHARGES AND SPECIFICATIONS HAVE BEEN APPROVED BY
DEPARTMENT ADVOCATE'S OFFICE

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| COMMANDING
OFFICER/
SUPERVISOR
PREFERRING
CHARGES | 19. Review CHARGES AND SPECIFICATIONS for accuracy.
20. Telephone the Internal Affairs Bureau Command Center to obtain a new log number for each member receiving charges and specifications, and enter on CHARGES AND SPECIFICATIONS .
21. Obtain a bureau/command serial number, if applicable, and enter on CHARGES AND SPECIFICATIONS .
22. Advise the respondent that he/she is the subject of charges and specifications. <ul style="list-style-type: none"> a. Obtain the name, address and telephone number of the respondent's attorney and provide it to the Department Advocate's Office. 23. Have member of the service preferring charges and specifications sign the original CHARGES AND SPECIFICATIONS .
24. Date stamp and forward original CHARGES AND SPECIFICATIONS , and original Typed Letterhead , to the next higher command <u>within forty-eight hours</u> . |
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WITHIN THREE BUSINESS DAYS OF CHARGES AND SPECIFICATIONS

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| COMMANDING
OFFICER,
NEXT HIGHER
COMMAND | 25. Endorse the original set of CHARGES AND SPECIFICATIONS .
26. Date stamp and forward the <u>original</u> set of CHARGES AND SPECIFICATIONS , and Typed Letterhead , to the Department Advocate's Office. |
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INTERIM ORDER NO. 27

- COMMANDING OFFICER, NEXT HIGHER COMMAND (continued)**
27. Forward copy of **CHARGES AND SPECIFICATIONS** to:
 - a. Chief of Personnel
 - b. Respondent's command
 - c. Originating command/investigative unit concerned.
 28. Retain copy of **CHARGES AND SPECIFICATIONS**.

UPON RECEIPT OF CHARGES AND SPECIFICATIONS FROM C.O., NEXT HIGHER COMMAND OR C.O./SUPERVISOR PREFERRING CHARGES

- DEPARTMENT ADVOCATE'S OFFICE**
29. Review for completeness and date stamp.
 30. Ensure assigned attorney completes review and assessment of the **CHARGES AND SPECIFICATIONS** in a timely manner.

ADDITIONAL DATA

DEPARTMENT ADVOCATE'S OFFICE – PREPARATION OF CHARGES AND SPECIFICATIONS

*The member assigned to the Department Advocate's Office preparing the **CHARGES AND SPECIFICATIONS** will indicate in the box captioned "RANK/TITLE," the appropriate status, e.g., "Probationary Police Officer" or "Provisional Office Aide," etc. The member's rank/title will also be indicated under the caption "SPECIFICATIONS," when making reference to the member, e.g., "Said Probationary Police Officer Smith," etc. Additionally, if charges are preferred against a member who has been placed on dismissal probation, the specifications will be prefaced with the words, "While on dismissal probation."*

The Internal Affairs Bureau, investigative units/commands and the Department Advocate's Office will notify the Risk Management Bureau, and provide appropriate information of all members on probationary status where disciplinary recommendations are being made. The Risk Management Bureau will refer, and make recommendations to, the First Deputy Commissioner and Police Commissioner's Office relative to the discipline or the member's probationary status.

The Department Advocate's Office shall ensure that a sufficient legal basis exists for each charge and specification approved and that all necessary steps associated with the investigation have been completed. The Internal Affairs Bureau and investigative units/commands will comply with directions received from the Department Advocate's Office. In appropriate cases, the Department Advocate's Office may direct the issuance of a command discipline in lieu of charges and specifications.

*Commanding officers are directed to fully complete the **COMMANDING OFFICER'S REVIEW OF MOS INVOLVED IN A DISCIPLINARY MATTER (PD468-153)**, relating to evaluation and whether or not member is on dismissal probation. This form must be completed and forwarded within five days of receipt to the Department Advocate's Office.*

CHARGES AND SPECIFICATIONS AGAINST SUSPENDED MEMBER

*When a member of the service has been suspended, a copy of the report on **Typed Letterhead** prepared by the commanding officer/supervisor must immediately be forwarded to the Department Advocate's Office DIRECT. The report will also be faxed to the Department Advocate's Office, Attn: Department Advocate's Office, Charges Unit.*

**ADDITIONAL
DATA**
(continued)

*When a member of the service has been suspended, the Department Advocate's Office will forward the completed **CHARGES AND SPECIFICATIONS** to the requesting supervisor, upon completion. The **CHARGES AND SPECIFICATIONS** will ordinarily be forwarded within two business days from the time the request for charges is received.*

LEGAL CONSIDERATIONS

*Whether or not the member of the service accepts or rejects the Schedule "C" command discipline, it is imperative that all underlying memorandums, (**Typed Letterhead**, etc.) and substantiating documents be preserved. The patrol borough/bureau adjutant should, upon the completion of an adjudicated Schedule "C" command discipline, forward a copy of any finalized investigative memorandums and supporting documentation along with the completed **SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT** to the Department Advocate's Office.*

**RELATED
PROCEDURES**

*Service and Disposition of Charges and Specifications (P.G. 206-06)
Cause for Suspension or Modified Assignment (P.G. 206-07)
Suspension from Duty Uniformed Member of the Service (P.G. 206-08)
Official Communications - Preparation (A.G. 322-11)*

**FORMS AND
REPORTS**

CHARGES AND SPECIFICATIONS (PD468-121)
SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT (PD468-123A)
COMMANDING OFFICER'S REVIEW OF MOS INVOLVED IN A DISCIPLINARY MATTER (PD468-153)
Typed Letterhead

BY DIRECTION OF THE POLICE COMMISSIONER

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All Commands

INTERIM ORDER NO. 27



PATROL GUIDE

Section: Disciplinary Matters		Procedure No: 206-06	
SERVICE AND DISPOSITION OF CHARGES AND SPECIFICATIONS			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 2

PURPOSE To ensure that the formal disciplinary process is commenced (service of charges and specifications) and concluded (disposition of charges and specifications) in a coordinated, timely and efficient manner.

PROCEDURE Upon receipt of **CHARGES AND SPECIFICATIONS (PD468-121)** from the borough commander/next higher command:

COMMANDING OFFICER, DEPARTMENT ADVOCATE'S OFFICE

1. Forward copy of **CHARGES AND SPECIFICATIONS** to respondent's attorney within two (2) weeks along with the underlying explanatory memorandum prepared by the supervisor/investigator preferring the charges and specifications.

NOTE ***CHARGES AND SPECIFICATIONS** will be served upon a suspended member of the service expeditiously. (Exception may be made, with the approval of the First Deputy Commissioner, when extenuating circumstances exist). A suspended probationary member of the service will not be served, except as directed by the First Deputy Commissioner.*

2. Serve original and copy of **CHARGES AND SPECIFICATIONS** upon member of the service.
 - a. If personal service cannot be made, see "ADDITIONAL DATA" below.

NOTE *Absent exigent circumstances, service of charges and specifications shall be within six (6) weeks after receipt by the Department Advocate's Office. However, in disciplinary cases where the statute of limitations and/or other matters require expeditious attention, the Department Advocate's Office will have the authority to direct whatever actions are deemed necessary to effectuate the timely service of charges and specifications.*

RESPONDENT

3. Sign and return the original copy to the person serving the **CHARGES AND SPECIFICATIONS**.
4. Have available and provide to Department Advocate's Office personnel:
 - a. Chart/squad, vacation and military schedule, and
 - b. Any other leave/absences.
 - (1) Advise the Department Advocate's Office of any changes of the aforementioned.
5. Retain copy of **CHARGES AND SPECIFICATIONS**.

MEMBER CONCERNED, DEPARTMENT ADVOCATE'S OFFICE

6. Sign original copy of **CHARGES AND SPECIFICATIONS** as a witness.

PATROL GUIDE

PROCEDURE NUMBER:	DATE EFFECTIVE:	REVISION NUMBER:	PAGE:
206-06	01/01/2000		2 of 2

COMMANDING OFFICER, DEPARTMENT ADVOCATE'S OFFICE 7. Provide the respondent with an opportunity to accept a penalty disposition in disciplinary case(s), when appropriate.

NOTE *The Department Advocate will confer regularly with the First Deputy Commissioner concerning the Department's disciplinary policy.*

8. Schedule Department trial date the day of service of **CHARGES AND SPECIFICATIONS**, when disciplinary case(s) are not otherwise disposed of, absent exigent circumstances.

NOTE *When Department charges and specifications relate to outstanding criminal charges, the disciplinary case may only be set for trial or otherwise disposed of with the prior approval of the First Deputy Commissioner.*

DEPARTMENT ADVOCATE 9. Ensure that all disciplinary decisions are accurately and promptly recorded.
10. Review all disciplinary cases for trends or patterns and policy implications.
a. Make periodic recommendations to the First Deputy Commissioner.

ADDITIONAL DATA *If personal service of the **CHARGES** cannot be made, service may be effected:*

- a. *By mailing the **CHARGES AND SPECIFICATIONS** to the person to be served at his last known residence by registered or certified mail, return receipt requested, OR delivering the **CHARGES AND SPECIFICATIONS** to a person of suitable age and discretion at his place of business, dwelling or usual place of abode of the person to be served. Proof of service will be filed with the Deputy Commissioner - Trials or the Commanding Officer, Operations Unit.*
 - (1) *Service is complete three (3) days after filing.*
- b. *By delivering a copy of the **CHARGES AND SPECIFICATIONS** to the agent of the person to be served.*
- c. *Where service under subdivisions "a" and "b" cannot be made, affix **CHARGES AND SPECIFICATIONS** either to the door of the actual place of business, dwelling or usual place of abode, of the person to be served and by mailing (registered or certified, return receipt requested) the **CHARGES AND SPECIFICATIONS** to the person at his last known residence.*
 - (1) *Proof of such service will be filed with the Deputy Commissioner - Trials or the Commanding Officer, Operations Unit.*
 - (2) *Service is complete three (3) days after filing.*
- d. *In such manner as the Deputy Commissioner-Trials directs, upon motion without notice, if service is impractical under subdivisions "a," "b" or "c."*

RELATED PROCEDURE *Preparation Of Charges And Specifications or Schedule "C" Command Discipline [10 27 §.17] (P.G. 206-05)*

FORMS AND REPORTS *CHARGES AND SPECIFICATIONS (PD468-121)*

PATROL GUIDE

PROCEDURE NUMBER:	DATE EFFECTIVE:	REVISION NUMBER:	PAGE:
206-08	01/01/2000		2 of 3

IF SUSPENDED MEMBER ELECTS NOT TO SUBMIT WAIVER (AGREEMENT TO ACCEPT SERVICE OF NOTICE)

UNIFORMED MEMBER CONCERNED

13. Report to residence precinct each Monday, Wednesday and Friday.

DESK OFFICER, RESIDENCE PRECINCT

14. Direct member to prepare **REPORT OF SUSPENDED MEMBER'S VISIT (PD408-061)** in your presence.
15. Complete appropriate captions under section entitled "Witnessed By."
16. Make entry in Command Log and deliver **REPORT** to integrity control officer.

INTEGRITY CONTROL OFFICER

17. Maintain a list of uniformed members of the service who are suspended and are required to report to the residence precinct.
18. Check Telephone Record and FINEST messages each day to ensure that uniformed members who are required to report are added to the list as required.

NOTE

If doubt exists regarding reporting by uniformed members of the service, contact Department Advocate's Office, Trial Calendar Unit.

19. Monitor appearances of suspended uniformed members of the service.
20. Inform commanding officer when suspended member fails to report as required.

COMMANDING OFFICER, RESIDENCE PRECINCT

21. Prepare **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)**, if member fails to report as required.
22. Forward **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** to member's commanding officer for further disciplinary action, if required.

ADDITIONAL DATA

A uniformed or civilian member of the service under suspension who desires to be restored to duty or a uniformed member under suspension who desires to be placed on modified assignment will submit a request to the First Deputy Commissioner through the Department Advocate's Office.

When a uniformed member of the service, in the rank of sergeant and above, is being suspended the following provisions shall be applied. The member shall be suspended with pay until the following Sunday. Commencing at 0001 hours on that Sunday, the member shall be on suspension without pay. The suspension without pay will continue in full week (Sunday to Saturday) increments. The minimum suspension without pay shall be for one (1) full week. The maximum time shall be four (4) full weeks. The member shall always be returned to duty on a Sunday at 0001 hours.

*Uniformed members of the service who are on "Suspended With Pay" status must submit a **LEAVE OF ABSENCE REPORT (PD433-041)** when required to appear in court as a defendant in a criminal case on a date they were scheduled to report to the Internal Affairs Bureau. Such court appearances shall be made on regular days off or with an approved **LEAVE OF ABSENCE REPORT**. (IO 27 s.11)*

PATROL GUIDE

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RELATED PROCEDURES

*Preparation Of Charges And Specifications or Schedule "C" Command Discipline [10 27
s.17] (P.G. 206-05)*
Cause For Suspension Or Modified Assignment (P.G. 206-07)
Modified Assignment (P.G. 206-10)
Removal And Restoration Of Firearms (P.G. 206-17)
Suspension Of Civilian Employee (A.G. 319-18)
Residence Reports (A.G. 320-02)

FORMS AND REPORTS

AGREEMENT TO ACCEPT SERVICE OF NOTICE (PD468-126)
CHARGES AND SPECIFICATIONS (PD468-121)
REPORT OF SUSPENDED MEMBER'S VISIT (PD408-061)
***SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION
REPORT (PD468-123)***
LEAVE OF ABSENCE REPORT (PD433-041)



PATROL GUIDE

Section: Disciplinary Matters		Procedure No: 206-09	
SUSPENSION FROM DUTY - CIVILIAN MEMBER OF THE SERVICE			
DATE ISSUED: 10/03/08	DATE EFFECTIVE: 10/10/08	REVISION NUMBER: 08-03	PAGE: 1 of 2

PURPOSE	To temporarily prohibit a civilian member of the service from performing duty and to complete disciplinary procedures within (30) days.
PROCEDURE	When a civilian member of the service is suspended:
RANKING OFFICER IN CHARGE	<ol style="list-style-type: none">1. Inform member concerned of suspension from duty and reason.2. Direct member to surrender <u>all</u> Department property.<ol style="list-style-type: none">a. Have IDENTIFICATION CARD (PD416-091) and shield, when applicable, hand delivered with Typed Letterhead to the Human Capital Division, Shield, ID and Retirement Unit (10 67 s.16) by next business day and obtain receipt for file in command.b. Have other Department property safeguarded at command (e.g., keys, etc.).3. Direct civilian member of the service <u>not</u> to wear uniform or part of uniform while under suspension.4. Notify member concerned that charges are to be preferred and will be processed in normal manner.<ol style="list-style-type: none">a. Supervise preparation of charges.5. Notify the following:<ol style="list-style-type: none">a. Operations Unitb. Internal Affairs Bureau Command Centerc. Civilian member's commanding officer/counterpart, if not present.
SUPERVISOR ON DUTY, OPERATIONS UNIT	<ol style="list-style-type: none">6. Enter facts concerning suspension in Command Log.7. Inform ranking officer in charge that CHARGES AND SPECIFICATIONS (PD468-121) <u>must</u> be forwarded within forty-eight (48) hours of suspension.
RANKING OFFICER IN CHARGE	<ol style="list-style-type: none">8. Submit report on Typed Letterhead within twenty-four (24) hours to:<ol style="list-style-type: none">a. First Deputy Commissionerb. Chief of Departmentc. Deputy Commissioner-Trialsd. Department Advocate's Officee. Civilian member's commanding officer.
COMMANDING OFFICER	<ol style="list-style-type: none">9. Notify next higher command.
COMMANDING OFFICER, NEXT HIGHER COMMAND	<ol style="list-style-type: none">10. Contact Department Advocate's Office.11. Ascertain if every effort is being made to complete disciplinary process within thirty (30) days.12. Notify Department Advocate of all relevant facts, if circumstances indicate case may <u>not</u> be disposed of within thirty (30) days.

PATROL GUIDE

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IF CIVILIAN HAS BEEN ARRESTED

- COMMANDING OFFICER, NEXT HIGHER COMMAND**
13. Advise civilian of the following available options prior to arranging conference concerning charges:
 - a. May request conference be held in usual manner, OR
 - b. May request, in writing, an adjournment of all department action pending final determination of criminal case.
 14. Instruct civilian member of the option of signing a waiver for any pay due him/her, if he/she is continued on suspension past thirty (30) days.
 - a. Waiver does not apply to lost wages if civilian is ultimately found not guilty.
 - (1) Civilian is entitled to full pay during period of suspension beyond thirty (30) days, less any amount of compensation earned during same period in such case.

NOTE *If civilian member has criminal charges pending and refuses to sign waiver, the commanding officer next higher command of civilian must hold informal conference within thirty (30) days of date of suspension.*

IF CIVILIAN IS AWOL

- COMMANDING OFFICER OF CIVILIAN**
15. Prepare and forward **CHARGES AND SPECIFICATIONS**.
 - a. If Department property is not accounted for, have **COMPLAINT REPORT (PD313-152)** prepared.
- DEPARTMENT ADVOCATE**
16. Have civilian member report to the **Human Capital Division, Shield, ID and Retirement Unit** for **IDENTIFICATION CARD** and shield, when applicable, if suspension is rescinded.
 - a. Commanding officer will be responsible for the return of any other Department property removed.

ADDITIONAL DATA *The Department Advocate will have **CHARGES AND SPECIFICATIONS** served as provided in P.G. 206-06, "Service and Disposition of Charges and Specifications" and after service, a trial will be held before Deputy Commissioner - Trials, in absentia if necessary. Civilian member may request a formal conference at next higher command at any time prior to holding a formal trial.*

A civilian member of the service under suspension who desires to be restored to duty will submit a written request to the First Deputy Commissioner through the Department Advocate's Office.

Civilian Employee Handbook will be accounted for if civilian is dismissed.

RELATED PROCEDURES *Notifications in Certain Arrest Situations (P.G. 208-69)*
Schedule "A" and Schedule "B" [10 25 s.17] Command Discipline (P.G. 206-02)
Preparation Of Charges And Specifications or Schedule "C" Command Discipline [10 27 s.17] (P.G. 206-05)
Service of Charges and Specifications (P.G. 206-06)
Cause for Suspension or Modified Assignment (P.G. 206-07)
Civilian Member - Resignation (A.G. 319-17)

FORMS AND REPORTS **CHARGES AND SPECIFICATIONS (PD468-121)**
COMPLAINT REPORT(PD313-152)
IDENTIFICATION CARD (PD416-091)
Typed Letterhead

PATROL GUIDE

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SUPERVISOR, OPERATIONS UNIT

18. Immediately notify Internal Affairs Bureau Command Center, and the following:

ARREST MADE IN

- Westchester, Rockland
Orange or Putnam
- Nassau or Suffolk

NOTIFY

Commanding Officer,
Patrol Borough Bronx

Commanding Officer,
Patrol Borough Queens North
or South, as appropriate

19. Notify commanding officer of arrested member.
 - a. If command is closed, make notification at 0900 hours, next business day.

PATROL BOROUGH COMMANDER OR CHIEF OF INTERNAL AFFAIRS

20. Assign a captain or above, to conduct investigation.

RANKING OFFICER CONDUCTING INVESTIGATION

21. Communicate by telephone with arresting authorities to determine if there are witnesses to the incident.

NOTE

Ranking officer assigned is authorized to use a Department vehicle within city and the six (6) residence counties without prior permission.

22. Advise the supervising officer, Operations Unit, of facts.
23. Submit report on **Typed Letterhead** to the Chief of Department within twenty-four (24) hours.
24. Ascertain status of case no later than twenty-four (24) hours after each court appearance of member.
25. Prepare and forward a report, indicating status and adjournment date, to First Deputy Commissioner, Chief of Department, Chief of Personnel, Chief of Internal Affairs, Department Special Prosecutor or Department Advocate's Office (as appropriate), and patrol borough commander responsible for the investigation.
 - a. Include arrest number, docket number, and jurisdiction in this report.

IN ALL CASES

MEMBER OF THE SERVICE ARRESTED

26. Keep commanding officer informed of status of case at least once every thirty (30) days and include:
 - a. Adjournment dates
 - b. Final disposition
 - c. If appeal made
 - d. Disposition of appeal.
27. Notify commanding officer as soon as possible if charges are dismissed.

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- COMMANDING OFFICER, ARRESTED MEMBER** 28. Telephone the Department Advocate and the borough commander responsible for the investigation of the disposition of all criminal charges, if Department charges have been preferred.
29. Provide the Chief of Internal Affairs with a final disposition of all criminal charges involving the arrest of a member of their command.
- DEPARTMENT ADVOCATE** 30. Obtain a "Certificate of Disposition" from the appropriate jurisdiction and verify conviction (or plea) of the member of the service, with special attention to crimes involving domestic violence, upon receipt of notification.

RELATED PROCEDURES

Notifications In Certain Arrest Situations (P.G. 208-69)
Preparation Of Charges And Specifications or Schedule "C" Command Discipline [10 27 s.17] (P.G. 206-05)
Interrogation Of Members Of The Service (P.G. 206-13)
Suspension From Duty-Uniformed Member Of The Service (P.G. 206-08)
Modified Assignment (P.G. 206-10)
Cause For Suspension Or Modified Assignment (P.G. 206-07)
Review Of Arrest Cases Involving A Member Of The Service As A Defendant (P.G. 206-16)

FORMS AND REPORTS *Typed Letterhead*

PATROL GUIDE

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SUPERVISOR IN CHARGE OF INVESTIGATION (continued)

- 15.** Ensure that notifications concerning official investigations are properly recorded in appropriate Department records when made to or recorded from:
- Complainants
 - Witnesses
 - Lawyers
 - Respondents
 - Other interested parties.

DESK OFFICER

- 16.** Record in appropriate department records and notify the investigating command immediately of notifications or messages received from:
- Lawyers
 - Witnesses
 - Complainants
 - Other interested parties involved in the subject investigation.

ADDITIONAL DATA

If a member of the service (uniformed or civilian) is under arrest or is the subject of a criminal investigation or there is a likelihood that criminal charges may result from the investigation, the following warnings shall be given to the member concerned prior to commencement of the interrogation:

"I wish to advise you that you are being questioned as part of an official investigation by the Police Department. You will be asked questions specifically directed and narrowly related to the performance of your duties. You are entitled to all the rights and privileges guaranteed by the laws of the State of New York, the Constitution of this state and the Constitution of the United States, including the right not to be compelled to incriminate yourself and the right to have legal counsel present at each and every stage of this investigation.

I further wish to advise you that if you refuse to testify or to answer questions relating to the performance of your official duties, you will be subject to departmental charges, which could result in your dismissal from the Police Department. If you do answer, neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in any subsequent criminal proceedings. However, these statements may be used against you in relation to subsequent departmental charges."

The questions and answers resulting from the interrogation conducted pursuant to this procedure are confidential. They are not to be revealed nor released to any person or agency outside the department without prior written approval of the Deputy Commissioner - Legal Matters. If a subpoena duces tecum is received for any such questions and answers, the Legal Bureau should be contacted immediately.

FORMS AND REPORTS

CHARGES AND SPECIFICATIONS (PD468-121)
OVERTIME REPORT (PD138-064)



PATROL GUIDE

Section: Disciplinary Matters		Procedure No: 206-14	
SEALING DISCIPLINARY RECORDS			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 1

PURPOSE	To ensure that disciplinary records regarding Schedule “B” command disciplines and certain corruption/misconduct allegations are sealed in a member’s Central Personnel Index file.
DEFINITION	<u>SEALED</u> - Information is suppressed on member’s Central Personnel Index whenever background inquiry is made, including promotion and transfer requests.
PROCEDURE	When a member of the service wishes to seal all records pertaining to a Schedule “B” command discipline:
MEMBER OF THE SERVICE	1. Prepare a Typed Letterhead addressed to commanding officer requesting the sealing of Schedule “B” command discipline on the 3rd anniversary from the date of disposition.
COMMANDING OFFICER/ EXECUTIVE OFFICER	2. Determine if requesting member received charges and specifications and/or additional Schedule “B” command discipline(s) during the above time frame. 3. Expunge SUPERVISOR’S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123) from member’s command folder, endorse original request and forward to Human Capital Division (IO 67 s.16) , if no additional violations. a. If member has been the subject of an additional violation(s), advise member by endorsement on original request and file copy in member’s command folder. b. Advise member that he/she may resubmit request three years after the disposition of the most recent disciplinary violation.
	<u>UPON RECEIPT OF ENDORSED REQUEST</u>
HUMAN CAPITAL DIVISION	4. Seal Schedule “B” command discipline on member’s Central Personnel Index if satisfied clemency requirement has been met. 5. Endorse original request and return to member concerned. 6. Forward a copy of endorsed request to: a. Office of the First Deputy Commissioner (IO 25 s.17) b. Department Advocate’s Office.
ADDITIONAL DATA	<i>Allegations of misconduct (“M” Cases) or corruption (“C” Cases) which result in a final disposition of exonerated or unfounded will be sealed in the member’s Central Personnel Index by the Internal Affairs Bureau. Sealed allegations and command disciplines will only be available to the Internal Affairs Bureau for statistical evaluations and internal investigations. Additionally, these records will be made available to the Legal Bureau and the Employee Assistance Unit as necessary to enable those commands to perform their respective responsibilities.</i>
RELATED PROCEDURES	Schedule “A” and Schedule “B” (IO 25 s.17) Command Discipline (P.G. 206-02) Authorized Penalties Under Command Discipline (P.G. 206-04)
FORMS AND REPORTS	SUPERVISOR’S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123) Typed Letterhead

- c. Within **five (5) working days** of the completion of the adjudication entries by the ICO/Asst. ICO/other authorized member, the Commanding Officer/Executive Officer shall be responsible to review the command discipline record and finalize (sign-off) the record to verify that it is accurate and complete.
- d. ICOs and Assistant ICOs who do not have access to the Department's Wide Area Network (WAN) must personally enter command discipline data pertaining to members of their command at their next higher command that possesses WAN access.

NOTE

*Access to the command discipline system requires both a "CESN" password issued by **Information Technology, Bureau (IO 21 s.15)** and system authorization by OEE0. "CESN" passwords can be obtained by sending a written request to the **Deputy Commissioner, Information Technology**.*

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION

All Commands

INTERIM ORDER NO. 9



INTERIM ORDER

SUBJECT: ORDERS OF PROTECTION SERVED ON MEMBERS OF THE SERVICE		
DATE ISSUED:	REFERENCE:	NUMBER:
12-21-12	**P.G. 206-19	52

PURPOSE

To inform members of the service of the procedure to follow when notified that they are the respondent/defendant of any Order of Protection.

SCOPE

All uniformed members of the service are required as a condition of employment to remain qualified to possess firearms for the duration of their tenure with the Department. Members who are the respondent/defendant of an Order of Protection that limits firearms possession may be subject to a change in duty status and/or disciplinary action up to and including termination.

PROCEDURE

When a uniformed member of the service is notified that they are the subject of any Order of Protection:

UNIFORMED MEMBER OF THE SERVICE

1. Notify commanding officer immediately.
 - a. If command is not open, notify Internal Affairs Bureau, Command Center and obtain log number, and Operations Unit.

OPERATIONS UNIT

2. Direct appropriate patrol borough duty captain to respond to member's current location within residence counties, if member's command is not open.

INITIAL INVESTIGATION OF AN ORDER OF PROTECTION SERVED ON MEMBER

COMMANDING OFFICER/ DUTY CAPTAIN

3. Notify:
 - a. Internal Affairs Bureau, Command Center, and obtain log number
 - b. Bureau/borough Investigations Unit, to respond and assist.
4. Conduct investigation to determine if there is a basis for firearms removal.
 - a. Place member on modified assignment if Order of Protection prohibits firearms possession at all times, or if otherwise appropriate.
 - b. If Order of Protection prohibits firearms possession off-duty only, and member is not to be placed on modified assignment, member will be required to safeguard all firearms at command while off-duty. (See *Interim Order 53, series 2012, "Orders of Protection Prohibiting Off-Duty Firearms Possession by Uniformed Members of the Service."*)
5. Prepare a report on **Typed Letterhead** to the Chief of Internal Affairs and include:
 - a. Details of investigation
 - b. Decision regarding member's duty status
 - c. Specifics of the Order of Protection.

- COMMANDING OFFICER/
DUTY CAPTAIN
(continued)**
6. Forward additional copies of report to:
- a. First Deputy Commissioner
 - b. **Chief of Personnel**
 - c. Commanding Officer, **Employee Resources** Section
 - d. Commanding Officer, Investigations Unit concerned
 - e. Commanding officer of member concerned, if applicable
 - f. **Commanding Officer, Performance Analysis Section [IO 67 s.16].**

MEMBER IS THE SUBJECT OF A FINAL ORDER OF PROTECTION
PROHIBITING FIREARMS POSSESSION AT ALL TIMES

- COMMANDING OFFICER/
DUTY CAPTAIN**
7. Notify:
- a. Internal Affairs Bureau, Command Center, and obtain log number
 - b. Bureau/borough Investigations Unit, to respond and assist
 - c. Commanding Officer, **Employee Resources** Section, if the Final Order of Protection will continue for greater than six months.
8. Place member on modified assignment if member is currently full-duty.
9. Prepare a report on **Typed Letterhead** to the **Chief of Personnel** and include:
- a. Details of investigation
 - b. Specifics of the Order of Protection.
10. Forward additional copies of report to:
- a. First Deputy Commissioner
 - b. Deputy Commissioner, Department Advocate
 - c. Deputy Commissioner, Legal Matters
 - d. Chief of Internal Affairs
 - e. Commanding Officer, **Employee Resources** Section
 - f. Commanding Officer, Investigations Unit concerned
 - g. Commanding officer of member concerned, if applicable
 - h. **Commanding Officer, Performance Analysis Section.**
11. Direct member to report to **Employee Resources Section**, Performance Analysis Section, if the Final Order of Protection will continue for greater than six months.

**ADDITIONAL
DATA**

REPORTING TO THE **EMPLOYEE RESOURCES SECTION**

*When a member is ordered to report to the **Employee Resources Section**, the member will report immediately or between the hours of 0900 and 1800 hours on the next business day member is scheduled to work, as appropriate.*

**ADDITIONAL
DATA
(continued)**

FINAL ORDERS OF PROTECTION

Members who are the recipients of Final Orders of Protection prohibiting firearms possession at all times (on and off-duty) will be given the opportunity to apply to the issuing court for a modification of the Order to allow the member to possess firearms while on-duty.

If the member is unable to have the Final Order of Protection modified, or declines to seek such modification within six months from the date of issuance, the member will be subject to termination from the Department if the member has not retired, vested, or resigned.

CIVILIAN MEMBER OF THE SERVICE RESPONDENT/DEFENDANT OF ORDER OF PROTECTION

*Whenever a civilian member of the service becomes aware that they are the respondent/defendant of any Order of Protection, they must immediately notify their commanding officer/supervisory head. The commanding officer/supervisory head will notify the Internal Affairs Bureau, Command Center, and obtain log number. The member will be interviewed and an investigation will be conducted to determine if the member should continue to perform duty. The commanding officer/supervisory head will prepare a report to the Chief of Internal Affairs and forward additional copies to the Commanding Officer, **Employee Resources Section, Commanding Officer Performance Analysis Section**, and the Investigations Unit concerned.*

MEMBER OF THE SERVICE COMPLAINANT ON ORDER OF PROTECTION

*In cases where the member of the service is a petitioner/complainant on an Order of Protection, for safety reasons the member **must** notify their commanding officer. If necessary, those affected should comply with the provisions of P.G. 212-31, "Threats to Members of the Service."*

**RELATED
PROCEDURES**

*Modified Assignment (P.G. 206-10)
Removal and Restoration of Firearms (P.G. 206-17)
Allegation of Corruption and Other Misconduct Against Members of the Service (P.G. 207-21)
Family Offenses and Domestic Violence Involving Uniformed or Civilian Members of the Service (P.G. 208-37)
Threats to Members of the Service (P.G. 212-31)*

**FORMS AND
REPORTS**

Typed Letterhead

BY DIRECTION OF THE POLICE COMMISSIONER

INTERIM ORDER NO. 52



INTERIM ORDER

SUBJECT: ORDERS OF PROTECTION PROHIBITING OFF-DUTY FIREARMS POSSESSION BY UNIFORMED MEMBERS OF THE SERVICE		
DATE ISSUED:	REFERENCE:	NUMBER:
12-21-12	**P.G. 206 -20	53

PURPOSE

To inform members of the procedures to follow when a uniformed member of the service is served with an Order of Protection prohibiting firearms possession off-duty only, and the member is to be continued on full-duty status.

SCOPE

A uniformed member of the service who is served with an Order of Protection prohibiting off-duty firearms possession only, may continue on full-duty status if there is no basis for placing the member on modified assignment. The member will be required to safeguard all firearms while off-duty.

PROCEDURE

When a uniformed member is served with an Order of Protection prohibiting off-duty firearms possession only, and the member is to be continued on full-duty status:

COMMANDING OFFICER/ DUTY CAPTAIN

1. Request that member concerned complete **ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION (PD424-010)** form.
 - a. Place member on modified assignment if member fails or refuses to complete this form.
2. Ensure all firearms (including handguns, rifles, and shotguns) owned or possessed by member have been accounted for.
 - a. Question member concerning firearms ownership and possession
 - b. Notify desk officer/supervisor, member's permanent command, and request a check of appropriate records.
3. Designate a location at member's command where member's service weapon, authorized off-duty weapon (if applicable), "FULL DUTY" **IDENTIFICATION CARD**, and shield are to be safeguarded while member is off-duty.

DESK OFFICER/ SUPERVISOR, MEMBER'S PERMANENT COMMAND

4. Assist commanding officer/duty captain in determining if all firearms owned or possessed by member have been surrendered.
 - a. Check member's **FORCE RECORD (PD406-143)**
 - b. Notify Police Academy, Firearms and Tactics Section, and request a check of records maintained regarding member's firearms ownership
 - c. Arrange to obtain additional firearms as necessary.
5. Have firearms, other than service weapon and authorized off-duty weapon, vouchered for safekeeping (see *P.G. 218-23, "Processing Firearms and Firearm-Related Evidence,"* "ADDITIONAL DATA" statement).

**DESK
OFFICER/
SUPERVISOR,
MEMBER'S
PERMANENT
COMMAND
(continued)**

- a. Ensure "Remarks" section of **PROPERTY CLERK INVOICE (PD521-141)** includes the following statement: "Property of a uniformed member of the service – not to be returned without written authorization of Commanding Officer, **Employee Resources (IO 67 s.16)** Section"

- b. Ensure member receives copy of **INVOICE**.

6. Notify the Internal Affairs Bureau (IAB) Command Center of Order of Protection and limited firearm possession and obtain log number.

- a. Enter log number in 'IAB Log No.' caption on the **ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION**.

7. Forward a copy of **ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION** and copy of **PROPERTY CLERK INVOICE** to commanding officer/duty captain.

**COMMANDING
OFFICER/DUTY
CAPTAIN**

8. Prepare a report on Typed Letterhead with related details (i.e., IAB log number, **PROPERTY CLERK INVOICE** number, status of Order of Protection, etc.) and deliver to desk officer.

**DESK
OFFICER/
SUPERVISOR,
MEMBER'S
PERMANENT
COMMAND**

9. Forward copies of the report on Typed Letterhead prepared by commanding officer/duty captain and the **ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION** to IAB Command Center for uploading/inclusion in the IAB log. *[IO 17 s.17]*

10. Direct member to report to the **Employee Resources** Section.

**UNIFORMED
MEMBER OF
THE SERVICE**

11. Report to **Employee Resources** Section as directed, with all of the following:

- a. "FULL DUTY" **IDENTIFICATION CARD**
- b. Original copy of **ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION**
- c. Copy of report prepared by commanding officer/duty captain
- d. Copy of **PROPERTY CLERK INVOICE** for vouchered firearms, if applicable.

12. Report to **Shield, ID and Retirement Unit** as directed and obtain a "NO FIREARMS" **IDENTIFICATION CARD**.

GUIDELINES FOR SAFEGUARDING DESIGNATED ITEMS

**UNIFORMED
MEMBER OF
THE SERVICE**

13. Deliver service weapon, authorized off-duty weapon (if applicable), "FULL DUTY" **IDENTIFICATION CARD**, and shield to desk officer/supervisor prior to signing out at the end of each tour.

**UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

a. Retrieve “NO FIREARMS” **IDENTIFICATION CARD** from desk officer/supervisor.

14. Retrieve service weapon, authorized off-duty weapon (if applicable), “FULL DUTY” **IDENTIFICATION CARD**, and shield from desk officer/supervisor when reporting for duty each day.

a. Deliver “NO FIREARMS” **IDENTIFICATION CARD** to desk officer/supervisor.

**DESK
OFFICER/
SUPERVISOR,
MEMBER’S
PERMANENT
COMMAND**

15. Make a Command Log entry when safeguarding or returning member’s service weapon, authorized off-duty weapon (if applicable), “FULL DUTY” or “NO FIREARMS” **IDENTIFICATION CARD**, and shield.
a. Safeguard items in designated location.

WHEN ORDER OF PROTECTION IS EXPIRED OR VACATED

**UNIFORMED
MEMBER OF
THE SERVICE**

16. Notify commanding officer.

**COMMANDING
OFFICER**

17. Verify that Order of Protection is expired or has been vacated, and that there are no active Orders of Protection against member concerned.

a. Contact court of issuance

b. Telephone Central Records Division, Identification Section

c. Conduct an Order of Protection inquiry via the FINEST system.

18. Prepare a report on **Typed Letterhead** to the Commanding Officer, **Employee Resources** Section with status of Order of Protection.

19. Instruct member not to carry any firearms while off-duty until authorization is received from Commanding Officer, **Employee Resources** Section.

20. Direct member to report to the Employee **Resources** Section.

**UNIFORMED
MEMBER OF
THE SERVICE**

21. Report to the Employee **Resources** Section as directed, with all of the following:

a. “NO FIREARMS” and “FULL DUTY” **IDENTIFICATION CARDS**

b. Copy of expired or vacated Order of Protection

c. Copy of report prepared by commanding officer/duty captain

(1) Member concerned will not be permitted to carry any firearms while off-duty until commanding officer receives authorization from Commanding Officer, **Employee Resources** Section.

22. Report, when directed, to Property Clerk Office with:

a. “FULL DUTY” **IDENTIFICATION CARD**

b. Copy of **PROPERTY CLERK INVOICE**

c. Original report from Commanding Officer, **Employee Resources** Section, authorizing return of all firearms.

INTERIM ORDER NO. 53

**ADDITIONAL
DATA**

REPORTING TO THE **EMPLOYEE RESOURCES** SECTION

*When a member is ordered to report to the Employee **Resources** Section, the member will report immediately or between the hours of 0900 and 1800 hours on the next business day member is scheduled to work, as appropriate.*

OPERATIONAL CONSIDERATIONS

*Personnel Bureau Investigations Unit members will make unannounced visits to commands where Departmental property is safeguarded under the provisions of this procedure. Command Log inspections will be performed to ensure that entries are made documenting the safeguarding of weapons, **IDENTIFICATION CARDS**, and shields for affected members of the service.*

Commanding officers of affected commands will ensure that Personnel Bureau Investigations Unit members have access to these items during their visits.

LEGAL CONSIDERATIONS

*The **ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION** form includes the member's obligation to safeguard all firearms with the Department at all times while off-duty, and advises the member that no new firearms may be purchased. Failure to comply with the court order may result in criminal charges and court sanctions, as well as Departmental charges, which can lead to termination.*

Failure or refusal to complete the form will result in the member being placed on modified assignment and subject the member to disciplinary action.

**RELATED
PROCEDURES**

*Modified Assignment (P.G. 206-10)
Removal and Restoration of Firearms (P.G. 206-17)
Allegation of Corruption and Other Misconduct Against Members of the Service (P.G. 207-21)
Family Offenses and Domestic Violence Involving Uniformed or Civilian Members of the Service (P.G. 208-37)*

**RELATED
PROCEDURES**

*Threats to Members of the Service (P.G. 212-31)
Processing Firearms and Firearm-Related Evidence (P.G. 218-23)*

**FORMS AND
REPORTS**

ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION (PD424-010)
FORCE RECORD (PD406-143)
IDENTIFICATION CARD (PD416-091)
PROPERTY CLERK INVOICE (PD521-141)
Typed Letterhead

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION
All Commands

INTERIM ORDER NO. 53

PATROL GUIDE

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SCOPE (continued)

TRANSIT BUREAU INCIDENTS:

Complaints under the jurisdiction of the Transit Bureau, that occur on a moving train, will be recorded as occurring at the next (very first) station where the train stops, regardless of precinct or borough boundaries. In a continuous event that begins on-transit system but ends off-transit system, or vice versa, the jurisdictional determinant will be the location where the incident originally started. For example, a continuous event that starts on a subway train but ends in the street, will be recorded as being under the jurisdiction of the NYPD Transit Bureau.

COMPLAINT REPORTING SYSTEM FORMS

- **COMPLAINT REPORT WORKSHEET (PD313-152A)** - Used by reporting members to report all complaints. The "Crime Incident Data" captions on the reverse side of the form will be utilized when reporting ALL crimes and violations.
- **COMPLAINT REPORT (PD313-152)** - A report generated by the OLCS and prepared from the information recorded on the **COMPLAINT REPORT WORKSHEET** submitted by the reporting member.
- **OLCS INDEX** - A report generated by the OLCS which is used to chronologically record complaints received and also serves as a catalog of complaints for a particular precinct.
- **OMNIFORM COMPLAINT REVISION (10-85 s.15)** - Used by reporting/investigating officers to report additional information as per P.G. 207-09, "Follow-Up Investigation Of Complaints Already Recorded."
- **COMPLAINT FOLLOW-UP INFORMATIONAL (pink) and SECOND SHEET (PD313-081A)** - Used by reporting/investigating officers to report additional information **NOT** reported on a **Omniform Complaint Revision** as per P.G. 207-09, "Follow-Up Investigation Of Complaints Already Recorded."

PROCEDURE

Members of the service will record the following complaints on **COMPLAINT REPORTS**:

1. Complaints and pick-up arrests for crimes and violations except those complaints NOT RECORDED ON **COMPLAINT REPORTS** (see P.G. 207-02, "Complaints Not Recorded On The On-Line Complaint System").
2. Complaints and pick-up arrests for juveniles charged as Juvenile Offenders (see P.G. 215-04, "Family Court Warrant For Child Abuse/Neglect Cases").
3. Pick-up arrests of juveniles taken into custody and charged with juvenile delinquency (see P.G. 215-09, "Offense Committed By A Child Under 16 Years Of Age (Other Than A Juvenile Offender)").
4. Complaints of juvenile delinquency for selected offenses as follows:
 - a. Felonies
 - b. Unlawful Assembly - Section 240.10, Penal Law
 - c. Unlawful Possession of Weapons by person under sixteen (16) years of age - Section 265.05, Penal Law
 - d. Manufacture, Transport, Disposition and Defacement of Weapons and Dangerous Instruments and Appliances - Section 265.10, Penal Law
 - e. Prohibited Use of Weapons - Section 265.35, Penal Law
 - f. Possession of Burglar's Tools - Section 140.35, Penal Law

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PROCEDURE (continued)

- g. Jostling - Section 165.25, Penal Law
- h. Fraudulent Accosting - Section 165.30, Penal Law
- i. Criminal Possession of Stolen Property, 5th Degree - Section 165.40, Penal Law
- j. Escape, 3rd Degree - Section 205.05, Penal Law
- k. Issuing Abortional Articles - Section 125.60, Penal Law
- l. Endangering the Welfare of a Child - Section 260.10, Penal Law
- m. Obscenity and related offenses - Article 235, Penal Law
- n. Permitting Prostitution - Section 230.40, Penal Law
- o. Promoting Prostitution - Section 230.20, Penal Law
- p. Sex Offenses - Article 130, Penal Law
- q. Controlled Substances Offenses - Article 220, Penal Law.
5. Complaints of lost property.
6. Found controlled substances, marijuana, and/or drug paraphernalia under certain circumstances as per *P.G. 207-08, "Preliminary Investigation Of Vice Related, Narcotics Or Organized Crime Related Complaints."*
7. Pistols, revolvers, or other dangerous weapons possessed by a person or found under circumstances requiring investigation.
8. Motor vehicle/bicycle collisions which result in death, serious injury and likely to die, or critical injury to an individual. *(IO 73 s.13)*
9. Motor vehicle/bicycle collisions to which Highway District Units respond and conduct an investigation.
10. A deceased person for which this Department must notify the Medical Examiner (see *P.G. 216-04, "Dead Human Body"*).
11. ALL verified incidents of work disruptions at city construction sites.
12. Any act which would not ordinarily constitute an offense but is a violation of the conditions of an Order of Protection (see *P.G. 208-36, "Family Offenses/Domestic Violence"*) or an incident of suspected child abuse (see *P.G. 215-03, "Emergency Removals Or Investigation And Reporting Of Abused, Neglected Or Maltreated Children"*).
13. A complaint of a missing person will be recorded on both a **COMPLAINT REPORT WORKSHEET** *(IO 40 s.15)* and a **MISSING/UNIDENTIFIED PERSON REPORT (PD336-151)** using the same complaint number for both reports.
14. Prepare a **COMPLAINT REPORT** in all instances where an individual is suffering from, or has died from, a suspected drug overdose.
 - a. Classify **COMPLAINT REPORT** as 'Investigate Aided – Drug Overdose' or 'Investigate DOA – Possible Drug Overdose,' as appropriate. *[IO 28 s.17]*

ADDITIONAL DATA

When multiple offenses have occurred, for crime reporting purposes, the incident will be classified based on the "top," or most serious offense under the hierarchy generally known as the "Seven (7) Major Felony Rule." The order of offenses under that rule, beginning with the most serious, is as follows:

- a. *Murder and Non-Negligent Manslaughter*
- b. *Forcible Rape/Rape 1st*

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**ADDITIONAL
DATA
(continued)**

- c. Robbery
- d. Felonious Assault
- e. Burglary
- f. Grand Larceny
- g. Grand Larceny, Motor Vehicle (a grand larceny motor vehicle coupled with a grand larceny from the vehicle will be classified as a Grand Larceny, Motor Vehicle).

The attempt to commit any of the above offenses will be counted as the completed offense, except Attempted Murder, which will be counted as a Felonious Assault. Under this Seven Major Felony Rule, a murder/robbery is classified as Murder; a rape 1st/robbery, or rape 1st/felonious assault, or rape 1st/burglary is classified as Rape 1st. Any of the seven (7) major felonies coupled with any other offense not within the seven (7) major felony category will be classified as the appropriate major felony. For example:

- a. Murder/kidnapping will be classified as Murder;
- b. Rape 1st/kidnapping will be classified as Rape 1st;
- c. Robbery/criminal sexual act 1st will be classified as a Robbery;
- d. Robbery/kidnapping will be classified as a Robbery.

If any of the reported offenses are not one of the seven (7) major felonies, the crime classification will be determined in the following order:

- a. Sort by CATEGORY - Felony before misdemeanor before violation;
- b. Sort by CLASSIFICATION - If all felonies: Select "A" before "B" before "C", etc. If all misdemeanors: Select "A" before "B" before "Unclassified";
- c. Sort by DEGREE - If all offenses are "B" felonies, select "1st degree" before "2nd degree" before "3rd degree", etc.
- d. Sort by PENAL LAW ARTICLE AND SECTION - If all offenses are 2nd degree "B" felonies, select Article 140, before Article 150, etc.

The OLCS will automatically assign a complaint number to each complaint.

Proper preparation of Complaint Reporting System forms requires that when space is insufficient to complete entries, additional forms will be prepared as follows:

FORM BEING PREPARED

ADDITIONAL FORM TO BE USED

**COMPLAINT REPORT
WORKSHEET**

**COMPLAINT REPORT
WORKSHEET**

**COMPLAINT FOLLOW-UP
INFORMATIONAL (pink)**

**COMPLAINT FOLLOW-UP
INFORMATIONAL SECOND
SHEET**

The following situations are applicable to the above:

- a. Space is insufficient in the "Property" area of the **COMPLAINT REPORT WORKSHEET**).

For **COMPLAINT REPORT WORKSHEETS** only, when required to record additional victims, witnesses, vehicles, property, and/or perpetrators that do not fit in the captions on the worksheet, use another **WORKSHEET** and not the details area. DO NOT enter basic information in details section but utilize appropriate captions on form(s). Use as many worksheets as is necessary (e.g., 10 victims then use 10 forms; 10 perpetrators then use 5 forms).

PATROL GUIDE

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**ADDITIONAL
DATA
(continued)**

A SEPARATE COMPLAINT REPORT WILL BE PREPARED FOR:

- a. EACH homicide victim (victim is complainant)
- b. EACH perpetrator of a crime who is killed
- c. EACH individual killed, seriously injured and likely to die, critically injured as a result of a motor vehicle collision.
- d. EACH victim of a sex offense
- e. EACH victim of an assault EXCEPT if incidental to a sex offense or robbery
- f. EACH additional person injured in an arson (assault by fire/explosive)

A new COMPLAINT REPORT will be prepared and a separate serial number assigned to record Criminal Possession of Stolen Property when the person arrested is NOT charged with the original crime (e.g., burglary, larceny, grand larceny - auto, etc.).

In cases where more than two wanted or arrested persons are being reported on a or **COMPLAINT FOLLOW-UP INFORMATIONAL (pink)**, another such form, not a SECOND SHEET, will be used.

The additional forms prepared must be securely stapled to the basic document before forwarding, and the following captions on the forms will be completed:

- a. Page _____ of _____ pages
- b. PRECINCT
- c. COMPLAINT NUMBER
- d. DATE

Certain time limits are necessary to maintain the integrity of the crime reporting system. Therefore, **COMPLAINT REPORTS** must be reviewed and finalized within 24 hours of taking the report. Desk officers must transmit complaints by the conclusion of each tour. Commanding Officers will ensure that desk officers/counterparts are reviewing and transmitting all complaints entered into the OLCS as per these guidelines.

ALL FOLLOW-UP reports are not currently processed via OLCS. Therefore, the **COMPLAINT FOLLOW-UP INFORMATIONAL (pink)** must be forwarded to the Criminal Records Section and prepared for manual electronic storage. Staples should NOT be used as they hamper the storage processing. These reports must be forwarded to the appropriate units within 24 hours of preparation.

Regarding taxicab robberies or attempts, enter in caption "OFFENSES, if any," Robbery/medallion or non-medallion taxicabs, as appropriate. Make a notation under "DETAILS" whether or not taxi was equipped with a partition or had any other safety devices installed and location from where passenger was picked up.

COMPLAINT REPORT WORKSHEET and appropriate copies of or **COMPLAINT FOLLOW-UP INFORMATIONAL (pink)**, if any, must be preserved, even if the information is later transferred word for word to permanent records. Such forms/reports will be attached to the precinct file copy of the relevant **COMPLAINT REPORT**.

When using the OLCS for any reason, the MOS utilizing the system must use his/her own authorization (password).

NOTE

The patrol supervisor will implement missing person/special category procedure as necessary, consistent with all available information.

DESK OFFICER

3. Comply with the duties described in P.G. 207-23, "Missing Persons" and ascertain if incident may fit criteria for activation of a Silver Alert.
4. Request Precinct Detective Squad supervisor and commanding officer/duty captain to respond to the scene.

**PRECINCT
DETECTIVE
SQUAD
INVESTIGATOR
/SUPERVISOR**

5. Conduct a preliminary investigation and ascertain if missing person fits the definition of a "vulnerable senior" and is missing under circumstances indicating that he/she is in imminent danger of serious bodily harm or death.
 - a. Notify Detective Zone Commanding Officer/Detective Bureau Duty Captain, if missing person meets the criteria for the activation of a Silver Alert.
 - b. Request Detective Zone Commanding Officer/Detective Bureau Duty Captain respond to the scene.

NOTE

Only a captain or above from the Detective Bureau may activate a Silver Alert. A Silver Alert will NOT be activated unless the "vulnerable senior" is missing under circumstances indicating that the person is in imminent danger of serious bodily harm or death. A person's status as a vulnerable senior alone is normally insufficient to justify a Silver Alert without additional factors that constitute imminent danger (e.g., severe weather, need for immediate medical attention, history of violent or reckless behavior, etc.).

The Detective Zone Commanding Officer/Detective Bureau Duty Captain may activate a Silver Alert for a person under the age of sixty-five (65) who is reported missing under circumstances indicating that the person is in imminent danger of serious bodily harm or death and where such missing person has dementia as a result of Alzheimer's disease, or similar condition, if he/she reasonably believes a Silver Alert will be beneficial in locating the missing person.

**DETECTIVE
ZONE
COMMANDING
OFFICER/
DETECTIVE
BUREAU DUTY
CAPTAIN**

6. Confer with Precinct Detective Squad investigator/supervisor, patrol supervisor, commanding officer/duty captain, and other personnel on scene regarding the circumstances of the incident and determine if missing person is a "vulnerable senior" and missing under circumstances indicating that the person is in imminent danger of serious bodily harm or death.
7. Notify Operations Unit and request the activation of a Silver Alert, if appropriate and provide the following information:
 - a. Name, age, and detailed physical description (including clothing worn) of the missing person
 - b. Location and time last seen
 - c. Description of motor vehicle, if applicable
 - d. Any type of prescribed medication missing requires, if applicable
 - e. Probable destination of the missing, if known
 - f. Probable method of transportation and route used, if known
 - g. The action the public should take if they have information regarding the missing person (e.g., call 911, etc.).

**DETECTIVE
ZONE
COMMANDING
OFFICER/
DETECTIVE
BUREAU DUTY
CAPTAIN
(continued)**

8. Direct Precinct Detective Squad member to:
 - a. Notify Missing Persons Squad
 - b. Prepare and submit a “Request for Media Attention” form to the Deputy Commissioner, Public Information along with a recent photograph, if available.

NOTE

There are no minimum time limits that must be observed before requesting the activation of a Silver Alert; however, local law requires a Silver Alert be issued within twenty-four (24) hours of the determination that a “vulnerable senior” has been reported missing under circumstances indicating that he/she is in imminent danger of serious bodily harm or death. In most cases, barring exceptional circumstances, the most prudent approach would be to activate a Silver Alert AFTER patrol/field resources have been exhausted and the preliminary search and investigation have yielded negative results. The decision to activate a Silver Alert rests solely with the Detective Zone Commanding Officer/Detective Bureau Duty Captain.

**OPERATIONS
UNIT**

9. Notify Communications Section and have description of missing person disseminated over each Department radio division.
10. Notify Transit Bureau Wheel (subways) and/or **Traffic Management Center [10 13-2 s.17]** (buses), as appropriate, if missing may be traveling via public transportation.
11. Notify Deputy Commissioner, Public Information that a Silver Alert has been activated.
12. Notify Traffic Management Center and request a message regarding the Silver Alert be transmitted via Variable Message Signs if a vehicle description and plate number are available regarding the Silver Alert.
13. Prepare and forward Alert Data based on information received from Detective Zone Commanding Officer/Detective Bureau Duty Captain to Office of Emergency Management (OEM) Watch Command.
 - a. OEM Watch Command will draft a Public Alert and transmit the draft Public Alert to the Operations Unit for approval.
14. Review and approve Public Alert prepared by OEM Watch Command.
 - a. If a Public Alert is not approved, notify OEM Watch Command to modify alert and provide correct Alert Data.
15. Notify and forward appropriate Public Alert information to Deputy Commissioner, Public Information, as appropriate.

NOTE

Once the Operations Unit approves the Public Alert, it is the responsibility of the OEM Watch Command to transmit the Public Alert to responding Department Operations Centers, 311, and NYC.gov for informational purposes. The Watch Command will then transmit the Public Alert to the public via Short Messaging System (SMS), email, and recorded phone message.

**ADDITIONAL
DATA
(continued)**

FALSE PERSONATION

When attempting to ascertain a prisoner's identity, the uniformed member of the service concerned should inform the prisoner that knowingly misrepresenting his or her actual name, date of birth, or address to a police officer, with intent to prevent a police officer from ascertaining such information, is punishable as a crime. Prisoners who knowingly misrepresent their pedigree information should be charged under Penal Law section 190.23 (False Personation, B Misdemeanor).

ARREST REPORT PEDIGREE

For booking purposes, a member of the service shall write an arrestee's name and gender at it appears on a driver's license, permit, or non-driver photo identification. If the arrestee uses a Preferred Name, that name shall be listed in the:

- a. *"Preferred name" section of the **PRISONER PEDIGREE CARD***
- b. *Defendant's name section of the Prisoner Movement Slip, prefaced by "Preferred Name:"*
- c. *"Nickname/Alias/Maiden Name" section of the **ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)**, prefaced by "P-".*

Consistent with P.G. 203-10, "Public Contact – Prohibited Conduct," subdivision "a" following step "1", regardless of whether the name on the arrestee's identification coincides with the arrestee's gender identity, the member of the service shall refer to the arrestee by the preferred name, if any, as requested. The member shall use the pronouns consistent with that name in addressing or referring to the arrestee.

**RELATED
PROCEDURES**

*Public Contact - Prohibited Conduct (P.G. 203-10)
Arrests - General Processing (P.G. 208-03)
Arrest Report Preparation at Stationhouse (P.G. 208-15)
Hospitalized Prisoners - Arrests by Members of Other Police Agencies (P.G. 210-03)
Mentally Ill or Emotionally Disturbed Persons (P.G. 216-05)
Release of Prisoners (P.G. 210-13)*

**FORMS AND
REPORTS**

DESK APPEARANCE TICKET (COMPUTER FORM)
ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)
PROPERTY CLERK INVOICE (PD521-141)
PRISONER PEDIGREE CARD (PD244-092)
ROLL CALL (PD406-144)

6. Any provisions of the Department Manual or any other Department directive in conflict with the contents of this Order are suspended.

BY DIRECTION OF THE POLICE COMMISSIONER

**DISTRIBUTION
All Commands**

INTERIM ORDER NO. 43

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INTERIM ORDER

SUBJECT: ARRESTS – GENERAL PROCESSING		
DATE ISSUED:	REFERENCE:	NUMBER:
09-12-12	*P.G. 208-03	44

- 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.
- PROCEDURE** After arrest has been effected and prisoner has been handcuffed:
- ARRESTING OFFICER**
1. Immediately field search/frisk prisoner and search adjacent vicinity for weapons, evidence, and/or contraband.
 2. Advise prisoners of rights before questioning in accordance with *P.G. 208-09, "Rights of Persons Taken into Custody."*
 - a. If a juvenile is taken into custody, notify the Real Time Crime Center Juvenile Desk (twenty-four hours a day/seven days a week), and parent/guardian immediately.
 - b. Before questioning juvenile, Miranda warnings will be read to the juvenile utilizing **MIRANDA WARNINGS FOR JUVENILE INTERROGATIONS (PD244-1413)**. **MIRANDA WARNINGS FOR JUVENILE INTERROGATIONS** should be read 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. Juveniles will not normally be arrested for truancy. If arrested on another charge, truancy (Educational Law section 3233) may be added as a second charge, if appropriate. In all cases, truants may be frisked or scanned with a metal detector. If safety dictates, truants may be handcuffed.
- DESK OFFICER**
3. Immediately determine if prisoner presents a high risk of escape through interview and a comprehensive background investigation. (IO 41 s.15)
 - a. Make determination as to whether a particular prisoner presents a potential escape risk on a case-by-case basis. Factors that can be considered in making this determination include:
 - (1) Seriousness of the offense charged,
 - (2) Prisoner unwillingness to identify himself/herself,
 - (3) Forcible resistance to arrest,
 - (4) Threats of violence and/or escape threats directed at uniformed members of the service,
 - (5) Known history of violence, weapons possession, or escape/attempted escape,

**DESK OFFICER
(continued)**

- (6) Results of warrant and criminal history computer checks, particularly the utilization of the Domestic Awareness System (DAS) to obtain information on previous police contacts. (IO 41 s.15)
 - b. Prisoners designated “high risk” will have two uniformed members of the service assigned to escort at all times.
 - c. Ensure a criminal history check is completed for every prisoner arrested for Resisting Arrest (Section 205.30, Penal Law), Assault 2nd degree (Section 120.05, Penal Law, sub. 3), or Assault on a Peace Officer, Police Officer, Fireman, or Emergency Medical Services Professional (Section 120.08, Penal Law).
 - (1) If prisoner has been arrested for Resisting Arrest (Section 205.30, Penal Law), Assault 2nd degree (Section 120.05, Penal Law, sub. 3), or Assault on a Peace Officer, Police Officer, Fireman, or Emergency Medical Services Professional (Section 120.08, Penal Law) two or more times within the past five years, the prisoner shall be deemed a ‘Resisting Recidivist.’
 - (2) Ensure all arrests involving a Resisting Recidivist are enhanced by the precinct detective squad and that the District Attorney’s Office puts forth all efforts towards a successful prosecution. (IO 39 s.16)
- 4. Have vehicle or other conveyance **not required as evidence** safeguarded, if appropriate.
- 5. Question the arresting officer regarding:
 - a. Use of force, if applicable
 - b. Circumstances surrounding arrest, if prisoner is being charged with Criminal Possession of Marihuana in the Fifth Degree, and make a Command Log entry of results (see **ADDITIONAL DATA** under heading ‘**ARRESTS FOR PUBLIC DISPLAY OF MARIHUANA**’). [IO 44-1 s.12]
- 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. (See *P.G. 210-04, “Prisoners Requiring Medical/Psychiatric Treatment”*)
 - b. Direct arresting officer to notify Health and Hospitals Corporation (HHC) police, or hospital security personnel if no HHC police are assigned to the hospital, whenever a prisoner is brought to their facility for medical treatment.
 - c. 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.

**DESK OFFICER
(continued)**

- d. Have arresting officer request a secured location that can be used for treatment of prisoner, when available, from emergency room staff.
- 7. Notify commanding officer/duty captain to verify the arrest, if the arrest is effected by an off-duty uniformed member of the service.
 - a. If arrest is effected by a member of another police agency, that agency will be notified.

**COMMANDING
OFFICER /
DUTY CAPTAIN**

- 8. Respond to stationhouse and verify arrest made by off-duty uniformed member of the service.
- 9. Have **UNUSUAL OCCURRENCE REPORT (PD370-152)** prepared with details of arrest made by off-duty uniformed member of the service.

DESK OFFICER

- 10. Direct arresting officer to make a thorough search of the prisoner in your presence.
 - a. Conduct all searches in accordance with *P.G. 208-05, "Arrests – General Search Guidelines."*
 - b. Once a strip search is authorized, (see *P.G. 208-05, "Arrests – General Search Guidelines,"* step "1", subdivision "C"), the desk officer, precinct of occurrence/central booking supervisor will ensure that the following entries are made in Department records:
 - (1) Command Log entry – including the basis for the strip search; rank, name, and command of supervisor authorizing the search; rank, name, and command of member of the service performing the search; name of prisoner(s); and, the results of the search, including negative results.
 - (2) The supervisor authorizing such a search will ensure the command and Command Log page number of the entry will be documented in the "Narrative" section of the **ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-149)** or the **ARREST REPORT - SUPPLEMENT (PD244-157)**.
 - (3) Direct the arresting officer to prepare an **ACTIVITY LOG (PD112-145)** entry of the above information. Also, include on the Prisoner Movement Slip if prepared, the statement, "Strip Searched," with the command and Command Log page number of the entry in the "Detention Alert" section of the form under the sub-caption, "Other." Consistent with *P.G. 203-10, "Public Contact – Prohibited Conduct"*, subdivision "a" following step "1", indicate Preferred Name, if any, on Prisoner Movement Slip.

**DESK OFFICER
(continued)**

11. Direct arresting officer to inquire of prisoner whether a dependent adult/child is uncared for at prisoner's residence.
 - a. Enter results of inquiry in Command Log.
 - b. Comply with *P.G. 215-01, "Care of Dependent Child"* if it is determined that dependent adult/child is alone in prisoner's residence.
12. 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. Press Card issued by this Department
 - (1) Forward card to Deputy Commissioner, Public Information, with report of facts.
 - g. Auxiliary Police Shield, Civil Defense Shield/Identification Card
 - (1) Forward to Auxiliary Police Section, with report of facts.
 - h. Legally possessed prescription drugs (including methadone)
 - (1) Invoice prescription drugs for safekeeping and place in Plastic Security Envelope in prisoner's presence. **Issue 'Prisoner/Finder/Owner' copy of PROPERTY CLERK INVOICE (PD521-141) as a receipt to prisoner. (IO 44-2 s.12)**
 - (2) Prepare **MEDICAL TREATMENT OF PRISONER (PD244-150)** to alert detention facility personnel that prisoner may require a prescription drug.
 - (3) Return prescription drugs to prisoner upon release, if prisoner is to be released on stationhouse bail, Desk Appearance Ticket, voided arrest, etc. If not, deliver to borough Property Clerk in normal manner.
 - i. **Handgun License**
 - (1) Forward license to the Commanding Officer, License Division and comply with *Interim Order 6, series 2013, 'Incidents Involving Holders of Handgun Licenses or Rifle/Shotgun Permits'* in regards to reporting the arrest of a handgun licensee to the License Division and the removal of firearms listed on the handgun license.
 - j. **Rifle/Shotgun Permit**
 - (1) Forward permit to the Commanding Officer, License Division and comply with *Interim Order 6, series 2013, 'Incidents Involving Holders of Handgun Licenses or Rifle/Shotgun Permits'* in regards to reporting the arrest of a rifle/shotgun permit holder to the License Division and the removal of firearms registered under the permit. *(IO 6 s.13)*

NOTE

When the holder of a rifle/shotgun permit is arrested and charged with a felony, immediately seize and voucher the rifle/shotgun permit and firearm(s) if they are:

- a. On the arrestee's body*
- b. Within the arrestee's area of reach, or*
- c. In plain view of the arresting officer(s) at the time of arrest.*

If the rifle/shotgun permit and firearm(s) cannot be seized in the manner described above, the arrestee shall be advised that he must surrender said permit and firearm(s) pursuant to License Division regulations, and shall be given an opportunity to surrender them voluntarily. If the permit and/or firearm(s) cannot be obtained by consent, and there is probable cause to believe that they are in a particular location, a search warrant will be obtained prior to seizure of the permit and firearm(s), unless exigent circumstances justify an immediate seizure. The supervisor assigned will make every effort to obtain the firearm(s) and rifle/shotgun permit either by consent or with a search warrant. The permit, once obtained, will be forwarded with a report to the License Division, Rifle and Shotgun Section, unless it is required as evidence.

**DESK OFFICER
(continued)**

- k. New York City Police Department retiree identification card or identification card of retired uniformed members of the service of the former New York City Housing Police Department or the New York City Transit Police Department.
 - (1) Forward card to Assistant Commissioner, **Human Capital Division** (10 67 s.16), with report of facts.
13. Give itemized receipt for property temporarily removed from the prisoner which is not to be held in police custody.
14. Ask prisoner(s) if they want any personal property they possess to be vouchered for safekeeping, other than property removed under steps "12" and "13".
 - a. A Command Log entry **must** be made indicating either the prisoner refused or the **PROPERTY CLERK INVOICE** number for property safeguarded.

**ARRESTING
OFFICER**

15. Request the assistance of the detective squad if the prisoner is arrested for homicide, serious assault, robbery, burglary, grand larceny, or other serious or unusual crime.
16. Prepare arrest related documents as provided by the arrest processing officer.
 - a. Comply with any applicable provisions of *P.G. 208-15, "Arrest Report Preparation at Stationhouse."*
17. Provide complainant with prisoner's name, charges, arresting officer's name, precinct of occurrence, **PROPERTY CLERK INVOICE** number, if any, and the location of the appropriate court.
18. Advise prisoner, **sixteen years of age or older**, of right to make three **telephone calls without charge**.
 - a. **One of the calls may be placed anywhere within the United States or Puerto Rico. The remaining calls may be placed anywhere within New York City.**

**ARRESTING
OFFICER
(continued)**

- b. Phone calls will not be allowed or may be terminated at any time if the calls would compromise an ongoing investigation or prosecution, if the ends of justice may be otherwise defeated, or a dangerous condition may be created. (IO 88 s.13)
 - c. Make telephone calls if the prisoner is incapacitated by alcohol and/or drugs.
 - d. Make telephone calls, or request other appropriate auxiliary aids (including the use of a qualified sign language interpreter or a Telecommunication Relay Service [TRS]) to assist the prisoner in making phone calls if the prisoner is unable to use a telephone due to speech or hearing impairment. Should the prisoner request to telephone an individual with a hearing or speech disability, dial "711" for the TRS operator and be instructed accordingly.
- 19. Notify relatives or friends if the prisoner is under nineteen years of age, or is admitted to a hospital, or is apparently emotionally disturbed.
- 20. Prepare a **MISSING - UNIDENTIFIED PERSON REPORT (PD336-151)** and notify the precinct detective squad and the Missing Person Squad, if unable to make the above notification.
 - a. If the notification is made after preparation of the **MISSING - UNIDENTIFIED PERSON REPORT**, notify the detective squad and the Missing Person Squad.
- 21. Comply with *P.G. 214-07, "Cases for Legal Action Program,"* if applicable, which ensures that all New York City Public Housing residents who are arrested pursuant to the execution of a search warrant where contraband is recovered or arrested for a designated crime committed on the grounds of any New York City Public Housing Development are targeted for possible eviction proceedings.
- 22. Perform license check through FINEST, using the "DALL" format, on all defendants arrested for the following:
 - a. Driving a stolen vehicle, or,
 - b. Driving an auto with an altered vehicle identification number (VIN), or,
 - c. Driving an auto with stolen plates.
- 23. Deliver the following completed forms to the desk officer:
 - a. **ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159).**
 - (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 (PD313-152A)**, if appropriate.
 - (1) If the arrest is for a crime previously reported and recorded on a **COMPLAINT REPORT**, use the serial number assigned to the original **COMPLAINT REPORT**.

**ARRESTING
OFFICER
(continued)**

- (2) Follow *P.G. 208-11*, “*Arrest Processing – ‘Livescan’ Fingerprinting and Palmprinting*” immediately upon desk officer’s review and approval of **COMPLAINT REPORT WORKSHEET**.
- c. **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)** for evidence or other property taken into police custody.
 - (1) A separate **WORKSHEET** will be prepared for firearms, narcotics, or other property requiring analysis at the Police Laboratory.
- d. **REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-158)**, if required.
- e. **DESK APPEARANCE TICKET INVESTIGATION (PD360-081)**, if appropriate.
- f. **JUVENILE ARREST INVESTIGATION/PROBATION INTAKE REPORT WORKSHEET (PD277-151A)**, if appropriate.
 - (1) One copy of typed report will be forwarded with the arrest documents and distribute the remaining copies to the precinct youth officer, Youth Services Section, and juvenile detention facility, if juvenile is detained.
- g. **MEDICAL TREATMENT OF PRISONER**, if prepared.
 - (1) Prepare the form if the prisoner receives medical/psychiatric treatment, 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 OF PRISONER** form in a folder maintained at the desk of the precinct of arrest/designated arrest facility and forward the remaining copies of the form to the borough court section concerned, in **DAT ARREST PACKAGE (PD260-123)**.
- h. **TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-144)**, if appropriate.
 - (1) Prepare the form if the arrest includes a charge for trespass or criminal trespass in a Trespass Affidavit Program or New York City Housing Authority building. [IO 29 s.17]
24. Prepare **ARREST DOCUMENTATION CHECKLIST (PD240-010)**.
 - a. Check appropriate box for each document/form delineated on the checklist.
 - b. List individually all other documents/forms prepared.
25. Deliver **ARREST DOCUMENTATION CHECKLIST** with the following items to the desk officer:
 - a. Photocopies/snap-out copies of the documents and forms delineated on the **CHECKLIST** in every case in which they are prepared
 - b. Photocopies of all other documents/forms prepared

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**ARRESTING
OFFICER
(continued)**

- c. Photographs of evidence motor vehicles returned to owner (see *P.G. 218-18, "Photographing Stolen Evidence Vehicles When an Arrest is Made"*).

DESK OFFICER

26.

Examine all documents/forms to ensure completeness and accuracy and sign all documents/forms as required.

- a. Review **ARREST DOCUMENTATION CHECKLIST** to ensure all documents and forms prepared in connection with the arrest are listed on the **CHECKLIST** and are available.
- b. Return **CHECKLIST** to arresting officer for delivery to the District Attorney or Corporation Counsel in the Complaint Room or deliver in accordance with borough guidelines.

27.

Ensure the arresting officer has complied with *P.G. 214-07, "Cases for Legal Action Program,"* if applicable.

28.

Ascertain that the following entries are made:

- a. Statement that a prisoner, charged with criminal possession of a controlled substance with intent to sell or unlawful sale of a controlled substance, is a seller, and indicate reasons for that conclusion in the narrative block of the **ON-LINE BOOKING SYSTEM ARREST WORKSHEET**.
- b. Names, addresses, and telephone numbers of witnesses are entered on the **COMPLAINT REPORT** or the **Omniform Complaint Revision (10 85 s.15)**, if prepared.
- c. Statement on **PROPERTY CLERK INVOICE** that property (other than vehicle) is valuable, contains identifying marks, and that the Stolen Property Inquiry Section (SPIS) was notified, including the name and rank/title of the person at SPIS notified.
- d. Information concerning alarms transmitted or cancelled, with operator's name entered on **COMPLAINT REPORT** and **PROPERTY CLERK INVOICE**, as required. State and police agency must be included if alarm is transmitted by other than a New York State agency. If no alarm transmitted, so state.
- e. A hard copy of the **FINEST** screen containing the notification to S.P.I.S. is attached to the **COMPLAINT REPORT**, **Omniform Complaint Revision** or **PROPERTY CLERK INVOICE** whichever most accurately reflects the current status of a **motor vehicle/boat/plate** being reported stolen, recovered, etc.
- f. Enter details of notification in Command Log (name, address, relationship) when prisoner is of unsound mind, or under nineteen years of age, or is admitted to a hospital.
- g. Enter in Command Log information concerning release of prisoner to member of Highway District to conduct required tests.
- h. Enter chemical test results on **ON-LINE BOOKING SYSTEM ARREST WORKSHEET** under caption, "Narrative."

**DESK OFFICER
(continued)**

- i. Enter any change in the custody of the prisoner in the Command Log and notify borough Court Section for computer entry of new prisoner location.
- j. Document any other pertinent facts in the Command Log, including serial numbers of any forms prepared regarding arrest.
- k. Notify Court Section supervisor for computer entry when prisoner is admitted to a hospital (see *P.G. 210-02, "Hospitalized Prisoner"*).
 - (1) Record notification in Telephone Record.
- l. Ensure that all phone calls, up to a maximum of three, or refusal to make phone calls, are recorded on the **ON-LINE BOOKING SYSTEM ARREST WORKSHEET** and properly entered into Omniform. *(IO 88 s.13)*
- 29. Refer "FOA" cases (offenses not triable in New York City courts or violation of parole or probation) to detective squad.
- 30. Direct that "Have Arrested Message" is transmitted, if required.
- 31. Make notifications as required by *P.G. 208-69, "Notifications in Certain Arrest Situations."*
- 32. Request borough Court Section concerned to provide transportation **only** when large numbers of prisoners must be transported or unusual circumstances dictate use of a patrolwagon.
- 33. Confer with borough Court Section supervisor prior to transporting a prisoner who is confined to a wheelchair or otherwise mobility impaired, and be guided by his/her direction regarding lodging and further processing. *(IO 32 s.16)*
- 34. Return the following forms to the arresting officer for delivery to the assistant district attorney in the Complaint Room or deliver in accordance with borough procedures.
 - a. **ON-LINE BOOKING SYSTEM ARREST WORKSHEET**
 - b. Fingerprint forms, if prepared
 - c. Copy of **DESK APPEARANCE TICKET INVESTIGATION**, in every misdemeanor and violation case
 - d. **"ADA" copy of the PROPERTY CLERK INVOICE**, if evidence has been vouchered. *(IO 44-2 s.12)*
 - e. **SUPPORTING DEPOSITION (PD244-060)**, if prepared
 - f. **MEDICAL TREATMENT OF PRISONER** form, if prepared
 - g. **JUVENILE ARREST INVESTIGATION/PROBATION INTAKE REPORT WORKSHEET**, if prepared.
- 35. Make necessary entries in Command Log, Interrupted Patrol Log, and **ROLL CALL**, when required, indicating arresting officer's time of departure to borough Court Section.
- 36. Notify Manhattan Court Section if prisoner indicates a refusal to remove their religious head covering for the official Department photograph at borough Court Section.

**DESK OFFICER
(continued)**

- a. Inform Manhattan Court Section of the gender of the arrestee in order to have a member of the service of the same gender available to take the official Department photo.
- b. Direct arresting officer to transport prisoner to the Mass Arrest Processing Center (MAPC) at One Police Plaza, between 0800 and 2400 hours, where the arrestee will have an official Department picture taken without their religious head covering.
- c. Direct arresting officer to transport prisoner to the respective borough Court Section upon completion of the official Department photograph at the MAPC. (10 29 s.15)

**ARRESTING
OFFICER/
ESCORTING
OFFICER**

- 37. 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.
- 38. Present all forms relating to arrest to the borough Court Section supervisor.
- 39. Comply with all directions of the borough Court Section supervisor.

**BOROUGH
COURT
SECTION
SUPERVISOR**

- 40. Examine all forms to verify completeness and accuracy.
- 41. Forward a complete set of **MEDICAL TREATMENT OF PRISONER** form, if prepared, with arresting/escorting officer to Department of Corrections (see *P.G. 210-04, "Prisoners Requiring Medical/Psychiatric Treatment"*).
 - a. Arresting/escorting officer will obtain receipted pink copy of the form and return it to the borough Court Section facility.
- 42. Notify Manhattan Court Section if prisoner refuses to remove their religious head covering for the official Department photograph.
 - a. Inform Manhattan Court Section of the gender of the arrestee in order to have a member of the service of the same gender available to take the official Department photo.
 - b. Direct arresting officer to transport prisoner to the Mass Arrest Processing Center (MAPC) at One Police Plaza, between 0800 and 2400 hours, where the arrestee will have an official Department picture taken without their religious head covering.
 - c. Direct arresting officer to return the prisoner to the borough Court Section upon completion of the official Department photograph at the MAPC.
- 43. Ensure that the computer-generated Prisoner Movement Slip has a notation in the Detention Alert section when a prisoner is violent, resists arrests, is emotionally disturbed, threatens, or attempts suicide. When a prisoner has been strip-searched, enter that fact under "Other," in the Detention Alert section. Include the command and Command Log page number for reference. A notation indicating that the prisoner has been strip-searched will also be made on the **PRISONER TRANSPORT DISPATCH (PD171-132)** for notification to the desk officer, precinct of detention.

**BOROUGH
COURT
SECTION
SUPERVISOR
(continued)**

44. Return the following arrest-related documents to command for filing in arrest folder:
- a. Arresting officer's copy of the Court Complaint
 - b. **ON-LINE BOOKING SYSTEM ARREST WORKSHEET**
 - c. "Arresting Officer's" copy of the **PROPERTY CLERK INVOICE**, if prepared.

**ARRESTING
OFFICER**

45. Notify assistant district attorney drawing up the court complaint of all verbal and written statements made by the defendant, and any procedures used to assist a witness or complainant to identify the defendant.

a. Record this notification in **ACTIVITY LOG**.

46. Bring all related papers to each subsequent court appearances.

**PRECINCT
YOUTH
OFFICER**

47. Follow up on arrests of youths under sixteen years of age.

**ADDITIONAL
DATA**

OBSERVERS AT THE SCENE OF POLICE INCIDENTS

As a rule, when a police officer stops, detains, or arrests a person in a public area, persons who happen to be in or are attached to the area are naturally in position to and are allowed to observe the police officer's actions. This right to observe is, of course, limited by reasons of safety to all concerned, and as long as there is no substantive violation of law. The following guidelines should be utilized by members of the service whenever the above situation exists:

- a. *A person remaining in the vicinity of a stop or arrest shall not be subject to arrest for Obstructing Governmental Administration (Penal Law section 195.05), unless the officer has probable cause to believe the person(s) is obstructing governmental administration.*
- b. *None of the following constitutes probable cause for arrest or detention of an onlooker unless the safety of officers or other persons is directly endangered or the officer reasonably believes they are endangered or the law is otherwise violated:*
 - (1) *Speech alone, even though crude and vulgar*
 - (2) *Requesting and making notes of shield numbers or names of members of the service*
 - (3) *Taking photographs, videotapes, or tape recordings*
 - (4) *Remaining in the vicinity of the stop or arrest*
- c. *Whenever an onlooker is arrested or taken into custody, the arresting officer shall request the patrol supervisor to the scene, or if unavailable, report the action to the supervisor where the person is taken.*

This procedure is not intended in any manner to limit the authority of the police to establish police lines, e.g., crowd control at scenes of fires, demonstrations, etc.

**ADDITIONAL
DATA
(continued)**

ARRESTEE SURRENDERS AT LAW ENFORCEMENT FACILITY

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 the immediate supervisor not to use handcuffs, after the supervisor and the member have evaluated the following criteria:

- a. Potential threat to the officer, prisoner, and other persons*
- b. Possibility of prisoner escaping.*

ARRESTS OF PERSONS WITH DISABILITIES

If the prisoner appears to have a disability, which may affect mobility, speech, hearing, or mental ability, appropriate auxiliary aids to facilitate communication shall be used. In addition, a reasonable attempt shall be made to notify a relative or friend. All such attempts will be documented by the arresting or investigating uniformed member of the service.

As soon as practicable, attempt to discern if 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.

ARRESTS OF JUVENILES

Arresting officers must call the Juvenile Desk prior to beginning the arrest process to ensure that any intelligence regarding the juvenile is obtained before the decision whether to release the juvenile to a parent/guardian or adult relative is made. The Juvenile Desk has specialized databases that can provide vital background information on arrested/detained juveniles and those adults taking custody of a juvenile upon recognizance or release.

In all cases in which a youth is arrested and charged with a violent felony, the precinct detective squad/BRAM will be directed to enhance the arrest. It will also be the responsibility of the precinct detective squad/BRAM 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 ap

ARRESTS OF LIMITED ENGLISH PROFICIENT OR HEARING IMPAIRED PERSONS

If the prisoner and/or the parents/guardians of a juvenile in custody appear to have difficulty understanding/communicating in English, the member of the service concerned should comply with P.G. 212-90, "Guidelines for Interaction with Limited English Proficient (LEP) Persons." If the prisoner and/or the parents/guardians of a juvenile in custody appear to be hearing impaired, the member of the service concerned should comply with P.G. 212-104, "Interaction with Hearing Impaired Persons." The use of a bilingual employee or the Language Initiative Program is the preferential method of interpretation when interacting with a prisoner. It is recommended that certified members of the Language Initiative Program be used for custodial interrogations. Appropriate Command Log entries will be made when interpretation services are utilized.

**ADDITIONAL
DATA
(continued)**

AVAILABILITY OF PHOTO COPYING MACHINES

To facilitate the duplicating of forms required in step “27”, commanding officers will make photo copying machines accessible to arresting officers at all times. In those instances where snap-out forms have the District Attorney or Corporation Counsel as a recipient of a copy of that form, a photocopy is not necessary. The District Attorney/Corporation Counsel copy of the form will be delivered to the desk officer. In arrests involving multiple **COMPLAINT REPORTS** or **AIDED REPORTS** [10 75 s. 16], a copy of each report will be required. Separate forms with identical information are not required for multiple arrests with a single complainant or a single **AIDED REPORT**.

UNDER NO CIRCUMSTANCES WILL ARREST PROCESSING BE UNNECESSARILY DELAYED TO OBTAIN THE DOCUMENTS REQUIRED UNDER STEP “27”.

ARREST REPORT PEDIGREE

For booking purposes, a member of the service shall write an arrestee’s name and gender at it appears on a driver’s license, permit, or non-driver photo identification. If the arrestee uses a Preferred Name, that name shall be listed in the:

- a. “Preferred Name” section of the **PRISONER PEDIGREE CARD (PD244-092)**
- b. Next to defendant’s name on the Prisoner Movement Slip, prefaced by “Preferred Name:”
- c. “Nickname/Alias/Maiden Name” section of the **ON-LINE BOOKING SYSTEM ARREST WORKSHEET**, prefaced by “P-”.

Consistent with P.G. 203-10, “Public Contact – Prohibited Conduct”, subdivision “a” following step “1”, regardless of whether the name on the arrestee’s identification coincides with the arrestee’s gender identity, the member of the service shall refer to the arrestee by the preferred name, if any, as requested. The member shall use the pronouns consistent with that name in addressing or referring to the arrestee.

ARRESTS BY DEPARTMENT OF ENVIRONMENTAL PROTECTION POLICE

When assisting a Department of Environmental Protection (DEP) police officer during arrest processing, arrest processing officers and desk officers will continue to be guided by the following Patrol Guide provisions: P.G. 208-02, “Arrests - Removal to Department Facility for Processing”, P.G. 208-03, “Arrests - General Processing”, P.G. 208-15, “Arrest Report Preparation at Stationhouse” and P.G. 210-03, “Hospitalized Prisoners - Arrests by Members of Other Police Agencies.”

DEP police personnel will normally be responsible for transporting their own officers and prisoners to the borough Court Section. However, when circumstances permit, the desk officer may direct precinct personnel responding to the borough Court Section facility to also transport the DEP police officer and his/her prisoner. In all other cases, the DEP arresting officer will report to the Complaint Room for affidavit preparation.

**ADDITIONAL
DATA
(continued)**

ARRESTS FOR PUBLIC DISPLAY OF MARIHUANA

To support a charge of Penal Law section 221.10(1), Criminal Possession of Marihuana in the Fifth Degree, the public display of marihuana must be an activity undertaken of the subject's own volition in a public place. Thus, uniformed members of the service lawfully exercising their police powers during a stop may not charge the individual with Penal Law section 221.10(1) if the marihuana recovered was disclosed to public view at an officer's direction.

A "public place" is defined in Penal Law section 240.00 as "any place to which the public or a substantial group of persons has access, and includes, but is not limited to, highways, transportation facilities, schools, places of amusement, parks, playgrounds, and hallways, lobbies, and other portions or apartment houses and hotels not constituting rooms or apartments designed for actual residences." (10 44-1 s.12)

The desk officer in the facility where the arrest is being processed will question arresting officers on all Criminal Possession of Marihuana in the Fifth Degree arrests to determine if the arrest was made in conformance with the guidelines listed above under heading, "ARRESTS FOR PUBLIC DISPLAY OF MARIHUANA." This questioning will occur regardless of the command of the officer making the arrest (e.g., Strategic Response Group [10 53 s.16], Narcotics Division). In addition, the Quality Assurance Division will incorporate an inspection of Command Logs during the command audit cycle to ensure desk officers are making Command Log entries as required. (10 51 s.14)

In addition, the Quality Assurance Division will incorporate an inspection of Command Logs during the command audit cycle to ensure desk officers are making Command Log entries as required. (10 44-1 s.12)

**RELATED
PROCEDURES**

*Public Contact - Prohibited Conduct (P.G. 203-10)
Arrests - Removal to Department Facility for Processing (P.G. 208-02)
Rights of Persons Taken into Custody (P.G. 208-09)
Arrest Processing - "Livescan" Fingerprinting and Palmprinting (P.G. 208-11)
Arrest - General Search Guidelines (P.G. 208-05)
Arrests - Security Measures (P.G. 208-06)
Arrest Report Preparation at Stationhouse (P.G. 208-15)*

**RELATED
PROCEDURES
(continued)**

*Arrests – License Checks, Warrant Name Checks and Notifications to the Organized Crime Control Bureau Field Operations Desk (P.G. 208-21)
Notifications in Certain Arrest Situations (P.G. 208-69)
Hospitalized Prisoners (P.G. 210-02)
Prisoner Requiring Medical/Psychiatric Treatment (P.G. 210-04)
Guidelines for Interaction with Limited English Proficient (LEP) Persons (P.G. 212-90)
Interaction with Hearing Impaired Persons (P.G. 212-104)
Cases for Legal Action Program (P.G. 214-07)
Care of Dependent Child (P.G. 215-01)
Utilization of the Juvenile Desk (P.G. 215-21)
Photographing Stolen Evidence Vehicles when an Arrest is Made (P.G. 218-18)
Incidents Involving Holders of Handgun Licenses or Rifle/Shotgun Permits (Interim Order 6, series 2013)*

**FORMS AND
REPORTS**

ACTIVITY LOG (PD112-145)

AIDED REPORT

ARREST REPORT - SUPPLEMENT (PD244-157)

ARREST DOCUMENTATION CHECKLIST (PD240-010)

COMPLAINT REPORT WORKSHEET (PD313-152A)

DAT ARREST PACKAGE (PD260-123)

DESK APPEARANCE TICKET INVESTIGATION (PD360-081)

**JUVENILE ARREST INVESTIGATION/PROBATION INTAKE REPORT
WORKSHEET (PD277-151A)**

MEDICAL TREATMENT OF PRISONER (PD244-150)

MIRANDA WARNINGS FOR JUVENILE INTERROGATIONS (PD244-1413)

MISSING – UNIDENTIFIED PERSON REPORT (PD336-151)

ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)

PRISONER PEDIGREE CARD (PD244-092)

PRISONER TRANSPORT DISPATCH (PD171-132)

PROPERTY CLERK INVOICE (PD521-141)

PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)

REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)

**TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-
144)**

SUPPORTING DEPOSITION (PD244-060)

UNUSUAL OCCURRENCE REPORT (PD370-152)

Omniform Complaint Revision

Any provisions of the Department Manual or other Department directive in conflict with the contents of this Order are suspended

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION

All Commands

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NOTE
(continued)

The following is a list of the OCA # letter designations indicating WARRANT TYPE and COURT OF ISSUANCE:

<u>LETTER</u>	<u>TYPE OF WARRANT</u>	<u>COURT</u>	<u>VERIFICATION</u>
A	Summons	Criminal Court	C.R.I.M.S.
B	Summons/Unclassified MISD	Criminal Court	C.R.I.M.S.
C	Bench Warrant/MISD.	Criminal Court	C.R.I.M.S.
D	Bench Warrant/FELONY	Criminal Court	C.R.I.M.S.
E	Arrest Warrant	Criminal Court	C.R.I.M.S.
F	Arrest Warrant	Supreme Court	C.R.I.M.S.
H	P.I.N.S.	Family Court	Family Court
J	Juvenile Delinquent	Family Court	Family Court
K	Bench Warrant/Violation	Criminal Court	C.R.I.M.S.
N	Abuse/Neglect	Family Court	Family Court
P	Violation Probation	Supreme Court	C.R.I.M.S.
R	Bench Warrant	Supreme Court	C.R.I.M.S.
S	Parole Violator	New York State Department of Corrections and Community Supervision (DOCCS) [10 18 s.17]	WD/T.I.U.
T	Training School	Div. for Youth Fac.	Family Court
V	Bench/FEL vs Person	Criminal Court	C.R.I.M.S.
W	Support	Family Court	Family Court
Y	Material Witness	D.A. Office	WD/T.I.U.
Z	Fugitive Warrant	F.O.A.	WD/T.I.U.
Q	Recidivist	Not a warrant	Notify Unit Concerned
X	Narcotic Violator	Not a warrant	NITRO
I	Investigation	Not a warrant	Detective Bureau Wheel/Det. Squad Concerned

After conducting ADW search and the inquiry reveals an OCA # designation preceded by the letter A, B, C, D, F, H, J, K, N, P, R, S, T, V, W, Y, or Z, this is an indication of POSSIBLE WARRANT and is not sufficient authority for arrest.

MEMBER CONCERNED

9. Conduct an OCA # inquiry by accessing the application ADW, on any Department LAN as follows:
 - a. Select the ADW icon and enter tax number at the sign in prompt
 - b. Reference "Queries" at the top of the screen
 - c. Select "OCA Number Search"
 - d. Enter the complete OCA number in the "Search for" box
 - e. Under "Tables to Search" select "Selected Tables" and "Warrant"
 - f. Depress the "OK" button

NOTE

This search will provide the entire warrant data on the specific warrant OCA # as required.

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IF OCA # DESIGNATION BEGINS WITH THE LETTER A, B, C, D, E, F, K, P, R, V, Y OR Z (CRIMINAL COURT OR SUPREME COURT WARRANTS):

MEMBER CONCERNED 10. MUST conduct a further inquiry via Criminal Record Information and Management System (C.R.I.M.S.) court computer application, which will provide “the last status of the warrant.”

NOTE *Family Court and Parole Warrant status cannot be verified utilizing the Criminal Record Information and Management System (C.R.I.M.S.) court computer application. If ADW search indicates letter designations H, J, N, T, or W, these are Family Court warrants and require verification from the Family Court concerned (i.e., Manhattan, Brooklyn, Bronx, Queens and/or Staten Island). A docket number is needed.*

Telephone verifications are to be done during Family Court business hours, 0900 to 1700 hours, Monday through Friday.

“J” (Juvenile Warrants) can be verified by contacting Youth Records (Real Time Crime Center).

If ADW search indicates letter designation “S,” this is a Parole Warrant and must be verified by the Warrant Section, Telephone Inquiry Unit or through the NYS Department of Corrections and Community Supervision (DOCCS). [10 18 s.17]

TO GAIN ACCESS TO C.R.I.M.S. FOR WARRANT VERIFICATIONS:

NOTE *C.R.I.M.S. is controlled by the N.Y.S. Office of Court Administration. User access is granted by the state and members can apply for access via NYS Unified Court System CRIM Application Security Request For NON-UCS Personnel (Form UCS-SEC-1 CRIM) by contacting the NYS Office of Court Administration.*

MEMBER CONCERNED 11. Go to Host-on-Demand.
a. Double-click on the OCA icon
12. Type in:
a. User name
b. Password

NOTE *As you type in PASSWORD, it will not appear on screen.*

13. Press ENTER (OCA/CICS Application screen appears).
14. Choose:
a. CRIM - (to search for cases in Criminal Court)
b. CRMS - (to search for cases in Supreme Court)
c. Press enter.
15. Enter the county you wish to search (must use county name, e.g., “Kings” for Brooklyn).
a. Press enter.

NOTE *The C.R.I.M.S. system can only be searched by county/borough. This program does not search citywide.*

16. Type in Docket #, or Arrest #, or NYSID #.

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MEMBER CONCERNED

17. Press ENTER.

NOTE

IMPORTANT HELPFUL KEYS - ENTER key (advances page); PF 5 key (scrolls back); PF 4 key (retrieves APPLICATION ID screen used to access other boroughs); PF 3 key (retrieves IDENTIFIER screen).

The primary purpose of conducting this inquiry is to verify the status of warrants. In an effort to ensure that the information in C.R.I.M.S. is interpreted properly, a list of court dispositions that indicate a warrant has been ordered on the defendant's last court appearance has been compiled as follows:

CRIMINAL COURT

Abbreviation

Literal Meaning

W.O.

Warrant Ordered

B.F.W.O.

Bail Forfeited, Warrant Ordered

C.W.O.

Complaint and Arrest Warrant Ordered

P.R.W.O.

Parole Revoked, Warrant Ordered

SUPREME COURT

S.I.A.W.O.

Sentence Imposed in Absentia, Warrant Ordered

T.C.A.W.O.

Trial Conducted in Absentia, Warrant Ordered

T.F.G.I.A.W.O.

Tried and Found Guilty in Absentia, Warrant Ordered

ADDITIONAL DATA

If C.R.I.M.S. response to inquiry indicates "NO PUBLIC RECORD" or "PURGED CASE" on an "A" or "B" warrant (summons) or "C" warrant (misdemeanor), the warrant has been VACATED.

If same response on any other warrant, verify with the court of issuance. If a response indicates "NO RECORD FOUND," make inquiry with NYSID #, if available.

Additional C.R.I.M.S. instructions are provided in the C.R.I.M.S. Manual BM 633 (10-92) Court Computer Program for Warrant Verification.

*Where any doubt exists, a verification should be made directly from the court records or if unable to determine warrant status via C.R.I.M.S. at the precinct level or if there are any operational questions, contact the Warrant Section, Telephone Inquiry Unit. Provide Telephone Inquiry Unit member concerned with: arresting officer's name, shield #, tax registry #, call back telephone number, name of subject, subject's date of birth, warrant OCA #, docket # (if available) and NYSID # (if any). **THIS INQUIRY IS TO BE MADE ONLY AFTER A NAME CHECK VIA ADW IS PERFORMED AT A PRECINCT/COMMAND.***

If Department Local Area Network (LAN) terminal is inoperative, request the patrol borough to conduct the checks. Should the borough terminal also be inoperative, an adjoining precinct/designated arrest facility will be requested to conduct these checks. If the entire LAN system is out of service for more than twenty (20) minutes, the Central Warrant Unit will be requested by telephone to process and supply the necessary checks.

*If system functional problems are encountered, contact the **Information Technology Bureau (IO 21 s.15)**, Help Desk.*

RELATED PROCEDURES

Computerized Investigation Card System (P.G. 208-23)

Desk Appearance Ticket - General Procedure (P.G. 208-27)



INTERIM ORDER

SUBJECT: REVISION TO PATROL GUIDE 208-23, "COMPUTERIZED INVESTIGATION REPORT WORKSHEET SYSTEM"		
DATE ISSUED:	REFERENCE:	NUMBER:
05-03-07	*P.G. 208-23	25

1. Patrol Guide 208-23, "Computerized Investigation Report Worksheet System" is being revised to ensure proper procedures are followed by uniformed members of the service during the course of an arrest or an investigation in non-arrest situations when it is determined the individual is wanted as a result of an **INVESTIGATION CARD** being filed by an investigator. In addition, Department form **INVESTIGATION REPORT WORKSHEET (PD373-162)** is being discontinued and replaced with **INVESTIGATION CARD (PD373-163)**.

2. Therefore, effective immediately, Patrol Guide 208-23, "Computerized Investigation Report Worksheet" is **SUSPENDED** and the following new procedure entitled "Computerized Investigation Card System" will be complied with:

PURPOSE To ensure that an investigator originating an **INVESTIGATION CARD (PD373-163)**, commonly referred to as I-CARD, is notified when the individual named in **INVESTIGATION CARD** comes into contact with the police.

PROCEDURE When processing an arrest or conducting an investigation in non-arrest situations:

ARREST SITUATIONS

ARRESTING OFFICER

1. Follow appropriate arrest processing guidelines.
2. Determine if the prisoner is wanted as the result of an **INVESTIGATION CARD** having been filed.
 - a. WNAM – search by name and DOB and by ALL "alias" names and dates of birth.
 - b. WNYS – search by prisoner's NYSID number if known. (This inquiry may show prisoner is wanted under different name).

NOTE Arresting officers **MUST ENSURE** that prisoners who are wanted as the result of being named on an **INVESTIGATION CARD** are immediately identified, and the required notifications are made, and appropriate actions are taken. Therefore, the computer inquiries described in step "2" **MUST** be performed for **EVERY** prisoner regardless of whether the prisoner is charged with a felony, misdemeanor, violation or traffic infraction; and, regardless of whether the prisoner will be detained until arraignment, or released after being issued a Desk Appearance Ticket or Universal Summons.

If a "hit" is revealed, such "hit" will be circled on the FINEST printout. The caption "Search Completed" will also be circled and signed by the FINEST operator. If there is "no hit," the words "no hit" will be entered adjoining the same caption. If the FINEST system exhibits the prisoner's name followed by an OCA number that begins with the letter "I", the member conducting the inquiry will record the number, clear the screen, enter "INQ/I" and the nine digit number that follows the letter "I". The arresting officer will telephone the **Detective Bureau Wheel [10 41 s.15]** and notify the member on duty thereat. The **Detective Bureau Wheel** will confirm the "hit" and issue appropriate instructions.



INTERIM ORDER

SUBJECT: INTOXICATED OR IMPAIRED DRIVER ARREST		
DATE ISSUED:	REFERENCE:	NUMBER:
03-29-17	*P.G. 208-40	19

PURPOSE

To process persons arrested for operating a vehicle while under the influence of alcohol and/or drugs.

PROCEDURE

Upon arresting a person for operating a vehicle while under the influence of alcohol and/or drugs:

ARRESTING OFFICER

1. Request response of patrol supervisor.

PATROL SUPERVISOR

2. Respond to scene and verify arrest.
3. Direct arresting officer to request Communications Section to dispatch Highway District, Intoxicated Driver Testing Unit (I.D.T.U.) personnel to designated testing location.
 - a. Ensure time of arrest is stated when making request.
4. Direct arresting officer to remove prisoner, in a Department vehicle, to designated testing location.
 - a. Assign adequate personnel to escort prisoner, depending on circumstances.

NOTE

When a prisoner arrested for Driving While Intoxicated/Impaired is hospitalized, normal arrest procedures will be followed and the Highway District I.D.T.U. technician will respond to the hospital to conduct appropriate tests.

DESK OFFICER, PRECINCT OF ARREST

5. Have prisoner's vehicle removed to precinct of arrest for safeguarding.
6. Comply with P.G. 218-19, "Invoicing Vehicles/Property as Arrest/Investigatory Evidence or for Forfeiture Proceedings or to Determine True Owner," if circumstances warrant seizure of vehicle.
7. Notify desk officer, precinct of arrest regarding details of arrest.
8. Inform desk officer, precinct of arrest to notify Operations Unit and request a notification be made to District Attorney's Office, if prisoner has caused a serious physical injury or death to another individual or a serious physical injury to him/herself.
9. Make required entries in Command Log and on **ROLL CALL (PD406-144)** pertaining to arresting officer's post change and Department auto number of vehicle used to transport prisoner to testing location.
10. Contact Operations Unit and request a notification be made to District Attorney's Office, if prisoner has caused a serious physical injury or death to another individual or a serious physical injury to him/herself.

**DESK
OFFICER,
PRECINCT OF
ARREST
(continued)**

- a. Provide Operations Unit member with the following:
 - (1) Arresting officer's name, tax registry number, shield number and command
 - (2) Prisoner's pedigree information
 - (3) Desk telephone number of designated testing location.
- b. Make Telephone Record entry regarding notification.

**OPERATIONS
UNIT MEMBER**

- 11. Notify appropriate District Attorney's Office.
- 12. Provide assistant district attorney with the following:
 - a. Arresting officer's name, tax registry number, shield number, and command
 - b. Prisoner's pedigree information
 - c. Desk telephone number of designated testing location.
- 13. Notify desk officer, precinct of arrest and provide assistant district attorney's name and telephone number.

**ARRESTING
OFFICER**

- 14. Conduct a thorough field search of prisoner prior to transportation.
- 15. Remove prisoner to designated testing location, and comply with pertinent arrest procedures.
 - a. Arresting officer will invoice, as evidence, any of the following items found on the prisoner, or in the prisoner's vehicle:
 - (1) Credit card receipts from a recent stop from restaurants, bars, sporting events, etc.
 - (2) Any alcohol beverage or alcohol beverage container, etc.
 - (3) Any controlled substances, prescription medicine/drugs, prescription bottles, marijuana, synthetic drug, synthetic drug packaging, or any substance that is reasonably believed to cause impairment.
- 16. Report, with prisoner, to desk officer at testing location.
- 17. Inform desk officer, testing location, if prisoner has caused a serious physical injury or death to another individual.

**DESK
OFFICER,
TESTING
LOCATION**

- 18. Make entry in Command Log of:
 - a. Identity of arresting officer and Department vehicle used
 - b. Identity and pedigree of prisoner.
- 19. Verify that Highway District has been notified and responding.

**ARRESTING
OFFICER**

- 20. Complete captions on **ARRESTING OFFICER'S REPORT - INTOXICATED DRIVER ARREST (PD271-152)**.

**I.D.T.U.
TECHNICIAN**

- 21. Complete captions on **HIGHWAY DISTRICT INTOXICATED DRIVER EXAMINATION - PAGE 1 (PD271-161)** and **HIGHWAY DISTRICT INTOXICATED DRIVER EXAMINATION - PAGE 2 (PD271-161A)**.
- 22. Comply, on video, with "Section One Chemical Test" on **HIGHWAY DISTRICT INTOXICATED DRIVER EXAMINATION - PAGE 1**.

INTERIM ORDER NO. 19

NOTE

In the event that the video camera system in an I.D.T.U. facility is inoperable, I.D.T.U. technicians will make an IMMEDIATE notification to the Highway District. All tests will be moved to another testing location with operable video, as directed by the Highway District.

**I.D.T.U.
TECHNICIAN**

23. Administer breath test to prisoner.

NOTE

*It is the policy of the New York City Police Department that subjects be observed by the I.D.T.U. technician for **at least twenty minutes** prior to the administration of an evidentiary breath test, during which period the subject must not have ingested alcoholic beverages or other fluids, regurgitated, vomited, eaten, smoked, or have placed anything in his/her mouth. This requirement exceeds New York State minimum time period of fifteen minutes.*

*I.D.T.U. technicians will offer the breath test by reading the request directly from **HIGHWAY DISTRICT INTOXICATED DRIVER EXAMINATION - PAGE 1**, and instruct the prisoner on how to give a proper breath sample. Prisoners will be given three initial attempts at giving a proper breath sample. After each unsuccessful attempt, I.D.T.U. technicians will reinstruct the prisoner on how to give a proper breath sample.*

*The Intoxilyzer is set to “time out” after three minutes. Prisoners will be given unlimited attempts to blow into the Intoxilyzer until either an adequate sample registers OR three minutes have expired. After each unsuccessful attempt, the I.D.T.U. technician will reinstruct the prisoner on how to give a proper breath sample. After the initial three attempts, the I.D.T.U. technician will read a refusal warning directly from **HIGHWAY DISTRICT INTOXICATED DRIVER EXAMINATION - PAGE 1**. After three minutes, if none of the additional attempts are successful, the Intoxilyzer will terminate the test and indicate that the results are “Insufficient.” All captions on the Intoxilyzer will be answered, and a second three minute test will be offered. The refusal warning and instructions on how to give a proper breath sample will be reread at the beginning of the second test.*

If an “Insufficient” result occurs at the conclusion of the second test, the test will be recorded as a refusal by conduct. If a prisoner refuses a second test, the test will be recorded as a refusal. In both cases, I.D.T.U. technicians will comply with steps “33” and “34” of this procedure. I.D.T.U. technicians will proceed to step “24.”

If, at any time a complete sample is obtained, the breath test will be concluded, and I.D.T.U. technicians will proceed to step “24.”

I.D.T.U. technicians will provide arresting officers with a copy of all printouts generated for each test.

When interacting with a non-English speaking or Limited English Proficient (LEP) person, in order to provide accurate translations of the request for chemical tests, and refusal warnings, I.D.T.U. technicians conducting breath tests will utilize the Language Videos produced by the Video Unit utilizing certified Department interpreters. In the event that a language needed is not available on video, I.D.T.U. technicians will comply with P.G. 212-90 “Guidelines for Interaction With Limited English Proficient (LEP) Persons.”

**I.D.T.U.
TECHNICIAN
(continued)**

24. Upon completion or refusal of breath test, comply with “Section Two Horizontal Gaze Nystagmus Test” on the **HIGHWAY DISTRICT INTOXICATED DRIVER EXAMINATION - PAGE 1.**

NOTE

I.D.T.U. technicians not certified by the New York State Department of Criminal Justice Services, or equivalent, in DWI Detection and Standardized Field Sobriety Testing will not perform step “24” and proceed to step “25.”

25. Comply with “Section Three Coordination Test” on the **HIGHWAY DISTRICT INTOXICATED DRIVER EXAMINATION - PAGE 2,** and conduct “Test Number 1 - Walk and Turn,” and “Test Number 2 - One Leg Stand.”

NOTE

*If, upon completion of the coordination test, it is determined by the I.D.T.U. technician that the subject’s level of impairment is not consistent with the subject’s Blood Alcohol Content Reading, (the BrAC reading obtained is below a .07%) the I.D.T.U. technician is required to contact the Highway District and request the response of a certified Drug Recognition Expert, and comply with the **HIGHWAY DISTRICT IMPAIRED DRIVER EXAMINATION REQUEST FOR SALIVA AND URINE (PD221-160).***

*It is the policy of the New York City Police Department that subjects be observed by the I.D.T.U. technician for **at least ten minutes** prior to the collection of oral fluids, during which period the subject must not have ingested any fluids, regurgitated, vomited, eaten, smoked, or have placed anything in his/her mouth.*

The Highway District will direct a certified Drug Recognition Expert to respond to the I.D.T.U. facility.

A Drug Recognition Expert will generally only conduct an evaluation if the subject’s BrAC reading is below .07% and the subject’s level of impairment is not consistent with the reading, however, an evaluation will never be conducted when a reading obtained is a .15% or above.

*I.D.T.U. technicians trained by the Governor’s Traffic Safety Committee in Advanced Roadside Impaired Driving Enforcement, if in their professional opinion deem necessary, may continue with Test A – “Modified Romberg Balance Test,” Test B – “Lack of Convergence Test,” and Test C – “Finger to Nose Test,” found on the form entitled, “**ADVANCED ROADSIDE IMPAIRED DRIVING ENFORCEMENT (PD271-162).**”*

**ARRESTING
OFFICER**

26. Comply with **INTERROGATION WARNINGS TO PERSONS IN POLICE CUSTODY (PD244-1414),** on video, after all testing is completed.

**I.D.T.U.
TECHNICIAN**

27. Complete data entry on the Intoxilyzer, and sign the printout(s) in the appropriate caption.

**I.D.T.U.
TECHNICIAN
(continued)**

28. Prepare **CHEMICAL TEST ANALYSIS REPORT (PD221-150)**, and record results of breath test in the appropriate caption.
29. Distribute copies of all reports as indicated, and provide arresting officer with signed computer printout(s) from the Intoxilyzer.

NOTE

If a prisoner has consented to a chemical test, saliva and/or urine, any samples taken will be witnessed, sealed and marked by the I.D.T.U. technician, and delivered to the Highway Unit #3 desk officer by the I.D.T.U. technician, without delay. "Chain of Custody" captions must be filled out on the Plastic Security Envelope.

Any blood samples, if taken, will be inventoried utilizing the Property and Evidence Tracking System and delivered to the Police Laboratory by the arresting officer.

If a prisoner, under the age of twenty-one, has a breath test reading of .02 of one per centum or more but not more than .05 of one per centum by weight of alcohol in the person's blood (BrAC) as shown by chemical analysis of such person's breath, the arresting officer and I.D.T.U. technician will comply with applicable provisions of P.G. 208-41, "Arrests - Person Under Twenty-One Operating a Motor Vehicle After Having Consumed Alcohol."

P.G. 208-41, "Arrests - Person Under Twenty-One Operating a Motor Vehicle After Having Consumed Alcohol," will not be followed for prisoners under the age of twenty-one when:

- a. *A prisoner's BrAC is determined to be a .06% or greater; or*
- b. *A prisoner refused a breath test and believed to be intoxicated; or*
- c. *Impairment from a drug other than alcohol is suspected, regardless of the BrAC reading.*

**ARRESTING
OFFICER**

30. Prepare **ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)**.
31. Record the following vehicle information in the "Narrative" section of the **ON LINE BOOKING SYSTEM ARREST WORKSHEET**:
 - a. The make, model, year and color of the vehicle operated by the defendant
 - b. The license plate number of the vehicle operated by the defendant and the state the vehicle is registered in
 - (1) If the vehicle does not have a metal plate, the temporary or alternate plate will be recorded.
 - c. Rank, name and shield number of I.D.T.U. technician
 - d. Date and time test conducted.

**DESK
OFFICER,
TESTING
LOCATION**

32. Review the **ON LINE BOOKING SYSTEM ARREST WORKSHEET** to ensure completeness and verify that information regarding the vehicle operated by the defendant is recorded for all Driving While Intoxicated or Impaired Driver arrests.

IF PRISONER REFUSES CHEMICAL TEST (BREATH, BLOOD, URINE, AND/OR SALIVA) OR ANY PORTION THEREOF AT ANY TIME

**I.D.T.U.
TECHNICIAN**

33. Prepare and sign **Report of Refusal to Submit to Chemical Test (NYSDMV AA-134)**.
 - a. Have arresting officer sign **Report of Refusal to Submit to Chemical Test**.
34. Distribute copies of **Report of Refusal to Submit to Chemical Test** as indicated on form.
 - a. Arresting officer must provide the assistant district attorney with a copy of the form when the complaint is drawn.

**COLLISION
INVESTIGATION
SQUAD
MEMBER**

35. Notify assistant district attorney if prisoner refuses to submit to a chemical test and has caused critical injury, serious physical injury or death to another, refer to P.G. 217-02, "*Vehicle Collisions Which Result in Death, Serious Injury and Likely to Die, or Critical Injury.*"
 - a. Be guided by instructions from assistant district attorney and comply with P.G. 217-16, "*Chemical Test Warrant Application.*"

NOTE

Regardless of the operator's decision to consent to a chemical test, a notification to Operations Unit and the District Attorney's Office concerned will be made when a vehicle collision which meets the criteria in P.G. 217-02, "Vehicle Collisions Which Results in Death, Serious Injury and Likely to Die, or Critical Injury." The arresting officer will keep the District Attorney's Office apprised of the arrest process and will apply for a chemical test warrant if the prisoner subsequently refuses to submit to a chemical test. If the operator suffers a serious physical injury and no other person suffers a serious physical injury or death, a member of the service cannot apply for a chemical test warrant for that operator.

**ARRESTING
OFFICER**

36. Notify assistant district attorney if prisoner has any previous arrests for same crime within the past ten years.

**DESK
OFFICER,
TESTING
LOCATION**

37. Ensure prisoner is transported to borough Court Section facility, as appropriate.

**ADDITIONAL
DATA**

*In arrest cases for Driving While Intoxicated/Impaired, where a vehicle collision is involved, a photocopy of the **Police Accident Report (MV104AN)** will be provided to the assistant district attorney in the Complaint Room.*

Members assigned to the Strategic Response Group or Citywide Traffic Task Force, Driving While Intoxicated Unit who have been trained and certified as Intoxilyzer technicians will perform the functions (testing, video recording, etc.) which would normally be performed by Highway District Intoxicated Driver Testing Unit (I.D.T.U.) technicians only for arrests for Driving While Intoxicated/Impaired effected by members of their own units.

**ADDITIONAL
DATA
(continued)**

*If a prisoner requests to consult with an attorney prior to submitting to a chemical test, he or she will be allowed such consultation provided it will not delay the administration of the test unnecessarily. If the prisoner requests to contact an attorney, ask the prisoner if he/she has the name and phone number of the attorney. If the prisoner does not have the phone number, provide the prisoner with a phone book (if available) and access to a telephone for a reasonable amount of time (e.g., fifteen minutes). After fifteen minutes, advise the prisoner that their time is up, and they must give a "yes/no" answer. I.D.T.U. technicians will read the refusal warnings if the prisoner answers "no" or fails to give a clear "yes/no" answer. A prisoner's request to contact an attorney will not be denied under any circumstances. Absent a prisoner's request for an attorney, there is no obligation to inform the prisoner prior to the test that he/she may consult with an attorney. However, if an attorney contacts the Department and states that he/she represents the prisoner, the prisoner **MUST** be informed of such and provided with an opportunity to consult with the attorney **BEFORE** the test is offered. A prisoner's conversation with an attorney may not be recorded. Turn off video recording equipment while the prisoner converses with an attorney.*

*If a prisoner requests to be tested for intoxication by his/her personal physician, the test will not be allowed until the Department testing has been completed. If the prisoner refuses the administration of a chemical test by this Department, he/she shall not be allowed to have a test be administered by his/her personal physician. The desk officer concerned will personally witness the test given by the physician and will direct that an entry be made in the "Narrative" section of the **ON LINE BOOKING SYSTEM ARREST WORKSHEET**. The entry will include the name and address of the physician and the time and date the test was given. If the test is conducted at a detention or borough Court Section facility, the desk officer thereat will make a telephone notification to the precinct of occurrence for the information of the arresting officer.*

*When a prisoner arrested for Driving While Intoxicated/Impaired is hospitalized, normal arrest procedures will be followed and the Highway District I.D.T.U. technician will respond to the hospital and conduct appropriate tests. I.D.T.U. technicians will prepare the **INTOXICATED DRIVER EXAMINATION - BLOOD (PD221-161)** and the **CHEMICAL TEST ANALYSIS REPORT**. Arresting officers will prepare **ARRESTING OFFICER'S REPORT - INTOXICATED DRIVER ARREST** and **INTERROGATION WARNINGS TO PERSONS IN POLICE CUSTODY**. Distribute copies of all reports as indicated on forms. If a prisoner refuses to submit to any chemical test, comply with steps "33" through "35."*

*A prisoner charged with violation of Vehicle and Traffic Law, Section 1192 subdivisions (1), (2), (3) or (4) shall not be eligible for a **DESK APPEARANCE TICKET** or stationhouse bail, unless such prisoner is hospitalized for more than twenty-four hours. Such prisoner may be issued a **DESK APPEARANCE TICKET**, if eligible, whether or not he submitted to a chemical test. However, under no circumstances will a prisoner charged with violation of Vehicle and Traffic Law, Section 1192 subdivisions (1), (2), (3) or (4) be issued a **DESK APPEARANCE TICKET** if he/she has caused serious physical injury or death to another.*

**RELATED
PROCEDURES**

Persons Under Twenty-One Operating a Motor Vehicle After Having Consumed Alcohol (P.G. 208-41)
Release of Prisoners (P.G. 210-13)
Guidelines for Interaction with Limited English Proficient (LEP) Persons (P.G. 212-90)
Vehicle Collisions Which Result in Death, Serious Injury and Likely to Die, or Critical Injury (P.G. 217-02)
Chemical Test Warrant Application (P.G. 217-16)
Invoicing Vehicles/Property as Arrest/Investigatory Evidence or for Forfeiture Proceedings or to Determine True Owner (P.G. 218-19)
Immediate Delivery of DNA Evidence to the Police Laboratory and the Office of the Chief Medical Examiner (OCME) (P.G. 218-49)

**FORMS AND
REPORTS**

ACTIVITY LOG (PD112-145)
ADVANCED ROADSIDE IMPAIRED DRIVER ENFORCEMENT (PD271-162)
ARRESTING OFFICER'S REPORT - INTOXICATED DRIVER ARREST (PD271-152)
CHEMICAL TEST ANALYSIS REPORT (PD221-150)
HIGHWAY DISTRICT IMPAIRED DRIVER EXAMINATION REQUEST FOR SALIVA AND URINE (PD221-160)
HIGHWAY DISTRICT INTOXICATED DRIVER EXAMINATION - PAGE 1 (PD271-161)
HIGHWAY DISTRICT INTOXICATED DRIVER EXAMINATION - PAGE 2 (PD271-161A)
INTERROGATION WARNINGS TO PERSONS IN POLICE CUSTODY (PD244-1414)
INTOXICATED DRIVER EXAMINATION - BLOOD (PD221-161)
ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)
ROLL CALL (PD406-144)
STANDARDIZED FIELD SOBRIETY TEST NOTES (PD383-141)
Police Accident Report (MV104AN)
Report of Refusal to Submit to Chemical Test (NYS DMV AA-134)

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION
All Commands

INTERIM ORDER NO. 19



PATROL GUIDE

Section: Arrests		Procedure No: 208-41	
PERSONS UNDER TWENTY-ONE (21) OPERATING A MOTOR VEHICLE AFTER HAVING CONSUMED ALCOHOL			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 4

PURPOSE

To process persons detained pursuant to Section 1192-a of the Vehicle and Traffic Law, for the purpose of administering a chemical test.

SCOPE

Pursuant to Section 1192-a, police officers can temporarily detain a motorist younger than twenty-one (21) years of age, for the purpose of administering a chemical test upon reasonable grounds to believe that the individual is operating a motor vehicle after having consumed alcohol. The statute defines reasonable grounds as:

“The totality of the circumstances surrounding the incident which, when taken together, indicate that the operator was driving in violation of such subdivision (VTL 1192-a). Such circumstances may include any visible or behavioral indication of alcohol consumption by the operator, the existence of an open container containing or having contained an alcohol beverage in or around the vehicle driven by the operator, or any other evidence surrounding the circumstance of the incident which indicates that the operator has been operating a motor vehicle after having consumed alcohol at the time of the incident.”

PROCEDURE

Upon detaining a person, under twenty-one (21) years of age, for operating a motor vehicle after consuming alcohol:

DETAINING OFFICER

1. Inform detainee of authority and cause of detention, unless physical resistance, flight, or other factors render this action impractical.
2. Handcuff detainee with hands behind back.
3. Immediately frisk detainee for weapons (NOT for evidence or contraband).
4. Remove detainee to stationhouse, precinct of occurrence.

DESK OFFICER, PRECINCT OF OCCURRENCE

5. Verify that detaining officer made a lawful stop of detainee and that detainee violated Section 1192-a of the Vehicle and Traffic Law.
6. Direct detaining officer to request that Communications **Section (10 21 s.15)** dispatch Highway District personnel to testing location.
 - a. State time of detention when making request.

NOTE

THE CHEMICAL TEST MUST BE ADMINISTERED WITHIN TWO (2) HOURS OF THE START OF DETENTION.

7. Direct detaining officer to remove detainee, in a Department vehicle, to the designated testing location. (See P.G. 208-40, “Arrests - Intoxicated Or Impaired Driving”).
 - a. Assign adequate personnel to escort detainee, depending on circumstances.
8. Make entry in Command Log of:
 - a. Identity of detaining officer and Department vehicle used.
 - b. Identity and pedigree of detainee.
9. Have detainee’s vehicle removed to precinct of occurrence for safeguarding.

PATROL GUIDE

PROCEDURE NUMBER:	DATE EFFECTIVE:	REVISION NUMBER:	PAGE:
208-41	01/01/2000		2 of 4

NOTE

A vehicle may be released to licensed operator designated by the prisoner if:

- | | |
|-------------------------------------|--------------------------------------|
| a. Vehicle not wanted on an alarm | c. Prisoner was in lawful possession |
| b. Vehicle not required as evidence | d. Vehicle not subject to forfeiture |

If vehicle is not released within forty-eight (48) hours, have vehicle removed to Property Clerk's storage facility.

DETAINING OFFICER

10. Report with detainee, to desk officer at testing location.

DESK OFFICER, TESTING LOCATION

11. Make Command Log entry of presence of detaining officer and detainee.
12. Verify that Highway District has been notified.

I.D.T.U. TECHNICIAN

13. Utilize **Zero Tolerance Instruction Sheet**, and perform chemical test on detainee.

UPON RECEIPT OF A BREATHALYZER OR INFRARED UNIT READING OF .02% THROUGH .05%, COMPLY WITH THE FOLLOWING STEPS

DETAINING OFFICER

14. Prepare **Notice of Hearing (Operating a Motor Vehicle After Consuming Alcohol) (AA-137A.1)**.
15. Select a hearing date two (2) to thirty (30) days subsequent to the test date, Monday through Friday, excluding legal holidays.

NOTE

The hearing date must be compatible with the detaining officer's schedule. The detainee will be directed to respond to the second floor of 19 Rector Street, New York, New York at 1300 hours on the date selected by the detaining officer.

The detainee's license will not be suspended pending the administrative hearing.

I.D.T.U. TECHNICIAN

16. Provide the detaining officer and the detainee with a copy of the following:
a. **Zero Tolerance Instruction Sheet**
b. **Instrument Calibration Sheet**
c. **Operator Certification Sheet**
d. **Notice of Hearing (Operating a Motor Vehicle After Consuming Alcohol)**.

NOTE

The detaining officer will bring a copy of all documents/forms, listed in step 16, to the hearing, unless the hearing is waived.

17. Forward original and one (1) copy of all documents/forms prepared to the Highway District concerned.

NOTE

A member of the Highway District will forward original copy of all forms/documents prepared to the New York State Department of Motor Vehicles within twenty-four (24) hours, and will have remaining copies of documents/forms filed in command.

IF THE DETAINEE REFUSES THE CHEMICAL TEST

DETAINING OFFICER

18. Prepare **Notice of Chemical Test Refusal Hearing (Person Under Age 21) (DMV 137A) and Refusal to Submit to a Chemical Test (AA 134-a)**.
19. Select a hearing date two (2) to thirty (30) days subsequent to the test date, Monday through Friday, excluding legal holidays.

PATROL GUIDE

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NOTE *The hearing date must be compatible with the detaining officer's schedule. The detainee will be directed to respond to the second floor of 19 Rector Street, New York, New York at 1300 hours on the date selected by the detaining officer.*

DETAINING OFFICER (continued) 20. Distribute copies of **Notice of Chemical Test Refusal Hearing and Refusal to Submit to a Chemical Test** as follows:

- Original and one (1) copy of each form to IDTU technician.
- One (1) copy of each form to detainee.
- One (1) copy of each form to detaining officer.

I.D.T.U. TECHNICIAN 21. Forward original and one (1) copy of **Notice of Chemical Test Refusal Hearing and Refusal to Submit to a Chemical Test** to the Highway District concerned.

NOTE *A member of the Highway District will forward original copy of **Notice of Chemical Test Refusal Hearing and Refusal to Submit to a Chemical Test** to the New York State Department of Motor Vehicles within forty-eight (48) hours, and will file one (1) copy of each form in the command.*

The detainee's license WILL BE suspended by the New York State Department of Motor Vehicles, pending the refusal hearing.

IF THE DETAINEE SUBMITS TO THE CHEMICAL TEST AND A READING OF .06% OR GREATER IS OBTAINED, OR A READING OF .04% OR HIGHER FROM A COMMERCIAL DRIVERS LICENSE (CDL) HOLDER OPERATING A COMMERCIAL VEHICLE

I.D.T.U. TECHNICIAN 22. Advise the detaining officer of the reading.

DETAINING OFFICER 23. Arrest detainee and charge the individual with the appropriate Vehicle and Traffic Law section, based upon the reading obtained pursuant to the 1192-a Chemical Test.

24. Conduct inquiry to determine the location from which the detainee was served.

- If positive information received, notify the Intelligence Bureau (to 2-8 s.13) and comply with P.G. 212-12, "Citywide Intelligence Reporting System."

NOTE *In addition to the above requirements, the detainee/arrestee will be processed in accordance with current arrest processing procedures as well as P.G. 208-40, "Arrests - Intoxicated Or Impaired Driving."*

ADDITIONAL DATA *Since an individual who violates this statute is detained rather than arrested, an individual who resists detention or attempts to escape a lawful stop would be subject to arrest for Obstructing Governmental Administration (Section 195.05 of the Penal Law [A Misdemeanor]) rather than Resisting Arrest.*

*If a detainee requests to be tested for intoxication by his personal physician, the test will not be allowed until the Department testing has been completed. If the detainee refuses the administration of a chemical test by this Department, he/she will not be allowed to have a test administered by a personal physician. The desk officer, testing location, will personally witness the test given by a physician and will direct that the detaining officer document the following information on the file copy of the **Zero Tolerance Instruction Sheet**: name, address, telephone number of physician, and the date and time the physician administered the test.*

PATROL GUIDE

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**ADDITIONAL
DATA
(continued)**

At the Department of Motor Vehicle hearing, the detaining officer must be able to provide clear and convincing evidence on the following issues:

- a. *The motorist, who was detained, operated the motor vehicle.*
- b. *A valid request was made by the police officer to submit to a chemical test, as provided in Section 1194 of the Vehicle and Traffic Law.*
- c. *The motorist was under twenty-one (21) years of age at the time of the incident.*
- d. *The chemical test was properly administered in accordance with Section 1194 of the Vehicle and Traffic Law.*
- e. *The chemical test concluded that the motorist had operated the motor vehicle after having consumed alcohol, as defined in Section 1192-a of the Vehicle and Traffic Law.*
- f. *The initial stop of the motorist was lawful.*

If the detaining officer fails to appear at the hearing or fails to bring copies of all documents/forms prepared, the charges against the motorist may be dismissed.

If a person operates a motor vehicle when his/her license is suspended or revoked as the result of a Section 1192-a finding, the motorist may be charged with Aggravated Unlicensed Operation in the Second Degree, Section 511(2) of the Vehicle and Traffic Law.

Absent an emergency, a hearing date should not be rescheduled. If it becomes necessary to reschedule a hearing, the detaining officer's command can request that the hearing be rescheduled by writing to the Department of Motor Vehicles, Safety and Business Hearing Bureau, Room 240, Empire Plaza, New York 12228, or the command may call the Safety and Business Hearing Bureau at (518) 474-1509.

**RELATED
PROCEDURES**

Release Of Prisoners - General Procedures (P.G. 210-13)
Arrests - Intoxicated Or Impaired Driving (P.G. 208-40)

**FORMS AND
REPORTS**

NOTICE of HEARING (OPERATING a MOTOR VEHICLE AFTER CONSUMING ALCOHOL) (AA-137A.1)
NOTICE of CHEMICAL TEST REFUSAL HEARING (PERSON UNDER AGE 21) (DMV 137A)
REFUSAL to SUBMIT to a CHEMICAL TEST (AA 134-a)
Instrument Calibration Sheet
Operator Certification Sheet
Zero Tolerance Instruction Sheet



INTERIM ORDER

SUBJECT: "ARREST ON A WARRANT"		
DATE ISSUED:	REFERENCE:	NUMBER:
12-06-16	*P.G. 208-42	80

PURPOSE

To arrest persons for whom warrants have been issued.

DEFINITION

ARRESTING OFFICER – For the purposes of this procedure, an arresting officer is any non-supervisory uniformed member, including detective squad personnel, assigned to arrest persons named on warrants issued by the court.

PROCEDURE

When arresting a person for whom a warrant has been issued:

ARRESTING OFFICER

1. Inform defendant of warrant and offense charged unless physical resistance, flight or other factors make such procedure impractical.
2. Present warrant, if requested, or as soon as possible, if not possessed at time of arrest.
3. Announce authority and purpose if premises is involved, and there is reasonable cause to believe that defendant is inside, EXCEPT if giving such notice may:
 - a. Endanger the life or safety of the officer or another person, OR
 - b. Result in defendant attempting to escape, OR
 - c. Result in material evidence being destroyed, damaged or hidden.

NOTE

The City Charter authorizes the immediate and unannounced entry into a premise in an emergency situation; this includes an "urgent child abuse" case situation where the life or safety of a child or any other person is endangered. In other cases where there is no emergency, exceptions DO NOT apply (i.e., Family Court warrants, including Urgent Child Abuse Warrants).

4. Make a forced entry into premises, if necessary.

NOTE

If premise is a third party residence, such forced entry is prohibited without a search warrant.

5. Make arrest and comply with the pertinent arrest processing guidelines.
 - a. When court is not in session, contact borough Court Section supervisor for instructions as to location to which prisoner is to be transported.
6. Conduct a Domain Awareness System (DAS/DAS Lite) search to ascertain if any additional warrants or wanted cases exist concerning the subject of the immediate warrant.
 - a. If inquiry reveals a felony warrant or **INVESTIGATION CARD (PD373-163)**, contact the investigative unit concerned.

NOTE

A subject can be run by name, NYSID, or by the docket number (if known) under the “Keyword” function in DAS. In addition, in order to sort through the information returned through DAS, it is recommended that the “Warrants Active” tab be checked under the Source Section of the Filter System.

**ARRESTING
OFFICER
(continued)**

7. Complete **ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)** if arrest warrant, or **ARREST REPORT - SUPPLEMENT (PD244-157)** if bench warrant, and enter under “NARRATIVE”:
 - a. Date warrant issued, court, judge, and county of issuance
 - b. Rank, name, shield number and command of member of the service who verified the status of the warrant
 - c. Docket number and other pertinent information.
8. Arraign prisoner as follows:
 - a. CRIMINAL COURT WARRANTS
 - (1) Warrants issued by New York, Queens, Bronx, or Kings County Criminal Court:
 - (a) Arraign prisoner in Criminal Court or Weekend/Night Court of the borough that issued the warrant.
 - (2) Warrants issued by Staten Island Criminal Court:
 - (a) When in session, arraign prisoner in Staten Island Criminal Court
 - (b) When not in session, confer with Staten Island borough Court Section and process prisoner as directed.
 - b. SUPREME COURT WARRANTS
 - (1) If in session, take prisoner before Supreme Court that issued warrant.
 - (2) When a police officer cannot bring the defendant to Supreme Court for arraignment (after 1700 hours on weekdays and on weekends), the officer will deliver defendant as follows:
 - (a) Adult males to the Department of Correction facility listed (see ADDITIONAL DATA for Department of Correction locations)
 - (b) All female defendants will be brought to the Rose M. Singer Center on Rikers Island
 - (c) Male adolescents (16, 17, and 18 years of age) will be brought to the Adolescent Reception and Detention Center on Rikers Island.
 - c. FAMILY COURT WARRANTS
 - (1) When in session, remove prisoner to Family Court that issued warrant.
 - (2) When not in session, arraign prisoner in Weekend/Night Court, borough of arrest.
9. The police officer delivering the prisoner will provide the Department of Correction with a copy of the Supreme Court arrest warrant or bench warrant.

**ARRESTING
OFFICER
(continued)**

10. Police officers delivering defendants to Rikers Island will proceed across the Rikers Island bridge and go directly to the appropriate reception center where they will be required to check all their weapons. After complying, they will proceed to the receiving entrance of the facility to lodge the defendant, and will retrieve their weapons after the defendant is lodged.
11. In order to accurately account for instances where a defendant is returned to court solely on the basis of a warrant (Criminal or Supreme Court, bench, etc.) and there is no associated arrest number generated, all escorting officers, **with the exception of members of the service assigned to the Fugitive Enforcement Division or any of its sub-units**, must report to the designated borough Court Section location as follows:
 - a. Manhattan – Room 132
 - b. Brooklyn – Room 207
 - c. Bronx – Prisoner Intake
 - d. Queens – Prisoner Intake
 - e. Staten Island – 120th Precinct Arrest Processing Office.In all cases, escorting officers will obtain a “Return on Warrant” number from Court Section personnel prior to departing the court facility.
12. If arrest made in borough other than borough where warrant was issued (Inter-County Warrant): prepare following statement on Court Complaint, “At (time) hours, on (date), Police Officer (name, shield number, command) performing duty in (borough) Criminal Court has verified through records on file at said court that the warrant forming the basis of this arrest is active.”

WHEN AN ARREST IS AFFECTED SOLELY ON A BENCH WARRANT

DESK OFFICER

13. Make Command Log entry relative to the detention of the prisoner.

**ARRESTING
OFFICER**

14. Prepare **ARREST REPORT - SUPPLEMENT** and submit to supervisor for review and signature.
 - a. Indicate on **ARREST REPORT - SUPPLEMENT** if, and exactly how, the subject may have attempted to avoid arrest.

**ADDITIONAL
DATA**

PAROLE WARRANT

If a uniformed member of the service conducting an investigation has a parole absconder in custody SOLELY on the authority of a parole warrant, the arrest will be processed as “FOA” as follows:

- a. *Notify New York State Department of Corrections and Community Supervision (DOCCS) at their 24 hour Operations Center at 212 239-6159 and request a faxed copy of the warrant*
- b. *Notify Central Warrant Unit of apprehension and details [10 18 s.17]*
- c. *Ensure that parole violators are served with a copy of the charges upon which the warrant is based, as well as, the dates on which the probable cause and revocation hearings are to be scheduled.*

**ADDITIONAL
DATA**
(continued)

PRISONERS IN THESE CASES WILL BE LODGED AT THE APPROPRIATE DEPARTMENT OF CORRECTION FACILITY AND ARE NOT TO BE TRANSPORTED TO BOROUGH COURT SECTION FACILITIES. When preparing the **ON LINE BOOKING SYSTEM ARREST WORKSHEET**, indicate in the "Narrative Section," the time, date, and names of who was notified at the Warrant Section and at the Parole Absconder Search Unit, prior to forwarding a copy of the **ON LINE BOOKING SYSTEM ARREST WORKSHEET** to the borough Court Section.

YOUTH AWOL FROM A RESIDENTIAL FACILITY

When a youth who is AWOL from a residential facility is apprehended on an Office of Children and Family Services Warrant, the youth will be returned directly to the residential facility, if located within New York City. If AWOL from a facility outside New York City, the youth will be taken directly to the Horizon Juvenile Center, 560 Brook Avenue, Bronx, New York. In NO CASE will the youth be taken to Family Court.

PINS WARRANT

A person in need of supervision (PINS) will NOT be taken into custody without a court order. The defendant will be detained at a facility designated by the Emergency Children's Service of the Human Resources Administration, who will be requested to provide transportation.

When a defendant is taken into custody, and in addition to a PINS Warrant, there are other Juvenile Delinquency charges:

- a. The juvenile may be served an **APPEARANCE TICKET - FAMILY COURT (PD277-130)** for the other charges, if eligible. However, the juvenile will be kept in custody on the authority of the PINS Warrant and taken to a designated Emergency Children's Service facility
- b. If the defendant is NOT released on an **APPEARANCE TICKET - FAMILY COURT** on the Juvenile Delinquency charges, the defendant will be taken to the Horizon Juvenile Center, 560 Brook Avenue, Bronx, New York.

When a person is apprehended outside New York City, but within New York State on the authority of a felony/misdemeanor warrant issued by a New York City Court, the Inter-City Correspondence Unit will notify the Warrant Section to assign personnel to return the prisoner to New York City. Travel expense funds, if needed, may be obtained from the

Audits and Accounts Unit. If closed, funds may be obtained at the Office of the Chief of Detectives (see P.G. 212-83, "Leaving City on Official Business").

The address of each Department of Correction facility is as follows:

Manhattan

Manhattan Detention Complex (MDC)
125 White Street
New York, New York 10013

Brooklyn and Staten Island

Otis Bantum Correctional Center
16-00 Hazen Street
East Elmhurst, New York 11370

**ADDITIONAL
DATA
(continued)**

Bronx and Queens
Department of Correction Barge
1 Halleck Street
Bronx, New York, 10474

Juvenile Facility
Adolescent Reception and
Detention Center (ARDC)
11-11 Hazen Street
East Elmhurst, New York 11370

Female Facility
Rose M. Singer Center (RMSC)
19-19 Hazen Street
East Elmhurst, New York 11370

**RELATED
PROCEDURES**

Certificate of Warrant (Non-Support) (P.G. 208-50)
Documenting and Reporting Court Appearances Pertaining to Arrests on a Warrant (P.G. 211-08)
Search Warrant Applications (P.G. 212-75)
Leaving City on Official Business (P.G. 212-83)

**FORMS AND
REPORTS**

ARREST REPORT - SUPPLEMENT (PD244-157)
ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)
APPEARANCE TICKET - FAMILY COURT (PD277-130)
INVESTIGATION CARD (PD373-163)

BY DIRECTION OF THE POLICE COMMISSIONER

**DISTRIBUTION
All Commands**

INTERIM ORDER NO. 80



PATROL GUIDE

Section: Arrests		Procedure No: 208-58	
TAXICAB AND TOWING TRUCK OWNERS/OPERATORS			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 1

PURPOSE To report the arrest of taxicab and towing truck owners and operators to licensing agencies.

PROCEDURE Upon arresting a taxicab/tow truck operator or owner, follow normal arrest procedure and:

ARRESTING OFFICER

1. Prepare **REPORT OF VIOLATION (PD672-151)**.
2. Take credentials of taxicab operator, taxicab owner or towing truck operator **ONLY WHEN** they have been used as an instrument in, or are evidence of, the offense charged.

NOTE *Do not take credentials of towing car owner.*

3. Prepare and deliver **RECEIPT FOR CREDENTIALS (PD616-011)** to prisoner, if applicable.
4. Prepare **PROPERTY CLERK'S INVOICE (PD521-141)** when credentials are confiscated.
5. Note under "Narrative" on **ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)** that the **REPORT OF VIOLATION** was prepared, and if applicable, the taking of credentials.

DESK OFFICER 6. Forward **REPORT OF VIOLATION** as directed on form.

RELATED PROCEDURES *Seizure Of Unlicensed Tow Trucks (P.G. 209-29)*

FORMS AND REPORTS **ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)**
PROPERTY CLERK'S INVOICE (PD521-141)
REPORT OF VIOLATION (PD672-151)



PATROL GUIDE

Section: Arrests		Procedure No: 208-59	
FELONY ARRESTS OF PAROLEES			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 2

PURPOSE To notify the New York State Department of Corrections and Community Supervision (DOCCS) [10 18 s.17] of the arrest of a parole absconder or a parolee who has been the subject of a new felony arrest.

PROCEDURE When a uniformed member of the service effects the arrest of a person and the charge is a felony.

UNIFORMED MEMBER OF THE SERVICE 1. Remove prisoner to precinct of arrest and comply with appropriate arrest processing procedures.

DESK OFFICER 2. Immediately notify precinct detective squad if charge is a felony.

MEMBER CONCERNED, P.D.S. 3. Conduct name check of person arrested against the "Target List of Recidivists" and the New York State Department of Corrections and Community Supervision (DOCCS) Parole File.
4. Make additional copies of the **COMPLAINT REPORT (PD313-152)** and **ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)** and forward them to the New York State Department of Corrections and Community Supervision (DOCCS) via the Warrant Section.

ADDITIONAL DATA *If a uniformed member of the service conducting an investigation has a parole absconder in custody SOLELY on the authority of a parole warrant, the arrest will be processed as "FOA.." The uniformed member of the service will notify the Warrant Section, Telephone Inquiry Unit immediately for the purpose of obtaining a copy of the parole warrant to lodge the parole violator in the appropriate Department of Correction facility. In addition, an immediate notification must also be made to the New York State Department of Corrections and Community Supervision (DOCCS), Operations Center.*

*The notification to the New York State Department of Corrections and Community Supervision (DOCCS) is necessary to provide a copy of the parole warrant to arresting officers in cases where the Warrant Section has not yet received a copy of this document, and also to ensure that parole violators are served with a copy of the charges upon which the warrant is based, as well as the dates on which the probable cause and revocation hearings are to be scheduled. PRISONERS IN THESE CASES WILL BE LODGED AT THE APPROPRIATE DEPARTMENT OF CORRECTION FACILITY AND ARE NOT TO BE TRANSPORTED TO BOROUGH COURT SECTION FACILITIES. When preparing the **ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)**, indicate in the "Narrative Section" the time, date and names of persons notified at the Warrant Section and at the New York State Department of Corrections and Community Supervision (DOCCS), Operations Center.*

Parole officers doing absconder work are authorized to sign for Department radios at precincts, subject to their availability.

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**ADDITIONAL
DATA
(continued)**

KEY ELEMENTS OF THE PAROLE VIOLATOR PROGRAM:

Absconder Apprehension Task Force

The "Absconder Apprehension Task Force" will focus on the apprehension of dangerous parole absconders.

Arrested Parolee Enhanced Notification System

Each month, the New York State Department of Corrections and Community Supervision (DOCCS) will provide the New York City Police Department with a computer tape consisting of all active, delinquent, and absconder cases currently under the jurisdiction of the Department of Corrections and Community Supervision (DOCCS).

The New York State Department of Corrections and Community Supervision (DOCCS) will also provide copies of all absconder warrants with appropriate physical descriptions to the New York City Police Department Warrant Section to facilitate lodging and execution of those warrants.

Parole/New York City Police Department Information Exchange

The "Parole/New York City Police Department Information Exchange" will facilitate cooperation between this Department and the New York State Department of Corrections and Community Supervision (DOCCS).

**FORMS AND
REPORTS**

COMPLAINT REPORT WORKSHEET (PD313-152a)

ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)



PATROL GUIDE

Section: Arrests		Procedure No: 208-60	
DELIVERY OF FELONY WARRANT DEFENDANTS BY MEMBERS OF NEW YORK STATE POLICE			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 2

PURPOSE

To accept custody from the New York State Police of persons arrested based on a felony warrant during hours when Warrant Section personnel are not available and to arrange lodging for said prisoners pending their return to the appropriate New York City Court.

NOTE

Warrant Section investigators are available to process such arrests as follows:

- ◆ Monday to Friday 0630 x 2300
- ◆ Saturday and Sunday 0630 x 1800

PROCEDURE

When members of the New York State Police return a defendant who has been arrested based on a felony warrant issued by a New York City Court to the custody of this Department:

DESK OFFICER 50th PRECINCT

1. Accept custody of prisoner and request a copy of the warrant or NYSPIN message from New York State Police Officer.
2. Verify validation of warrant through Central Warrant Unit (212) 374-3970, if necessary.
3. Prepare **Prisoner Movement Slip**, take one (1) photograph of defendant and attach to **Prisoner Movement Slip**.
 - a. Deliver **Prisoner Movement Slip**, with photo attached, to Warrant Section personnel.
4. Notify borough Court Section concerned and follow instructions received regarding lodging of prisoner.
 - a. Comply with provisions of *P.G. 210-01, "General Procedure - Prisoners,"* where appropriate.
5. Make Command Log entry of facts including delivering officer's name and command, prisoner's name, condition, OCA# of warrant and court part which issued warrant.
 - a. Include all notifications made.

BOROUGH COURT SECT. CONCERNED

6. Designate appropriate location for lodging of prisoner.

NOTE

If possible, prisoner should be lodged in 50th Precinct.

WARRANT SECTION INVESTIGATOR

7. Notify Bronx Warrant Squad (Monday to Friday) or Central Warrant Unit (Saturday and Sunday), at 0630 hours to respond and take custody of prisoner.
8. Respond to lodging facility and take custody of prisoner.
9. Prepare **ARREST REPORT SUPPLEMENT (PD244-152)**.
10. Deliver prisoner, **ARREST REPORT SUPPLEMENT**, and **Prisoner Movement Slip** to appropriate court for processing.

PATROL GUIDE

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DESK OFFICER (continued)

1. Any offense and prisoner is impersonating a New York City Department of Health employee.
2. Make direct notification to agency or command concerned when arrest is effected for:
 - Criminal Anarchy ➤ Intelligence **Bureau** (IO 2-8 s.13)
 - Any offense, and prisoner possesses anarchistic literature advocating the violent overthrow of the existing government of this State or Nation ➤ Intelligence **Bureau**
 - Any offense, and prisoner is an employee of:
 - ◊ New York State Division of Substance Abuse Services ➤ Division of Substance Abuse Services
 - ◊ Port of New York Authority ➤ Port Authority
 - ◊ Tri-Boro Bridge and Tunnel Authority (TBTA) ➤ TBTA
 - ◊ United Nations ➤ Intelligence **Bureau**
 - ◊ New York City Fire Department ➤ Inspector General, Fire Department
 - ◊ New York State Department of Corrections and Community Supervision (DOCCS), Senior Parole, Supervising Parole Officer ➤ New York State Department of Corrections and Community Supervision (DOCCS) [IO 18 s.17]
 - ◊ New York State Police ➤ Office of Chief Inspector, (518) 457-6554. (During non-business hours notify New York State Police Division Headquarters, [518] 457-6811)
 - ◊ New York State Court System ➤ New York State Unified Court System Command and Communications Center (24 hours a day, 7 days a week) (646) 386-3591 Fax (212) 374-2053 (IO 39 s.05)
 - Any offense, and prisoner is a member of armed forces of a foreign nation ➤ Provost Marshal, Fort Hamilton, Brooklyn
 - Felony and prisoner is employee of U.S. Department of Defense ➤ Provost Marshal, Fort Hamilton, Brooklyn
 - Morals or perversion charge and prisoner is employee of U.S. Department of Defense ➤ Provost Marshal, Fort Hamilton, Brooklyn
 - Any offense, and a youth gang is involved ➤ Intelligence **Bureau**
 - Any offense, and **Department** of Education is involved in any way ➤ School Safety Division
 - Any graffiti-related offenses ➤ Citywide Vandals Task Force, Transit Bureau (718) 714-3116 (I.O. 17-7 s.04)
 - Any offense and prisoner is an employee of The City University of New York ➤ The City University of New York - Deputy University Director of Security and Public Safety (212) 541-0407

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DESK OFFICER (continued)

- Any offense, and prisoner is involved in the private carting industry, City owned wholesale markets, or boats involved in off shore shipboard gambling emanating from New York City locations.
 - Any offense, and prisoner admits, or is determined to be a foreign national (IO 48 s.11)
 - Any offense and prisoner is a registered sex offender
 - Grand LarcenyAuto or C.P.S.P. (motor vehicle or motorcycle)
 - Sexual assault or sexual harassment of a prisoner while the prisoner is in the custody of this Department
- Business Integrity Commission, via the Organized Crime Control Bureau, Field Operations Desk at (646) 610-6610 (I.O 25 s.09)
 - Notify borough Court supervisor
 - Fax copy of OLBS to Sex Offender Monitoring Unit (SOMU) at (212) 736-3050. (I.O. 30 s.06)
 - Auto Crime Division (718) 217-8515 (I.O. 7 s.06)
 - Criminal Justice Bureau via email at cjb@nypd.org (IO 11 s.16)

3. Direct arresting officer to notify Intelligence Bureau's Criminal Intelligence Section twenty-four (24) hours/seven (7) days a week, to determine if an immediate response by a member of the Intelligence Bureau is warranted in regards to possible terrorist links, for arrests or seizures involving the following:
 - a. Fraudulent documents
 - b. Identity theft
 - c. Welfare fraud
 - d. Untaxed cigarettes
 - e. Drug paraphernalia
 - f. Telephone calling cards
 - g. Shop lifting
 - h. Baby formula
 - i. Counterfeit money
 - j. Money laundering
 - k. Travelers checks (stolen/counterfeit)
 - l. Money Orders (stolen/counterfeit)
 - m. Credit cards (stolen/counterfeit/bust out schemes)
 - n. Expired candy - consumer affairs violations
 - o. Grand larceny fraud
 - p. Firearms
 - q. Trademark counterfeiting
 - r. Marriage fraud
 - s. Foreign national smuggling
 - t. Cell phones
 - u. Coupon fraud
 - v. Computer fraud
 - w. Khat (a plant used as an habituating stimulant) sales or possession
 - x. Bank checks

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ADDITIONAL DATA

(continued)

PERPETRATOR LINKED TO CRIMES INVESTIGATED BY BOROUGH ROBBERY OR TRANSIT SQUADS

In addition to any summary arrest made by patrol or a detective squad, and where it has been determined that an individual is part of an established Borough/Citywide Robbery pattern, or is linked to crimes having occurred in Transit, the respective Borough Robbery Squad or Transit Squad will be notified and act in accordance with this procedure. A notification will be made to the concerned Detective Bureau Major Crimes/Detective Zone Commander/Detective Duty Captain concerned.

PERPETRATOR LINKED TO SPECIAL INVESTIGATIONS DIVISION OR SPECIAL VICTIMS DIVISION INVESTIGATIONS

In addition to any summary arrest made by patrol or a detective squad, and where it has been determined that an individual is linked to crimes being investigated by the Special Investigation Division or the Special Victims Division, notifications will be made to the Detective Bureau Duty Captain and the Chief of Detectives. The Chief of Detectives in turn will notify the respective investigative unit.

RELATED PROCEDURES

*Arrest - General Processing (P.G. 208-03)
Arrest Report Supplement (P.G. 208-13)
Arrest Report Preparation at Stationhouse (P.G. 208-15)
Identification Lineups/Showups (P.G. 208-24)*

FORMS AND REPORTS

ON LINE BOOKING SYSTEM ARREST WORKSHEETS (PD244-159)



INTERIM ORDER

SUBJECT: ENHANCEMENT OF OFFENSES INVOLVING FIREARMS		
DATE ISSUED:	REFERENCE:	NUMBER:
01-24-17	*P.G. 208-75	4

PURPOSE

To conduct a thorough investigation of offenses related to firearm(s) possession and to ensure that the strongest cases are presented to prosecutors for every firearm(s) arrest by:

- Identifying potential association to other crimes
- Eliciting intelligence related to the possession, sale, trafficking, and distribution of firearms through the collection and preservation of forensic evidence from both the arrestee and firearm
- Conducting comprehensive debriefings
- Recovering video evidence in a timely manner
- Ensuring prompt notifications and referrals are made to applicable units and agencies.

PROCEDURE

When a member of the service affects an arrest involving a firearm or otherwise comes into possession of a firearm(s) (e.g., found, recovered pursuant to police action, or under circumstances requiring investigation):

NOTE

Firearms received pursuant to Penal Law Section 265.20(a)(1)(f) – such as voluntary surrender or buy-back program will NOT be subject to this procedure.

UNIFORMED MEMBER OF THE SERVICE

1. Notify the desk officer and precinct detective squad of circumstances related to firearm arrest, recovery, or instance necessitating investigation.
2. Do not touch, move, or disturb a firearm at a crime scene except when absolutely necessary (e.g., large crowd gathering, hindering aid to victim, etc.).

NOTE

Every firearm related to an arrest or taken into possession by this Department requiring investigation must be processed for DNA and latent prints. If a firearm is not recovered from a person, the recovery location will be treated as a crime scene and an immediate notification will be made to the Evidence Collection Team (ECT) or Crime Scene Unit (CSU), as appropriate. Contamination of a firearm may occur prior to being tested (e.g., multiple persons handling firearm, discarded into a sewer, etc.). These circumstances should be thoroughly documented and testing completed nonetheless. When handling a firearm:

- a. *Wear latex/nitrile gloves in order to preserve DNA and fingerprint evidence, unless exigent circumstances exist*
- b. *DO NOT secure firearm on your person, unless exigent circumstances exist, since clothing may contaminate, alter, and/or damage the biological evidence thereon*
- c. *DO NOT circulate the firearm among uniformed members at the scene. The recovering officer should retain custody of the firearm and invoice it appropriately (e.g., arrest evidence, etc.) as per P.G. 218-01, "Invoicing Property – General Procedure" and P.G. 218-23, "Processing Firearms and Firearm-Related Evidence."*

**UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

3. Conduct a canvass for video surveillance to identify locations of cameras that may have probative value.
 - a. If video evidence is available, obtain the name and contact information for the custodian of the video and immediately inform Detective Bureau personnel.
4. Process recovered firearm(s) as per *P.G. 218-23, "Processing Firearms and Firearm-Related Evidence."*
5. Deliver firearm(s) and firearm-related evidence to the desk officer, command of occurrence.

DESK OFFICER

6. Ensure that firearm(s) and firearm-related evidence are safe, properly marked, packaged, and sealed as per *P.G. 218-01, "Invoicing Property – General Procedure"* and *P.G. 218-23, "Processing Firearms and Firearm – Related Evidence."*
7. Notify the precinct platoon commander and commanding/executive officer of incident details.
8. Notify the precinct detective squad/Detective Bureau unit concerned immediately, to enhance an arrest involving a firearm(s) or to conduct an enhanced firearm investigation.

**ASSIGNED
DETECTIVE/
PRECINCT
DETECTIVE
SQUAD/
DETECTIVE
BUREAU UNIT**

9. Initiate a case upon receiving notification of an investigation concerning a firearm(s) related offense or firearm(s) recovery (e.g., summary arrest affected by patrol personnel or other units performing enforcement duties within the command).

NOTE

Precinct detective squads are the primary investigative unit responsible for enhancing firearm(s) related arrests and investigations of firearms occurring within their respective commands. Their expertise and understanding of current dynamics and crime trends within the precinct affords a unique perspective in determining any possible implications this incident has on past and future crimes. This responsibility in no way precludes or excuses other members of the service from actively assisting in the enhancement and post arrest investigation process. This collective effort will guarantee all available evidence and documentation is secured in the most efficient manner, thereby ensuring the best possible case is brought forward. In order to comply with D.G. 502-20, "Video/Audio Recording of Custodial Interrogations Regarding Designated Felony Assault Offenses, Sex Offenses and Homicide Offenses," it is extremely important that the arrestee be brought to the detective squad immediately and prior to any questioning.

**ASSIGNED
DETECTIVE/
PRECINCT
DETECTIVE
SQUAD/
DETECTIVE
BUREAU UNIT
(continued)**

10. Prior to conducting any interview with the defendant(s), the assigned investigator will conduct a comprehensive criminal background check through Department computer systems (e.g., FINEST, RTRD, DAS, ICAD, eJustice, etc.).
11. Evaluate the defendant(s) criminal history and arrest charges to determine eligibility for federal prosecution (Trigger Lock).
12. Prepare the interview room/area and attempt to obtain an abandonment sample in accordance with *D.G. 506-06, "Collecting DNA Exemplar Abandonment Suspect Samples in a Controlled Environment."*
13. Complete a **GUN ENHANCEMENT CHECKLIST (PD324-060)** and **FIREARM INFORMATION WORKSHEET (PD324-152)** in all gun enhancement cases and upload into Enterprise Case Management System (ECMS).
 - a. A separate **FIREARM INFORMATION WORKSHEET** will be completed for each individual arrested and uploaded into ECMS.
 - b. Additional worksheets will also be prepared when the investigation reveals that more than one supplier and/or transporter of a firearm(s) exists.
14. Conduct video interrogation of suspect(s) with the primary objective being the elicitation of statements that support the current weapons charges.
 - a. Inquire how the suspect(s) came into possession of the firearm and detail the results on the **FIREARM INFORMATION WORKSHEET**.
 - b. Attempt to ascertain the suspect's involvement in and/or awareness of criminal activity unrelated to the present case.
15. Attempt to obtain consent from the suspect(s) for a DNA exemplar sample and be guided by *P.G. 218-52, "Collection and Processing of DNA Exemplar Samples."*
 - a. A request for a consent sample will be made in all cases, even if an abandonment sample has already been obtained.

NOTE

Unique and/or identifiable clothing items a defendant is recorded wearing on video, and/or garments that witnesses/911 callers used to describe the defendant should be invoiced and preserved as evidence. Furthermore, photograph and invoice clothing or items used to conceal weapon(s) (e.g., book bags, suitcase, etc.).

16. Ensure photographs of the firearm(s) and firearm-related items have been taken and uploaded into ECMS Firearm Enhancement case folder.

**ASSIGNED
DETECTIVE/
PRECINCT
DETECTIVE
SQUAD/
DETECTIVE
BUREAU UNIT
(continued)**

17. Ensure the defendant(s) cell phone(s) have been invoiced in accordance with *P.G. 218-01, "Invoicing Property – General Procedure," P.G. 218-19, "Invoicing Vehicles/Property as Arrest/Investigatory Evidence or for Forfeiture Proceedings or to Determine True Owner,"* and/or *P.G. 218-50, "Prisoner Cellular Telephone(s)."*
 - a. Consult with the District Attorney and request a search warrant if it is suspected that the phone contains evidence (e.g., text messages, photographs, etc.).
18. Comply with *D.G. 502-18, "Use of Social Networks for Investigative Purposes – General Procedure."*
19. Conduct a video canvass and attempt to identify and retrieve video which may have probative value.
 - a. Request assistance from precinct personnel to assist with the search.
20. Document and upload into ECMS all investigative steps taken (e.g., Shotspotter activation photographs, videos, scanned documents, etc.).
 - a. Close the case as an "Enhancement" using code "B8" in ECMS if no information is developed relative to the source of the weapon or other criminality.
21. Notify the commanding officer, precinct detective squad or Detective Bureau unit when information of a positive nature relative to the source of the weapon is obtained.

NOTE

The assigned detective will interview all witnesses, complainants, and police officers and ensure all interviews are properly recorded. Members assigned to Nightwatch will conduct a full investigation and debriefing in all firearms arrests during nighttime hours when precinct/Detective Bureau squad personnel concerned are not working. If, for documented reasons, Nightwatch cannot respond, the Detective Bureau Nightwatch supervisor will immediately notify the Detective Bureau Duty Captain who will decide which unit completes the enhancement. If Nightwatch is unable to respond and the arrest has already been processed by the precinct concerned, the detective squad supervisor will notify the Borough Court Section supervisor to ascertain if the defendant has been arraigned, or legal counsel has been appointed. If the defendant has not been arraigned and legal counsel has not been appointed, then a request will be made to hold the defendant so an enhancement can be conducted. The detective squad supervisor will direct a detective to respond to the Borough Court Section concerned to conduct the investigation. Enhancement efforts shall never interfere with or prolong a defendant's arraignment appearance.

**COMMANDING
OFFICER,
PRECINCT
DETECTIVE
SQUAD/
DETECTIVE
BUREAU UNIT**

22. Notify the Commanding Officer, Joint Firearms Task Force (JFTF) when information of a positive nature is developed relative to the source of the weapon. The criteria for referral to JFTF is:
 - a. A FINEST inquiry reveals that the weapon was stolen from a federal firearms licensee or during transport to a federal firearms licensee

**COMMANDING
OFFICER,
PRECINCT
DETECTIVE
SQUAD/
DETECTIVE
BUREAU UNIT
(continued)**

- b. An inquiry through the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) twenty-four hour gun center reveals the weapon was part of a multiple sale or is designated as an ATF “suspect gun”
 - c. When preliminary investigation reveals a definitive nexus to interstate trafficking (e.g., receipts from gun store, out of state driver’s license, and/or auto, numerous new guns in boxes, or military personnel are involved).
23. Notify the Commanding Officer, Gun Violence Suppression Division in all other instances, or if unable to notify the JFTF.

**ASSIGNED
DETECTIVE/
PRECINCT
DETECTIVE
SQUAD/
DETECTIVE
BUREAU UNIT**

24. Refer the case to Gun Violence Suppression Division or the JFTF, as appropriate.
- a. Use code “B5” in ECMS if the Commanding Officer, Gun Violence Suppression Division or the Commanding Officer, JFTF deems the information to be of a positive creditable nature and recommends an investigation be commenced.
 - b. Close the case as an “Enhancement” using code “B8” in ECMS if neither the Commanding Officer, Gun Violence Suppression Division or Commanding Officer, JFTF deems the information to be of a positive nature.

**COMMANDING
OFFICER,
PRECINCT
DETECTIVE
SQUAD/
DETECTIVE
BUREAU UNIT**

25. Review **COMPLAINT REPORTS (PD313-152)** on a daily basis to ensure that all arrests involving firearms are properly investigated.
26. Notify Detective Bureau Zone Captain if forensic testing has not been requested on a case by the District Attorney’s Office.

**DETECTIVE
BUREAU ZONE
CAPTAIN**

27. Make an immediate request to the respective District Attorney’s Office that a forensic examination be ordered, regardless of the case status.

**RELATED
PROCEDURES**

Invoicing Property – General Procedure (P.G. 218-01)
Invoicing Vehicles/Property as Arrest/Investigatory Evidence or for Forfeiture Proceedings to Determine True Owner (P.G. 218-19)
Processing Firearms and Firearm-Related Evidence (P.G. 218-23)
Prisoner Cellular Telephone(s) (P.G. 218-50)
Collection and Processing of DNA Exemplar Samples (P.G. 218-52)
Video/Audio Recording of Custodial Interrogations Regarding Designated Felony Assault Offenses, Sex Offenses and Homicide Offenses (D.G. 502-20)
Collecting DNA Exemplar Abandonment Suspect Samples in a Controlled Environment (D.G. 506-06)

<i>FORMS AND</i>	<i>COMPLAINT REPORT (PD313-152)</i>
<i>REPORTS</i>	<i>COMPLAINT FOLLOW-UP INFORMATIONAL (pink) (PD313-081A)</i>
<i>FORMS AND</i>	<i>GUN ENHANCEMENT CHECKLIST (PD324-060)</i>
<i>REPORTS</i>	<i>FIREARM INFORMATION WORKSHEET (PD324-152)</i>

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION
All Commands

INTERIM ORDER NO. 4



INTERIM ORDER

SUBJECT: NEW YORK CITY HOUSING AUTHORITY TRESPASS NOTICE PROGRAM		
DATE ISSUED:	REFERENCE:	NUMBER: (O.O. 30 s.13)
10-12-07	**P.G. 208 SERIES	P.G. 208-76

1. Operations Order 37, series 2005, titled “New York City Housing Authority Trespass Notice Program” outlined a new program whereby uniformed members of the service effecting an arrest of a person sixteen (16) years of age or older, for felony sale of a controlled substance or felony sale of marijuana, “On-Development” as described below and in Patrol Guide 207-33, “Recording Enforcement Incidents” would, in addition to other arrest processing steps, issue a **NEW YORK CITY HOUSING AUTHORITY TRESPASS NOTICE (PD672-120)** to the arrestee. Individuals arrested under this program are then excluded from entering ANY New York City Housing Authority property within New York City or, if a resident of Housing, are then excluded from Housing Authority property other than specific areas in his/her resident development. Therefore, after a **NYCHA TRESPASS NOTICE** is served it is enforceable at all Housing Authority locations throughout the City.

2. Accordingly, effective immediately, uniformed members of the service will comply with the following procedure:

PURPOSE To improve the safety and quality of life for residents of public housing by providing notice of the exclusion of, or the limitation of, an individual’s permission and/or authority to enter or remain upon premises and properties of the New York City Housing Authority (NYCHA) as a result of certain arrests.

SCOPE This procedure has been developed as part of an ongoing effort to reduce crime within New York City Housing Authority developments. Under this procedure, persons arrested “On-Development,” as defined below, will be excluded from entering New York City Housing Authority Property. Those excluded persons who are found to have violated the terms of the **NEW YORK CITY HOUSING AUTHORITY TRESPASS NOTICE (PD672-120)** will be arrested and charged with trespass as outlined in *Interim Order 54, series 2007, “Processing Arrests Made Pursuant to the New York City Housing Authority Trespass Notice Program.”* Members must also be aware that the trespass offense must occur on “NYCHA Property” which differs from “On-Development.” See *Interim Order 54, series 2007, “Processing Arrests Made Pursuant to the New York City Housing Authority Trespass Notice Program”* for a definition of “NYCHA Property.”

DEFINITIONS ON-DEVELOPMENT – An arrest for felony sale of a controlled substance or felony sale of marijuana will be subject to this process if it occurs on:

- All New York City Housing Authority buildings, apartments, managers’ offices, maintenance areas, storage areas, etc.
- All walkways, grounds, parking areas and development driveways located within New York City Housing Authority developments.
- Stores, laundries, community centers, childcare centers, senior citizen centers, health stations, etc., which operate within New York City Housing Authority buildings.



INTERIM ORDER

SUBJECT: QUALITY CONTROL PROCEDURES FOR THE PROCESSING OF SUMMONSES RETURNABLE TO CRIMINAL COURT		
DATE ISSUED:	REFERENCE:	NUMBER:
03-12-10	*P.G. 209-06	8

1. The United States Court of Appeals for the Second Circuit and the New York State Court of Appeals have declared unconstitutional and therefore unenforceable, Penal Law Section 240.35 subsections (1), (3) and (7). These subsections are (1) “Loiters, remains or wanders about in a public place for the purpose of begging,” (3) “Loiters or remains in a public place for the purpose of engaging, or soliciting another person to engage, in deviate sexual intercourse or other sexual behavior of a deviate nature” and (7) “Loiters or remains in any transportation facility, or is found sleeping therein, and unable to give a satisfactory explanation of his presence.” **THESE SUBSECTIONS ARE NO LONGER IN EFFECT AND ARE NOT TO BE USED TO ISSUE A SUMMONS.**

2. Summonses erroneously issued for these offenses must be immediately voided. A reasonable effort by this Department will be made to notify the respondent of the voidance and such attempt will be entered on the **SUMMONS VOIDANCE FORM (PD160-153)**. In addition, one (1) copy of the **SUMMONS VOIDANCE FORM** will be forwarded to the Chief of Internal Affairs for informational purposes.

3. Therefore, effective immediately, Patrol Guide 209-06, “Quality Control Procedures for the Processing of Summonses Returnable to Criminal Court” is **SUSPENDED** and the following procedure will be complied with:

PURPOSE To establish quality control procedures for the processing of summonses returnable to Criminal Court and for processing improperly prepared summonses returned to this Department for corrective action.

PROCEDURE To process Criminal Court summonses:

OPERATIONS UNIT 1. Transmit daily, the return date for Criminal Court summonses issued, and the color of the day via the **FINEST** system.

DESK OFFICER/COUNTERPART 2. Announce summons return date and color of the day at roll call.
3. Advise communications dispatcher of summons return date along with the “Rundown” at the onset of tour.
4. Do NOT forward any summons returnable to Criminal Court if improperly prepared.
5. Process improperly prepared summonses as follows:
a. Invalid return date listed – void summons in accordance with *P.G. 209-18, “Summonses Served or Prepared in Error.”*
b. Criminal Court “information” section is left blank or unsigned, or summons written for marijuana offense is not accompanied by **MARIJUANA SUPPORTING DEPOSITION/FIELD TEST REPORT (PD381-145)** – place in a separate envelope marked “Training Sergeant” and forward direct to the command’s training sergeant.

**DESK OFFICER/
COUNTERPART
(continued)**

- c. Summons issued for Penal Law Section 240.35, "Loitering" subsections 1, 3 or 7 – place in a separate envelope marked "Operations Coordinator" and forward direct to the command's operations coordinator.

NOTE

MEMBERS WILL NOT MAKE ANY MODIFICATIONS TO SUMMONSES OTHER THAN CORRECTING THE ERRORS LISTED ABOVE. Under no circumstances will a modification be made to a summons that will result in the court or agency copies having different information than the defendant's copy. ALL SUMMONSES MUST BE CORRECTED AND RETURNED BY THE FOLLOWING BUSINESS DAY.

**CRIMINAL
JUSTICE
BUREAU
MESSENGER**

6. Report to Manhattan Criminal Court, 1 Centre St., 16th floor [IO 6 s.17], by 1000 hours, on days when court is in session.
7. Obtain summonses that the court has designated for return to this Department.
8. Deliver summonses to bureau of issuing member. (Detective Bureau, Transit Bureau, Chief of Transportation [IO 1 s.11], Patrol Services Bureau, Housing Bureau and Organized Crime Control Bureau).

**BUREAU
SUMMONS
PROCESSING
PERSONNEL**

9. Record the following information for each summons returned:
 - a. Summons number
 - b. Name of issuing member
 - c. Command of issuing member
 - d. Type of error
 - e. Date of issuance
 - f. Date received at bureau
 - g. Date forwarded for correction
 - h. Final disposition (date returned to court, date voided)
10. Separate summonses according to category of error as follows:
 - a. Improper return date - to be forwarded to issuing member's command for voiding as per P.G. 209-18, "Summonses Served or Prepared in Error"
 - b. Criminal court "Information" incomplete or unsigned - forward to command of issuing member for correction by member.
11. Prepare a transmittal sheet for each command that will be receiving improperly prepared summonses within the bureau.
 - a. Transmittal sheet will list each summons forwarded.
12. Forward summonses to command concerned in a brown, 13" X 10" inter-office, multi-service envelope (Form No. NYC-36).
13. Mark envelope - "Returned Criminal Court Summonses."

**PATROL
BOROUGH
MESSENGER/
COUNTERPART**

14. Report to bureau command, daily, and pick up returned summonses.

- | | |
|-----------------------------------|--|
| OPERATIONS
COORDINATOR | 15. Review summonses received to ensure that they have been delivered to command of issuing member.
16. Process returned summons(es) as follows: <ul style="list-style-type: none"> a. Issuing member no longer assigned to command - VOID b. If summons is received at command less than twenty-two (22) days from the return date listed on summons - VOID c. Improper return date (weekend, holiday, etc.) - VOID d. Criminal Court "Information" not signed - direct issuing member to correct condition. e. Criminal Court "Information" left blank - direct issuing member to correct condition. |
|-----------------------------------|--|

NOTE *Under no circumstances will a uniformed member of the service correct any other error on a returned summons other than the two errors ("Information" left blank or unsigned) listed for correction above.*

- | | |
|-----------------------------------|---|
| OPERATIONS
COORDINATOR | 17. Void any summons received that was issued for Penal Law Section 240.35, "Loitering" subsections 1, 3 or 7. <ul style="list-style-type: none"> a. Contact the respondent by telephone, if possible, and inform of summons voidance b. If unable to contact by telephone, forward a notification letter to the respondent on OFFICIAL LETTERHEAD (PD158-151), using the sample in Appendix "A" by registered or certified mail, return receipt requested c. Document notification to the respondent on SUMMONS VOIDANCE FORM (PD160-153). 18. Make a reasonable effort to retrieve the served copy of any summons issued for Penal Law Section 240.35, "Loitering" subsections 1, 3 or 7, from the respondent. |
|-----------------------------------|---|

- | | |
|--|---|
| UNIFORMED
MEMBER OF
THE SERVICE | 19. Correct summons(es) as directed by Operations Coordinator.
20. Return corrected summons(es) to Operations Coordinator. |
|--|---|

- | | |
|-----------------------------------|--|
| OPERATIONS
COORDINATOR | 21. Review corrections made to summons(es).
22. Note action taken for each summons on transmittal sheet (e.g., corrected, void etc.).
23. Forward corrected summonses and transmittal sheet, to bureau command.
24. Forward summonses to bureau concerned in a brown, 13" X 10" inter-office, multi-service envelope (Form No. NYC 36).
25. Mark envelope - "Returned Criminal Court Summonses." |
|-----------------------------------|--|

**BUREAU
SUMMONS
PROCESSING
PERSONNEL**

26. Check returned transmittal sheet to ensure that all summonses forwarded for action are accounted for.
27. Forward returned summonses, direct, to the New York City Criminal Court located at 1 Centre St., 16th floor, within twenty-four (24) hours of receipt.
28. Forward summonses to criminal court in a brown, 13" x 10" inter-office, multi-service envelope (Form No. NYC 36).
29. Mark envelope - "Returned Criminal Court Summonses."

***RELATED
PROCEDURES***

Summons Served Or Prepared In Error (P.G. 209-18)

***FORMS AND
REPORTS***

***MARIJUANA SUPPORTING DEPOSITION/FIELD TEST REPORT (PD381-145)
OFFICIAL LETTERHEAD (PD158-151)
SUMMONS VOIDANCE FORM (PD160-153)***

PATROL GUIDE

PROCEDURE NUMBER:	DATE EFFECTIVE:	REVISION NUMBER:	PAGE:
209-11	05/25/16	IO 29 s.16	2 of 3

☐ **Trespass Affidavit: Penal Law §140.05** *(To be completed by property owner/custodian. Officer MUST complete factual allegations section on front of summons.)*

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.

Full Signature of Deponent/Affiant (Owner/Custodian)

Date Affirmed (mm/dd/yy)

☐ **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: *(In the space provided below, describe specific acts or words used and manner which made them violent, etc.)*

☐ [PL §240.20(5)] obstruct vehicular or pedestrian traffic, to wit: *(In the space provided below, 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: *(In the space provided below, 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 indicated herein, I personally observed the defendant in possession of an open container that contained an alcoholic beverage, to wit: an open *(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-half 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. *(If used, officer MUST sign front and back of summons.)*

Complainant's Full Name Printed

Rank/Full Signature of Complainant

Date Affirmed (mm/dd/yy)

12 When issuing a summons for violations of Penal Law §140.05, "Trespass," issuing officer should have property owner/custodian complete the "Trespass Affidavit" section.

The property owner/custodian must sign and date below the "Trespass Affidavit." The officer must also complete the "Factual Allegations" section on the front with facts, not conclusions, that the officer personally observed. Sample Factual Allegations for the charge of "Trespass" can be found on the reverse of the "Agency/Police Copy 1."

13 When issuing a summons for violations of Penal Law §240.20, "Disorderly Conduct," or Administrative Code §10-125(b), "Public Consumption of Alcohol," issuing officer may use the appropriate "Expedited Affidavit" section, rather than completing the "Factual Allegations" section.

If an Expedited Affidavit is utilized, the officer must sign and date BOTH the front and the reverse of the "Original" copy, but it is not necessary to restate the allegations in the "Factual Allegations" field on the front of the form. Instead, the officer should simply draw a line through the "Factual Allegations" field on the front, or write "See Reverse." A summons with a properly completed "Factual Allegations" section or "Expedited Affidavit" section will eliminate the need for the issuing officer to appear in court on the return date to prepare a complaint and will enable the court to issue a warrant for a defendant who fails to appear.

PATROL GUIDE

PROCEDURE NUMBER:	DATE EFFECTIVE:	REVISION NUMBER:	PAGE:
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Officer's Notes **1**

Defendant's Employer **2**

Defendant's Employer Address

CONDITIONS OF VIOLATION

LIGHT CONDITIONS		TOUR OF DUTY		AREA	
<input type="checkbox"/> DAYLIGHT		DAY OF WEEK:	NO. OF LANES	<input type="checkbox"/> BUSINESS/COMM.	
<input type="checkbox"/> DARK		DEFENDANT DESCRIPTION		<input type="checkbox"/> SCHOOL/PLAYGRD.	
<input type="checkbox"/> FOG				<input type="checkbox"/> INDUSTRIAL	
<input type="checkbox"/> DUSK				<input type="checkbox"/> RESIDENTIAL	
<input type="checkbox"/> DAWN				VIOLATOR	
WEATHER		Eye Color _____		<input type="checkbox"/> DRIVING ALONE	
<input type="checkbox"/> CLEAR	<input type="checkbox"/> SNOW	Hair Color _____		<input type="checkbox"/> # OF OCCUPANTS	
<input type="checkbox"/> CLOUDY	<input type="checkbox"/> SLEET	Ht. _____ Wt. _____		<input type="checkbox"/> MORE THAN ONE VIOLATOR	
<input type="checkbox"/> RAIN	<input type="checkbox"/> FOG	Phone No. 3			
PHOTO LICENSE					
<input type="checkbox"/> Yes <input type="checkbox"/> No					
WARRANT CHECK					
<input type="checkbox"/> Yes <input type="checkbox"/> No					

NOTES OR DIAGRAM:

4

- 1 Uniformed members should record the circumstances of the incident on the rear of the "Officer" copy of the summons.**
- 2 The defendant's employer information is intended for cases in which corporate substitution is possible.**
- 3 For cases in which corporate substitution is possible, the telephone number of the corporate entity should be entered in this area.**
- 4 Include the direction of travel and the type of street, as appropriate.**



INTERIM ORDER

SUBJECT: ELECTRONIC SUMMONS TRACKING SYSTEM (ESTS)		
DATE ISSUED:	REFERENCE:	NUMBER: O.O. 30 s.13
05-20-11	PG 209-36	23

PURPOSE

To maintain a record of Parking, Environmental Control Board (ECB), Moving, Criminal Court and Transit Adjudication Bureau (TAB) summonses requisitioned, distributed, served and/or processed by the Department.

PROCEDURE

When requisitioning, distributing, serving and/or processing Parking, ECB, Moving, Criminal Court or Transit Adjudication Bureau (TAB) summonses:

COMMANDING OFFICER/DESIGNEE

1. Requisition summonses from issuing agency.

NOTE

To requisition summonses, the following agencies will be contacted:

Parking Summonses (A):

Moving Summonses (B):

Criminal Court Summonses (C):

Department of Finance

Bush Terminal

167 41st Street, Brooklyn

TAB Summonses:

Transit Bureau Headquarters

130 Livingston Street, 3rd Floor, Brooklyn

ECB Summonses:

Environmental Control Board

66 John Street, 10th Floor, NY, NY.

2. Safeguard summonses.
3. Inspect summonses to ensure:
 - a. Quantity is correct
 - b. Summonses are intact and in numerical order.
4. Return summons packets with irregularities to issuing agency with report on **OFFICIAL LETTERHEAD (PD158-151)**.
5. Ensure packets of summonses are recorded on **SUMMONS DISTRIBUTION CARD (PD160-143)** and/or TAB summonses on **TAB/NOTICE OF VIOLATION DISTRIBUTION CARD (PD160-148)**.
 - a. Ensure first and last number of each packet is entered in first column.
6. Designate appropriate receptacle within secure location and under direct control of the desk officer (e.g., property room, etc.) for storage of served summonses.

WHEN A UNIFORMED MEMBER OF THE SERVICE REQUIRES ADDITIONAL SUMMONSES:

**UNIFORMED
MEMBER OF
THE SERVICE**

7. Request summonses from desk officer/distributing supervisor as follows:
 - a. Parking summonses and **CERTIFICATION OF PARKING SUMMONSES SERVED (PD160-146)**
 - b. ECB, Moving, Criminal Court summonses and **CERTIFICATION OF MOVING/CRIMINAL COURT SUMMONSES SERVED (PD160-145)**
 - c. TAB summonses and **CERTIFICATION OF TAB/NOTICE OF VIOLATION SERVED (PD160-147).**

**DESK
OFFICER/
DISTRIBUTING
SUPERVISOR**

8. Utilize Electronic Summons Tracking System (ESTS) to determine if member of the service has any previously distributed unused summonses.
 - a. Scan any previously distributed unused summonses that are in control of the uniformed member of the service back into the ESTS. (10.55 s.15)
 - b. Notify Internal Affairs Bureau and obtain Log Number, if uniformed member concerned cannot produce listed summonses
 - c. Determine necessity of distributing additional summonses to uniformed member.
9. Utilize bar code reader to scan each summons being distributed to uniformed member of the service into ESTS.
 - a. If bar code reader is inoperable, entries will be made into ESTS manually
 - b. Notify patrol borough or transit borough of defective/inoperable bar code reader and obtain replacement
 - c. Enter notification in Telephone Record.
10. Distribute summons packets in numerical order.
 - a. Ensure Department sticker **WARNING! ENFORCEMENT OF PENAL LAW SECTION 240.35 "LOITERING" SUBSECTIONS (1), (3), AND (7) IS STRICTLY PROHIBITED (PD160-130)** is placed on the front of each Criminal Court summons packet prior to distribution.
11. Have member receiving packet acknowledge receipt on **SUMMONS DISTRIBUTION CARD** and/or **TAB/NOTICE OF VIOLATION DISTRIBUTION CARD**.

**UNIFORMED
MEMBER OF
THE SERVICE**

12. Examine summonses to ensure that packet contains twenty (20) summonses and/or TAB packet contains twenty five (25) summonses which are consecutively numbered.
13. Sign for summonses on **SUMMONS BOOK DISTRIBUTION CARD** and/or **TAB/NOTICE OF VIOLATION DISTRIBUTION CARD**.

NOTE

*Separate **SUMMONS BOOK DISTRIBUTION CARDS** will be maintained for Parking, ECB, Moving or Criminal Court summonses. **CERTIFICATION OF TAB/NOTICE OF VIOLATION SERVED CARDS** will be maintained for TAB summonses.*

**UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

14. Sign and deliver completed **CERTIFICATION OF PARKING SUMMONSES SERVED, CERTIFICATION OF MOVING/ CRIMINAL COURT SUMMONSES SERVED** and **CERTIFICATION OF TAB/NOTICE OF VIOLATION SERVED** with appropriate copies of each summons served to clerical staff, after all summonses in packet have been served.
15. Deliver unused summonses and **CERTIFICATION**, with appropriate copies of each summons served, to desk officer/distributing supervisor of command where summons packet(s) were issued, when transferred or separated from the Department.

**DESK
OFFICER/
DISTRIBUTING
SUPERVISOR**

16. Utilize bar code reader to scan unused summonses returned by uniformed member of the service into ESTS.
 - a. If bar code reader is inoperable, entries will be made into ESTS manually
 - b. Notify patrol borough or transit borough of defective/inoperable bar code reader and obtain replacement
 - c. Enter notification in Telephone Record
 - d. Notify Internal Affairs Bureau and obtain Log Number, if a summons is missing.
 - (1) Notify integrity control officer (ICO) immediately, when a summons is missing
 - (2) If ICO is not available, notify commanding/executive officer.
17. Forward unused summonses and **CERTIFICATION**, with appropriate copies of each summons served, to commanding officer/designee, as per *A.G. 309-02, "Return of Summons Packet."*

**UNIFORMED
MEMBER OF
THE SERVICE**

18. Notify commanding officer without delay, when a summons is damaged.

NOTE

Uniformed members not ordinarily required to carry summonses, or temporarily assigned to enforcement duty which may require serving a summons, will obtain a sufficient number of summonses from the command where temporarily assigned. Unused summonses will be returned at end of assignment.

**WHEN A UNIFORMED MEMBER OF THE SERVICE ISSUES A SUMMONS
AND DELIVERS REMAINING COPIES TO COMMAND FOR RECORDING:**

**UNIFORMED
MEMBER OF
THE SERVICE**

19. Deliver remaining copies of summons(es), intact, direct to desk officer at end of tour on date of issuance.

NOTE

Uniformed members of the service must hand deliver all summonses served, direct to the desk officer for scanning into ESTS. Under no circumstances will a member of the service deposit a summons directly into the receptacle designated for storage of served summonses.

- DESK OFFICER**
20. Examine entries on summonses for accuracy, completeness and legibility.
 21. Utilize bar code reader to scan all summonses served into ESTS.
 - a. If bar code reader is inoperable, entries will be made into ESTS manually
 - b. Notify patrol borough or transit borough of defective/inoperable bar code reader and obtain replacement
 - c. Enter notification in Telephone Record.

NOTE *Desk officers are responsible to ensure all summonses received during their tour of duty are entered into ESTS, prior to the completion of their tour.*

22. Detach court copy of summons(es) and place the remaining copies of the summons(es) in the receptacle designated by the commanding officer.
23. Scan precinct cover sheet, printed from Summons Menu in **OMNIFORM**, utilizing the network scanner located at the desk .
24. Place the court copy of summons(es) into the network scanner and scan copy.

NOTE *The network scanner can be loaded with approximately fifty summonses simultaneously, if needed. As each court copy of the summons is fed through the network scanner, a digital picture of both sides of the court copy will be taken. The digital picture will be kept on file for future reference.*

Members are reminded that prior to scanning summonses, a precinct cover sheet must be scanned first.

25. Place the court copy of summons into the summons receptacle upon completion of the scan.

NOTE *The court copy and additional copies of the summons previously placed into the summons receptacle DO NOT have to be reattached to each other. (IO 23-1 s.11)*

26. Do NOT forward any summons returnable to Criminal Court if improperly prepared.
27. Process improperly prepared summonses as follows:
 - a. Invalid return date listed – void summons in accordance with *P.G. 209-18, “Summons Served or Prepared in Error”*
 - b. Criminal Court “Information” section left blank or unsigned, or summons written for marijuana offense is not accompanied by **MARIJUANA SUPPORTING DEPOSITION/FIELD TEST REPORT (PD381-145)** - place in a separate envelope marked “Training Sergeant” and forward direct to the command’s training sergeant.

NOTE *MEMBERS WILL NOT MAKE ANY MODIFICATIONS TO SUMMONSES OTHER THAN CORRECTING THE ERRORS LISTED ABOVE. Under no circumstances will a modification be made to a summons that will result in the court or agency copies having different information than the defendant’s copy. ALL SUMMONSES MUST BE CORRECTED AND RETURNED BY THE FOLLOWING BUSINESS DAY.*

**TRAINING
SERGEANT**

28. Re-train issuing member of the service in proper preparation of summons returnable to the Criminal Court in accordance with pertinent command level materials and instruct issuing member to:
- Properly prepare and sign "Information" section on rear of summons and re-submit for processing
 - Complete the **MARIJUANA SUPPORTING DEPOSITION/ FIELD TEST REPORT** if a marijuana offense is involved
 - Immediately re-submit summons with **MARIJUANA SUPPORTING DEPOSITION/FIELD TEST REPORT** (if required).

DESK OFFICER

29. Utilize bar code reader to scan re-submitted summonses into ESTS.
- If bar code reader is inoperable, entries will be made into ESTS manually
 - Notify patrol borough or transit borough of defective/inoperable bar code reader and obtain replacement
 - Enter notification in Telephone Record.

**INTEGRITY
CONTROL
OFFICER**

30. Ensure that warrant checks were conducted.
31. Monitor "ICO Ageing Report," via ESTS, monthly.
- Conduct immediate investigation if any uniformed member is listed on report.

NOTE

The ICO Ageing Report displays all summonses distributed to members of the service and not served for ninety (90) days or more.

32. Perform monthly self-inspection of ESTS to ensure all summonses are accounted for.
33. Generate and review exception report via ESTS, weekly.
- Notify Internal Affairs Bureau and obtain Log Number, if discrepancy is found.
34. Monitor on a weekly basis the "Scanned Summons Analysis" report by utilizing the Omniform System, under the "Supervisor" function of the Summons Menu.
- Ensure all summonses are being scanned into the network scanner, including the cover sheet. (IO 23-2 s.11)

DURING FIRST PLATOON:

**DESK
OFFICER/
SUPERVISOR,
FIRST
PLATOON**

35. Separate summonses by date of service for each adjudicating agency.
36. Count number of summonses returnable to each agency.
37. Separate Complaint/Information (Part 1) from remainder of summons.
- Photocopy **MARIJUANA SUPPORTING DEPOSITION/ FIELD TEST REPORT** and file at command
 - Ensure that any summons prepared for a marijuana offense has a **MARIJUANA SUPPORTING DEPOSITION/FIELD TEST REPORT** attached to it with a paper clip.

**DESK
OFFICER/
SUPERVISOR,
FIRST
PLATOON
(continued)**

- 38.** Utilize bar code reader to scan summonses served into ESTS and package in lots of one hundred (100) or less.
- a. If bar code reader is inoperable, entries will be made into ESTS manually
 - b. Notify patrol borough or transit borough of defective/inoperable bar code reader and obtain replacement
 - c. Enter notification in Telephone Record.
- 39.** Query ESTS by utilizing “Exception Report (Served but Not Batched)” function, after all summonses have been scanned, batched and processed, and confirm that all summonses have been processed as required.

NOTE

If a summons remains on the Exception Report (Served but Not Batched), it shall be deemed missing.

- a. Notify Internal Affairs Bureau and obtain Log Number, if summons is missing.
- b. Notify ICO immediately, regarding missing summons
 - (1) If ICO is not available, notify commanding/executive officer.
- c. Account for missing summons within ESTS by utilizing “Terminate/Void Summons” function and enter Internal Affairs Bureau Log Number into “Notes” field as a reference.
 - (1) Comply with *P.G. 209-18*, “*Summons Served or Prepared in Error.*”

NOTE

This process will purge the missing summons from the Exception Report (Served but Not Batched) only. The summons number and history will remain in ESTS.

- 40.** Place Complaint/Information copies of summonses in pre-printed envelopes.
- 41.** Print transmittal report via ESTS and attach to pre-printed envelopes containing Complaint/Information copies of summonses served.

NOTE

Envelopes are pre-printed and colored for each adjudicating agency.

- 42.** Seal envelopes, make required entries as per captions, and sign in appropriate space on flap of each envelope.
- a. Enter ESTS generated tracking number below flap on envelope.
- 43.** Place remaining parts of summonses served in a separate Department envelope and mark “File.”
- a. Envelope will not be sealed.
- 44.** Forward sealed envelopes containing Complaint/Information copies of summonses served with attached transmittal report to borough office/designated command with morning mail.

**COMMAND
INTEGRITY
CONTROL
OFFICER**

- 45.** Confirm notification was made to Internal Affairs Bureau and a Log Number was obtained for missing summons.
- 46.** Ensure first platoon desk officer/supervisor has made proper entries into ESTS for missing summons, including Internal Affairs Bureau Log Number.

**COMMAND
INTEGRITY
CONTROL
OFFICER
(continued)**

47. Notify commanding/executive officer of missing summons.

**COMMANDING
OFFICER/
EXECUTIVE
OFFICER**

48. Confirm notification was made to Internal Affairs Bureau and a Log Number was obtained for missing summons.

49. Ensure missing summons was terminated/voided in ESTS and the System has been updated to reflect Internal Affairs Bureau Log Number.

50. Ensure *P.G. 209-18, "Summons Served or Prepared in Error"* is complied with.

**CLERICAL
MEMBER**

51. File envelope with command file copies of summonses served in command by date of service in command record room.

52. Maintain file copies of summonses served for six (6) months.

53. Remove file copies after six (6) months and retain in storage cartons in command record room.

NOTE

Summonses served by outside agencies will continue to be processed by the Department. However, such summonses will not be scanned/entered into ESTS. Summonses served by outside agencies will be placed in a separate envelope marked "Outside Agency" and forwarded as delineated above.

**WHEN SUMMONSES ARE RECEIVED AT PATROL BOROUGH OR
TRANSIT BOROUGH FROM COMMANDS:**

**MEMBER OF
THE SERVICE
ASSIGNED**

54. Open envelopes and utilize bar code reader to scan each summons contained therein into ESTS.

a. If bar code reader is inoperable, entries will be made into ESTS manually

b. Notify **Information Technology Bureau Help Desk (IO 21 s.15)** of defective/inoperable bar code reader and obtain replacement

c. Enter notification in Telephone Record.

55. Notify Internal Affairs Bureau and obtain Log Number, if a summons is missing.

a. Account for missing summons within ESTS by utilizing "Terminate/Void Summons" function in and enter Internal Affairs Bureau Log Number into "Notes" field as reference.

(1) Comply with *P.G. 209-18, "Summons Served or Prepared in Error."*

**MEMBER OF
THE SERVICE
ASSIGNED
(continued)**

56. Query ESTS utilizing “Batch Exception Report” to confirm all batch transmittals have been received.
- a. Notify Internal Affairs Bureau and obtain Log Number, if a batch transmittal is missing
 - b. Account for each summons contained within the missing batch transmittal by utilizing “Terminate/Void Summons” function and enter Internal Affairs Bureau Log Number into “Notes” field as reference.
 - (1) Comply with *P.G. 209-18*, “*Summons Served or Prepared in Error.*”
57. Place scanned summonses and opened envelopes into new pre-printed envelopes.
58. Print transmittal report via ESTS and attach to pre-printed envelopes.
59. Seal envelopes, make required entries as per captions and sign in appropriate space on flap of each envelope.
- a. Enter ESTS generated tracking number below flap on envelope.
60. Prepare three (3) copies of **SUMMONS ENVELOPE RECEIPT (PD160-011)** for each adjudicating agency and sign in space captioned “Signature of Police Department Officer Forwarding Envelopes.”
61. Enclose originals and first copies of **SUMMONS ENVELOPE RECEIPT** with corresponding adjudicating agency envelopes in borough transfer bag.
62. Lock transfer bag and retain key in borough office.
63. Have morning messenger sign last copy of **SUMMONS ENVELOPE RECEIPT** and retain in borough office.
64. Direct messenger to deliver transfer bag to:
- a. New York City Transportation Administration, Parking Violations Bureau, Summons Receiving Unit, 210 Joralemon Street, 2nd Floor, Brooklyn, NY 11201 - (Yellow Envelope)
 - b. Mail and Distribution Unit, 1 Police Plaza, Room S-74, New York, NY - (Blue Envelope)
 - c. New York City Criminal Court, Summons Intake Unit, 1 Centre St., 16th Floor [10 6 s.17], New York, NY 10013 - (White Envelope)
 - d. Environmental Control Board, Notices of Violation and Hearing, 66 John Street, 10th Floor, New York, NY 10038
 - e. Transit Bureau Headquarters, Crime Analysis Section, 130 Livingston Street, 3rd Floor, Brooklyn NY 11201.
65. Instruct messenger to obtain receipt on first copy of **SUMMONS ENVELOPE RECEIPT** and return to borough office.
66. File receipt and destroy copy retained at borough office.

**ADDITIONAL
DATA**

Under no circumstances will the scanning of summonses be performed by anyone other than the desk officer/distributing supervisor.

If a missing summons is found after notification to the Internal Affairs Bureau and after summons was purged from the Exception Report, the desk officer shall notify Internal Affairs Bureau, Command Center immediately and determine if summons can be “Un Voided” within ESTS. The name of Internal Affairs Bureau member notified will be entered in the “Add Summons Follow-Up Note” field of ESTS.

**ADDITIONAL
DATA
(continued)**

Processed summons envelopes are not forwarded to Housing Bureau offices for delivery. The designated messenger picks up the summonses "A," "B," "C," and "ECB" directly from each police service area (PSA) and delivers them directly to the appropriate agency.

When an adjudicating agency returns a summons because a discrepancy was not resolved, the Investigation Review Section of the Chief of Department's Office will take corrective action and promptly return summons to the agency concerned.

*The Quality Assurance Division will monitor and evaluate compliance with this Order by incorporating the listed procedural changes into its current command evaluation process of summons integrity and control procedures as listed on **Self-Inspection Worksheet #826**. That **Worksheet** will be updated to reflect the addition of the ESTS program. During its annual command evaluation process the Quality Assurance Division will access the ESTS program for each command. Information will be obtained from the program to determine the command's compliance with procedures involving the distribution, collection and forwarding of summonses. The evaluation will also include the command's compliance with procedures involving any missing summonses during this process.*

*The updated **Self-Inspection Worksheet #826** will be available to all commands via the Department Intranet and be mandated to be completed by each command on a monthly basis. The respective Borough Investigation Units will review the command's completed **Worksheets** for compliance and accuracy. Additionally, the updated **Self-Inspection Worksheet #826** will be added to the list of mandated self-inspections listed on **Self-Inspection Worksheet #800, Maintenance of Department Records**.*

*Patrol borough and transit borough commands will maintain a sufficient supply of replacement bar code readers for use by subordinate commands. Additional replacement bar code readers may be requested through the **Deputy Commissioner, Information Technology (IO 21 s.15)***

In those commands with satellite locations, respective commanding officers will designate a supervisor to assume the duties of the desk officer as they relate to the forwarding of summonses for processing, as approved by their borough commander.

*Allegations of Corruption and Other Misconduct Against Members of the Service (P.G. 207-21)
Conditions of Service (P.G. 209-01)
Quality Control Procedures for the Processing of Summonses Returnable to Criminal Court (P.G. 209-06)
Personal Service of a Summons Returnable to Traffic Violations Bureau or Criminal Court (P.G. 209-09)
Environmental Control Board Notice of Violation and Hearing – General Procedure (P.G. 209-12)
Summons Served or Prepared in Error (P.G. 209-18)
Return of Summons Packet (A.G. 309-02)*

**RELATED
PROCEDURES**

OFFICIAL LETTERHEAD (PD158-151)
SUMMONS DISTRIBUTION CARD (PD160-143)
CERTIFICATION OF MOVING/CRIMINAL COURT SUMMONSES SERVED (PD160-145)
CERTIFICATION OF PARKING SUMMONSES SERVED (PD160-146)

**RELATED
PROCEDURES
(continued)**

CERTIFICATION OF TAB/NOTICE OF VIOLATION SERVED (PD160-147)
TAB/NOTICE OF VIOLATION DISTRIBUTION CARD (PD160-148)
SUMMONS VOIDANCE FORM (PD160-153)
MARIJUANA SUPPORTING DEPOSITION/FIELD TEST REPORT (PD381-145)
SAMPLE CRIMINAL COURT SUMMONS INFORMATION (PD260-211)
SUMMONS ENVELOPE RECEIPT (PD160-011)
***WARNING! ENFORCEMENT OF PENAL LAW SECTION 240.35 "LOITERING"
SUBSECTIONS (1), (3), AND (7) IS STRICTLY PROHIBITED (PD160-130)***

**FORMS AND
REPORTS**

Self- Inspection Worksheet #800
Self-Inspection Worksheet #826

Any provisions of the Department Manual or any other Department directive in conflict with the contents of this Order are suspended.

BY DIRECTION OF THE POLICE COMMISSIONER

**DISTRIBUTION
All Commands**

INTERIM ORDER NO. 23



INTERIM ORDER

SUBJECT: REVISION TO PATROL GUIDE 210-01, "PRISONERS GENERAL PROCEDURE"		
DATE ISSUED:	REFERENCE:	NUMBER:
06-26-12	*P.G. 210-01	34

1. In order to ensure the continued fair and equitable treatment of all persons who come into contact with members of the Department, Patrol Guide 210-01, "Prisoners General Procedure" is being revised.

2. Therefore, effective immediately, Patrol Guide 210-01, "Prisoners General Procedure" is **SUSPENDED** and the following new procedure will be complied with:

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 a 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 OFFICER

1. Request borough court section concerned to assign cell space and determine method of transportation to an activated detention facility giving:
 - a. Name, gender, and physical condition of prisoner
 - b. Precinct of arrest and arrest number
 - c. Status of processing
 - d. Next destination of prisoner (e.g., photo, court, etc.)
2. 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, gender, and age of prisoner.
3. Comply with instructions given by borough court section concerned.
4. Make Command Log entry of facts and instructions received.
5. Have appropriate entries made on **PRISONER ROSTER (PD244-145)** if prisoner detained.

**DESK OFFICER
(continued)**

6. Assign police attendant to temporary duty within cellblock.
 - a. If a prisoner is placed in a cell 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.
7. Record any change of custody in Command Log.

**DESK
OFFICER/
BOROUGH
COURT
SECTION
SUPERVISOR**

8. 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. Member of the clergy (upon request by prisoner)
 - i. New York State Department of Corrections and Community Supervision (DOCCS) officers to serve parole violation papers *[10 18 s.17]*
 - j. Foreign Consulate/Embassy Officers.
9. Enter the following information under "Details" on **ARREST REPORT - SUPPLEMENT (PD244-157)** when an attorney interviews a prisoner at precinct, district, PSA, or 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.
10. Permit parents or legal guardian to visit a prisoner between the ages of sixteen and twenty-one, for not longer than fifteen 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 officer/borough court section supervisor
 - c. Prisoner has been detained more than four hours
 - d. Prisoner is not eligible for a summons
 - e. Visit does not interfere with police business.
11. Enter name, address, and relationship of person visiting prisoner on **ARREST REPORT - SUPPLEMENT**.
 - a. 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 the **ARREST REPORT - SUPPLEMENT**.

PATROL GUIDE

PROCEDURE NUMBER:	DATE EFFECTIVE:	REVISION NUMBER:	PAGE:
210-06	01/01/2000		2 of 2

ADDITIONAL DATA

When medical or other unusual conditions exist, a desk officer may authorize additional prisoner meals or meals at other than designated hours. A Command Log entry explaining the circumstances will be made. If a prisoner, who has missed the designated meal period due to arrest processing or any other reason requests to be fed, the desk officer will authorize such meal.

FORMS AND REPORTS

EXPENSE REPORT (PD102-061)
PRISONER MEAL VOUCHER (PD144-051)
PRISONER ROSTER (PD244-145)



INTERIM ORDER

SUBJECT: PRISONERS – UNUSUAL OCCURRENCE		
DATE ISSUED:	REFERENCE:	NUMBER:
05-31-16	*P.G. 210-07	42

PURPOSE To make notifications and investigate certain unusual occurrences related to prisoners.

DEFINITION UNUSUAL OCCURRENCE – With regard to prisoners, means that a prisoner in the custody of this Department, or an unarraigned prisoner in the custody of the New York City Department of Correction:

- a. Assaults a member of the service, or
- b. Escapes or attempts to escape, or
- c. Is sexually assaulted or sexually harassed or alleges that they were sexually assaulted or sexually harassed by another prisoner or any other person, or
- d. Is involved in any other occurrence of an unusual nature.

PROCEDURE When an adult prisoner or a child under sixteen in custody is involved in an unusual occurrence:

- DESK OFFICER**
1. Notify commanding officer/duty captain.
 2. Notify Operations Unit, including:
 - a. Name and sex of prisoner or child in custody
 - b. Charge for which prisoner or child in custody is held.
 3. Notify Internal Affairs Bureau Command Center if prisoner escapes or attempts to escape.
- COMMANDING OFFICER/
DUTY CAPTAIN**
4. Conduct investigation of incident.
 5. Prepare a report on **Typed Letterhead**.
 6. Forward three copies of report in all adult prisoner cases, one copy of report for child in custody, and two copies of report if child in custody dies, to Chief of Department, DIRECT.
 7. Forward one additional copy of report to each of the following:
 - a. Chief of Patrol (DIRECT)
 - b. Deputy Commissioner, Internal Affairs
 - c. Deputy Commissioner, Training [IO 7 s.17]
 - d. Chief, Management Analysis and Planning [IO 9 s.17]
 - e. Commanding Officer, Criminal Justice Bureau
 - f. Commanding Officer, Performance Monitoring Analysis Unit
 - g. Each intermediate command
 - h. Commanding officer of member of the service concerned, if member not assigned to reporting command.

NOTE	<i>If prisoner sustains a physical injury while in custody or attempts suicide, comply with P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action." If the prisoner dies or is likely to die, comply with P.G. 221-05, "Person Dies or Sustains a Serious Injury and Is Likely to Die in Police Custody or in Connection With Police Action."</i>
RELATED PROCEDURES	<i>Reporting and Investigation of Force Incident or Injury to Persons During Police Action (P.G. 221-03) Person Dies or Sustains a Serious Injury and Is Likely to Die in Police Custody or in Connection With Police Action (P.G. 221-05) Hospitalized Prisoners (P.G. 210-02) Prisoners Requiring Medical/Psychiatric Treatment (P.G. 210-04)</i>
FORMS AND REPORTS	<i>Typed Letterhead</i>

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION
All Commands

INTERIM ORDER NO. 42



INTERIM ORDER

SUBJECT: REVISION TO PATROL GUIDE 210-08, "GUIDELINES FOR PRISONER HOLDING PENS"		
DATE ISSUED:	REFERENCE:	NUMBER:
06-22-12	*P.G. 210-08	28

1. In order to ensure the continued fair and equitable treatment of all persons who come into contact with members of the Department, Patrol Guide 210-08, "Guidelines for Prisoner Holding Pens" is being revised.

2. Therefore, effective immediately, Patrol Guide 210-08, "Guidelines for Prisoner Holding Pens" is **SUSPENDED** and the following new procedure will be complied with:

PURPOSE To ensure the integrity, control, and humane treatment of prisoners lodged in command/detective squad holding pens.

PROCEDURE Upon lodging a prisoner temporarily in a command/detective squad holding pen:

**DESK OFFICER/
DETECTIVE
SQUAD
SUPERVISOR**

1. Utilize Department form **PRISONER HOLDING PEN ROSTER (PD244-1410)** to maintain a record of prisoners lodged in holding pens (cages).
 - a. Maintain a copy of the **PRISONER HOLDING PEN ROSTER** at the desk and detective squad office, as appropriate.
 - b. File completed forms at the end of every twenty-four hour period at the desk and detective squad office, as appropriate.
2. Designate a member of the service to specifically inspect and check condition of prisoners every thirty minutes.
 - a. Do not leave prisoners unattended.
3. Have assigned member enter results of inspection and action taken under the appropriate captions on **PRISONER HOLDING PEN ROSTER**.
4. Assign a supervisor to personally and periodically inspect prisoners lodged in holding pens and have supervisor enter results of inspection under appropriate captions on **PRISONER HOLDING PEN ROSTER**.
5. Make certain the following additional guidelines are complied with:
 - a. Maximum period of detention for prisoners being held in holding pens will usually be three hours. If circumstances dictate a person be held for a longer period, such period must be approved by the desk officer for command holding pens or detective squad supervisor for detective squad holding pens. If a detective squad supervisor is not available, the extension period must be approved by the command desk officer. The reason for any time extension must be documented in the Command Log.
 - b. Prisoners who appear to be ill, intoxicated, or emotionally disturbed shall not be detained in holding pens. If appropriate, *P.G. 210-04 "Prisoners Requiring Medical/Psychiatric Treatment"* will be complied with.

PATROL GUIDE

PROCEDURE NUMBER:	DATE EFFECTIVE:	REVISION NUMBER:	PAGE:
211-08	01/01/2000		2 of 2

ADDITIONAL DATA

When an arresting officer does not report in person to the borough court section sign-in room and overtime is incurred as a result of processing an arrest warrant(s), the arresting officer will prepare a typed communication. This communication must include the following: name of the borough court section sign-in room supervisor, the "Live Arrest Case" tracking serial number, the date, and time of arrival/dismissal. In addition, an **OVERTIME REPORT (PD138-064)** will be completed. Both the communication and **OVERTIME REPORT** must be attached together and forwarded to the arresting officer's commanding officer.

COURT SECTION SIGN-IN ROOM LOCATIONS AND TELEPHONE NUMBERS

MANHATTAN

- Supreme and Family Court Warrants
80 Baxter Street, report to basement level between 0800 hours and 1700 hours, (212) 374-5087
100 Centre Street, report to room 132 between 1700 hours and 0800 hours, (212) 374-3921 or (212) 374-3838
- Criminal Court Warrants
100 Centre Street, report to room 132 all times, (212) 374-3921 or (212) 374-3838

BROOKLYN

- Supreme and Family Court Warrants
350 Jay Street, report to 1st floor, all times, (718) 875-6667 and (718) 875-6668
- Criminal Court Warrants
120 Schermerhorn Street, report to room 109, all times, (718) 875-6586

BRONX

- Supreme, Criminal and Family Court Warrants
215 East 161 Street, main floor, room M-2B, all times, (718) 590-2951

QUEENS

- Supreme, Criminal and Family Court Warrants
125-01 Queens Blvd., report to basement, all times, (718) 268-9202

STATEN ISLAND

- Supreme, Criminal and Family Court Warrants
78 Richmond Terrace, report to second floor, all times, (718) 876-8490

RELATED PROCEDURES

Arrest On A Warrant (P.G. 208-42)
Duties And Conduct In Court (P.G. 211-01)
Processing Warrants (P.G. 212-75)

FORMS AND REPORTS

ACTIVITY LOG (PD112-145)
COURT ATTENDANCE RECORD (PD468-141)
OVERTIME REPORT (PD138-064)



PATROL GUIDE

Section: Court and Agency Appearances		Procedure No: 211-09	
APPEARANCES BY MEMBERS OF THE SERVICE BEFORE GOVERNMENTAL AGENCIES OR PRIVATE ORGANIZATIONS			
DATE ISSUED: 07/18/03	DATE EFFECTIVE: 07/25/03	REVISION NUMBER: 03-03	PAGE: 1 of 3

PURPOSE

To notify the Police Commissioner when a member of the service (uniformed or civilian) intends to give testimony or make an official oral or written statement before a governmental or private organization about matters relating to the operations or policies of the Department; and to provide guidance to members of the service who intend to make an unofficial statement before a governmental or private organization about matters relating to the operations or policies of the Department.

SCOPE

This procedure applies to testimony or statements before governmental agencies or private organizations by members of the service acting in an official capacity, who volunteer, are invited, or are subpoenaed to testify or make a statement regarding Department policy or positions on public matters at any public hearing or before a governmental agency, court, investigating body, legislative committee, administrative agency, private organization, etc. AND testimony or statements before any court or governmental agencies by members of the service providing character, opinion or expert testimony, who volunteer, are invited, or are subpoenaed to testify or make a statement.

NOTE

This procedure does not apply to members appearing in the normal course of their duties before criminal or civil courts, the Grand Jury, Corporation Counsel, Department Trial Room, New York State Department of Corrections and Community Supervision (DOCCS) [10 18 s.17] revocation hearings, Traffic Violations Bureau, Parking Violations Bureau, Environmental Control Board, etc. Further, this procedure does not apply to testimony or statements given before governmental agencies or private organizations by members of the service acting in a non-official capacity when the speech is not of a confidential nature, who volunteer or are invited or subpoenaed to testify or make a statement regarding Department policy or positions on public matters at any public hearing or meeting before a governmental agency, court, investigating body, legislative committee, administrative agency, private organization, etc.

PROCEDURE

When a member of the service intends to testify or make a statement before a governmental or private agency in an official capacity or provide character, opinion or expert testimony:

MEMBER OF THE SERVICE

1. Prepare a written request/notification, on **Typed Letterhead**, in triplicate addressed to the Police Commissioner and include a synopsis of the subject matter to be addressed, as well as the following:
 - a. Rank
 - b. Name
 - c. Tax Registry Number
 - d. Command
 - e. Name and address of agency/organization
 - f. Date and location of testimony/statement
 - g. Type of proceeding
 - h. Date of receipt of subpoena/invitation



PATROL GUIDE

Section: Command Operations		Procedure No: 212-07	
TRANSPORTING NON-MEMBERS OF THE SERVICE IN RADIO MOTOR PATROL CARS			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 1

PURPOSE To record instances when non-members of the service are transported in police vehicles.

DEFINITION NON-MEMBERS - Persons not members of the service including prisoners, complainants, witnesses, abandoned children, lost persons and mentally ill persons, and others as necessary.

PROCEDURE When it is necessary to transport a non-member in a radio motor patrol car:

**RMP
RECORDER**

1. Obtain permission from the patrol supervisor or desk officer, if possible.
2. Notify the radio dispatcher at the start and conclusion of the trip.
3. Search passenger area of vehicle for contraband, weapons or other property immediately upon conclusion of trip.
4. Enter in **ACTIVITY LOG (PD112-145)**:
 - a. Time trip starts
 - b. Identity of persons transported
 - c. Place of beginning and end of trip
 - d. Purpose of trip
 - e. Time trip ends
 - f. Results of vehicle inspection.

**FORMS AND
REPORTS** *ACTIVITY LOG (PD112-145)*



PATROL GUIDE

Section: Command Operations		Procedure No: 212-08	
ACTIVITY LOGS			
DATE ISSUED: 06/12/09	DATE EFFECTIVE: 06/19/09	REVISION NUMBER: 09-04	PAGE: 1 of 3

PURPOSE To accurately record activities of uniformed members of the service and aid in the evaluation of such members.

SCOPE **ACTIVITY LOGS (PD112-145)** are prepared by all uniformed members of the service below the rank of captain, except members performing permanent administrative or clerical duties [IO 21 s.16]. However, when any uniformed member below the rank of captain is assigned to a detail, e.g., parade, election duty, etc., the member concerned will maintain and make required entries in an **ACTIVITY LOG**.

PROCEDURE Upon reporting for a tour of duty:

**UNIFORMED
MEMBER OF
THE SERVICE**

1. Record in **ACTIVITY LOG**:
 - a. Required information from roll call, before start of tour, including:
 - (1) Day, date and tour
 - (2) Assignment (post, sector, RMP number, etc.)/Two primary conditions to be addressed within assigned sector/post, if applicable. (IO 50 s.11)
 - (3) Meal time
 - (4) Name of operator/recorder/partner (IO 53 s.15), when applicable
 - (5) School crossing or church crossing, if applicable.
 - b. Result of vehicle inspection when assigned as RMP operator:
 - (1) Condition of vehicle
 - (2) Odometer reading
 - (3) Amount of gas in vehicle.
 - c. Chronologically:
 - (1) Assignments received - Indicate time received, type of assignment, location, origin, code signal, disposition and time completed and/or given to radio (IO 21 s.15) dispatcher. If summons, enter summons number
 - (2) Information pertinent to an assignment [IO 53 s.15] (i.e., action taken, narrative disposition, forms prepared with identifying serial number, etc.) to include the name, rank, shield number and command of off-duty uniformed member(s) of the service involved in any off-duty incident
 - (3) Tasks performed
 - (4) Absences from post/sector or place of assignment
 - (5) Rank and surname of supervisor(s) responding to assignment
 - (6) Other entries required by Department directives
 - (7) Completion of tour, odometer reading, signature and shield number, if any.

PATROL GUIDE

PROCEDURE NUMBER:	DATE EFFECTIVE:	REVISION NUMBER:	PAGE:
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NOTE

When members are assigned to a vehicle, only the RMP recorder is required to make the above chronological entries specified in subdivision "c," substeps "(1)" through "(5)." In lieu of these entries, the RMP operator may enter "see recorder's Activity Log." However, both the RMP operator and recorder must make entries recording enforcement actions taken to assist in recollection of the event at a later time. (10 53 s.15)

UNIFORMED MEMBER OF THE SERVICE (continued)

2. Make entries in black or blue (10 48 s.15) ink, beginning on first line at top of page and continuing thereafter accounting for each scheduled tour:
 - a. Utilize blank side of each page for notes, diagrams, sketches, etc., when necessary
 - b. Carry **ACTIVITY LOG** in regulation leather binder
 - c. Correct errors by drawing single line through incorrect entry and initial; do not erase
 - d. Begin tour's entries on next open line, following previous tour closing entry. Do not skip lines or pages.
 - e. Write or print legibly; abbreviations may be used
 - f. Do not remove pages for any reason or use **ACTIVITY LOG** as scrap or for note pads, etc.
3. Submit **ACTIVITY LOG** to supervising officer for inspection and review upon request.
4. Direct attention of supervisor to entry which may be a matter of concern, i.e., unusual occurrence, absence from post, etc.

SUPERVISORY MEMBER

5. Indicate supervision and inspection of member's **ACTIVITY LOG** by inserting on the next open line the date, time, rank, signature and comment, if any.
 - a. Comments relating to a particular member's activity will be made known to the member's immediate supervisor.

UNIFORMED MEMBER OF THE SERVICE

6. Store active and completed **ACTIVITY LOGS** in locker, available for inspection at all times.

ADDITIONAL DATA

*Upon being permanently transferred, member will submit **ACTIVITY LOG** to a supervisor in the previous command for signature after the last entry and notation of member's "new" command in the "Distribution Record" under "Remarks." Member will then submit the **ACTIVITY LOG** to a supervisor upon arrival in the "new" command, for signature. The supervisor will then enter required information in rear of command's "Distribution Record".*

*Upon completion of an **ACTIVITY LOG**, the member concerned will submit it to a designated supervisor for review. After ascertaining that all required information has been entered on the cover of the **ACTIVITY LOG**, the supervisor will enter his/her signature on the last page and cover of the **LOG**, complete required entries in "Distribution Record" and issue a new **LOG** to the member. Member and supervisor will complete required captions on cover of new **LOG**.*

PATROL GUIDE

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**ADDITIONAL
DATA**
(continued)

*Upon retirement of a member of the service, or other separation from the Department, completed **ACTIVITY LOGS** should be maintained. **ACTIVITY LOGS** are official accounts of police activities and are frequently needed for purposes of criminal prosecution and civil litigation.*

*Active and former members are reminded that, as **ACTIVITY LOGS** contain confidential information, no member or former member is permitted to disclose, donate or sell, for personal financial gain or otherwise, any **ACTIVITY LOG**. However, they should be provided to the Department upon request. Active and former members are prohibited from disclosing such confidential information by statute, including, but not limited to, New York City Charter Sections 2604(b)(4) and 2604(d)(5), respectively. Violation may be punishable by financial penalties and may be considered a misdemeanor offense.*

**RELATED
PROCEDURE**

Activity Log Distribution Record (A.G. 322-31)

**FORMS AND
REPORTS**

ACTIVITY LOG (PD112-145)



PATROL GUIDE

Section: Command Operations		Procedure No: 212-09	
UNUSUAL OCCURRENCE REPORTS			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 2

PURPOSE

To promptly notify the Chief of Patrol of an unusual occurrence.

DEFINITION

UNUSUAL OCCURRENCE - substantially more than an ordinary occurrence because of its seriousness, peculiarities, sensationalism, vastness, differences, newsworthiness, or potential to affect police-community relations involving interracial/ethnic conflict or community unrest.

PROCEDURE

Whenever an unusual incident occurs, take immediate emergency action and:

UNIFORMED MEMBER OF THE SERVICE

1. Notify desk officer immediately.
2. Request patrol supervisor to respond.

DESK OFFICER

3. Notify Operations Unit and patrol borough command without waiting for complete details.
4. Notify commanding officer/duty captain to respond.

COMMANDING OFFICER/ DUTY CAPTAIN

5. Conduct immediate investigation of occurrence.
6. Inform Operations Unit and desk officer of details of investigation.

NOTE

If occurrence is a bias motivated incident, comply with P.G. 207-10, "Bias Motivated Incidents."

DESK OFFICER

7. Prepare preliminary report, on **Typed Letterhead**, or **UNUSUAL OCCURRENCE REPORT (PD370-152)**, addressed to the Chief of Patrol, and forward as indicated in step 9 below even if investigation is incomplete.
 - a. Attach copy of **ICAD Event Information**, if documented, to the **UNUSUAL OCCURRENCE REPORT**, prior to forwarding.

COMMANDING OFFICER/ DUTY CAPTAIN

8. Report results of investigation on **Typed Letterhead**, addressed to Chief of Patrol:
 - a. If preliminary report has been forwarded, prepare supplementary report indicating results of investigation and attach a copy of **ICAD Event Information (IO 27 s.15)**, if documented, to supplementary report.
9. Forward reports via next department mail as follows:
 - a. Chief of Patrol, **DIRECT** (forward in **UNUSUAL OCCURRENCE REPORT [ENVELOPE] PD370-150**).
 - b. Copy for each intermediate command.
 - c. Copy for commanding officer of uniformed member of service concerned, if member not assigned to reporting command.
 - d. Copy to Chief of Housing Bureau or Transit Bureau if incident occurred in Housing Authority development or in subway system.
 - e. Copy to **Police Pension Fund** if occurrence involves line of duty death or serious injury and likely to die.
 - f. Copy to **Chief (IO 1-7 s.11)** -Community Affairs, if occurrence affects police-community relations.

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COMMANDING OFFICER/ DUTY CAPTAIN (continued)

- g. Copy to **Chief, Management Analysis and Planning [10 13 s.17]**, if occurrence involves the death of a person while in police custody or death or serious injury to a person in connection with a police **action [10 42 s.16]** or death or injury to a person as a result of a police firearms discharge.

ADDITIONAL DATA

Whenever doubt exists concerning whether an incident is unusual, make required notifications and prepare reports.

The main criterion in determining the preparation and forwarding of the report is the Chief of Patrol's need to know.

When an unusual occurrence involves a prisoner, comply with "Prisoner - Unusual Occurrences" procedure to satisfy reporting requirements.

*The identity of sex crime victims will not be included in **UNUSUAL OCCURRENCE REPORTS** but will be indicated by use of the term "person(s) known to this department". In addition, **ICAD Event Information printouts** containing the identity of sex crime victims will not be attached to **UNUSUAL OCCURRENCE REPORTS** and ranking officers preparing the report will include a statement that the printout is not attached because it contains identifying data.*

*The **Force Investigation Division supervisor** investigating an incident involving a uniformed member of the service discharging a firearm which results in death or injury or member is involved in any other conduct which results in the death of another shall temporarily assign such uniformed member of the service to the patrol borough **office of assignment or counterpart** for a minimum of three consecutive scheduled tours (exclusive of sick time or regular days off). The **Commanding Officer, Force Investigation Division** will review the assignment and forward a report to the **First Deputy Commissioner through channels [10 42 s.16]**, recommending continuance or discontinuance. Uniformed members of the service involved in such incidents will not be returned to their permanent commands without the prior approval of the Chief of Department. Uniformed members of the service placed on temporary assignment as outlined above, continue to be subject to suspension or modified assignment, if circumstances warrant.*

*The **UNUSUAL OCCURRENCE REPORT** form will NOT be used to report firearms discharges by members of the service, labor coalition incidents, "Prisoners Unusual Occurrence" (P.G. 210-07, "Unusual Occurrences Involving Prisoners"), or any other unusual incident determined not appropriate by the investigating precinct commander/duty captain.*

RELATED PROCEDURES

*Bias Motivated Incidents (P.G. 207-10)
Unusual Occurrences Involving Prisoners (P.G. 210-07)
Emergency Incidents (P.G. 213-02)*

FORMS AND REPORTS

UNUSUAL OCCURRENCE REPORT (PD370-150)
Typed Letterhead

**ADDITIONAL
DATA
(continued)**

*Desk officers/designees in commands other than patrol precincts, PSAs or transit districts will maintain a standardized **STOP REPORT** command binder with photocopies of **STOP REPORTS** prepared by their respective command. Additionally, a corresponding **Stop Report Index** for the command will be printed out daily and will likewise be maintained in the command binder.*

*Commanding officers will ensure that photocopied **STOP REPORTS** maintained in the command binder are removed and filed in the command by year of occurrence every January 1st and quarterly thereafter (April 1st, July 1st and October 1st).*

*All uniformed members of the service below the rank of Captain are required to carry **ACTIVITY LOG** inserts **INVESTIGATIVE ENCOUNTERS (PD383-090)** and **SUPPLEMENTAL INSTRUCTIONS FOR PREPARATION OF STOP REPORT (PD383-151A)** when performing patrol duties in uniform.*

**RELATED
PROCEDURES**

*Activity Logs (P.G. 212-08)
Department Policy Prohibiting Racial Profiling and Bias-Based Policing (P.G. 203-25)
Executive Officer (P.G. 202-10)
Interior Patrol of Multiple Dwelling Buildings Enrolled in the Trespass Affidavit Program [IO 29 s.17] (P.G. 212-59)
Interior Patrol of Housing Authority Buildings (P.G. 212-60)*

**FORMS AND
REPORTS**

ACTIVITY LOG (PD112-145)
STOP REPORT (PD383-151)
INVESTIGATIVE ENCOUNTERS (PD383-090)
SUPPLEMENTAL INSTRUCTIONS FOR PREPARATION OF STOP REPORT (PD383-151A)
WHAT IS A STOP? (PD383-153)
Stop Report Index

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION
All Commands

INTERIM ORDER NO. 48



PATROL GUIDE

Section: Command Operations		Procedure No: 212-12	
CITYWIDE INTELLIGENCE REPORTING SYSTEM			
DATE ISSUED: 02/18/11	DATE EFFECTIVE: 02/25/11	REVISION NUMBER: 11-01	PAGE: 1 of 4

- PURPOSE** To record and refer for investigation suspected law violations or persons or activities connected with major crime or terrorist activity.
- SCOPE** Some of the most powerful tools for the detection of criminal activity are the observations of uniformed and civilian members of the service. Whether on or off duty, performing patrol or administrative duties, members of the service can perform an invaluable service by following the contents of this procedure. Each piece of information provided by a member of the service when analyzed and reviewed within the context of other information received, can effectively help our Department's effort to detect and deter criminal activity.
- PROCEDURE** Upon suspecting or observing information about the involvement of a person or any other entity (e.g., business, vehicle, association of criminals) in ongoing criminal activity or suspected terrorist activity, and when unable to effect a summary arrest:
- UNIFORMED MEMBER OF THE SERVICE**
1. Obtain as much information as possible, including names, vehicle descriptions, times of the day, description of persons, etc.
 2. Comply with *P.G. 212-13 "Reporting Gang Related Criminal Activity,"* if information concerns criminal gangs, gang related/motivated incidents, etc.
 3. Notify the Intelligence Bureau (10 28 s.13).
 - a. Suspected terrorist activity can also be reported to the Intelligence Bureau, by members of the service and the public, through the Counter Terrorism hotline.
 - b. Report all pertinent information.
 4. Record Intelligence Bureau Log number and Intelligence Bureau member notified in **ACTIVITY LOG (PD112-145)**.
- NOTE** *Any member of the service (uniformed or civilian) with information concerning suspected terrorist activity will notify the desk officer of the command of occurrence and the Intelligence Bureau direct or the Counter Terrorism hotline. The desk officer of the command of occurrence will ensure that the contents of this procedure are adhered to when the reporting member of service is a civilian, and will enter the Intelligence Bureau Log number and Intelligence Bureau member notified in the Command Log.*
- All members of the service (uniformed and civilian) should become familiar with the contents of Activity Log insert, "**POSSIBLE INDICATORS OF TERRORIST ACTIVITY (PD378-111)**."*
- CRIMINAL INTELLIGENCE SECTION**
5. Enter all available information into intelligence database system and issue Intelligence Bureau Log number to member who reported the information.
 - a. Information related to suspected terrorist activity will be entered into the database as a terrorism lead and handled accordingly.



INTERIM ORDER

SUBJECT: INTERIOR PATROL OF MULTIPLE DWELLING BUILDINGS ENROLLED IN THE TRESPASS AFFIDAVIT PROGRAM		
DATE ISSUED:	REFERENCE:	NUMBER:
04-25-17	*P.G. 212-59	29

PURPOSE

To prevent, detect and take necessary enforcement action regarding illegal activity occurring in lobbies, stairwells, interior hallways, rooftops, basements and other common areas of multiple dwelling buildings enrolled in the Trespass Affidavit Program (TAP) that are not owned by the New York City Housing Authority, in a manner that respects the rights of TAP building residents and guests.

SCOPE

Authorization for interior patrol, the tactically planned patrol of the common areas of multiple dwelling buildings, is obtained through the Trespass Affidavit Program. Members of the service shall conduct all inquiries, interactions, and enforcement activities in Trespass Affidavit Program buildings with the courtesy, professionalism, and respect to which all persons are entitled in their own homes. This procedure must be applied consistent with *P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops."* *P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops"* and the corresponding training materials establish the parameters for all investigative encounters irrespective of location of occurrence.

PROCEDURE

To conduct interior patrols in residential multiple dwelling buildings enrolled in the Trespass Affidavit Program:

PLATOON COMMANDER/ PATROL SUPERVISOR/ ASSIGNED SUPERVISOR

1. Ensure **TRESPASS CRIMES – OWNER’S AFFIDAVIT(S) (PD651-051)** or New York County District Attorney’s supporting affidavits for the scheduled locations(s) were signed by the Owner/Managing Agent within the last six months.
2. Assign teams of two or more uniformed members of the service to conduct interior patrol at designated times and locations.
 - a. Schedule interior patrols based on times when illegal activities are prevalent.
3. Consider the appropriate number of teams necessary to perform a particular interior patrol.
 - a. The number of uniformed members that are required to conduct a particular interior patrol assignment should be based on the size of the building, the number and location of exits, and the nature of the crimes being addressed.
4. Instruct uniformed members performing interior patrol that, absent exigent circumstances, two or more uniformed members must remain together at all times.
5. Ensure all interior patrols are conducted in an appropriate manner with special attention to:

**PLATOON
COMMANDER/
PATROL
SUPERVISOR/
ASSIGNED
SUPERVISOR
(continued)**

- a. Proper tactics
- b. Required equipment (e.g., serviceable flashlight, O.C. spray, etc.)
- c. Radio transmissions
- d. Proper documentation (e.g., **ACTIVITY LOG [PD112-145]** entry, **STOP REPORT [PD383-151]**, **WHAT IS A STOP? [PD383-153]** informational card, etc.).

**UNIFORMED
MEMBER OF
THE SERVICE**

6. Respond to location at designated time and coordinate activities with other assigned uniformed members.
7. Notify Communications Section radio dispatcher utilizing radio code 10-75I, and make an **ACTIVITY LOG** entry of the time and street address upon entering the building.
8. Inspect front, rear and other exterior doors, and the interior of the lobby.
 - a. Determine whether doors are secured.
9. Document in **ACTIVITY LOG** whether signs prohibiting trespassing are legible and prominently displayed in areas where persons entering the building can readily see them.
 - a. If signs are missing, illegible or defaced, notify the crime prevention officer.
10. Proceed to top floor of building by elevator, if operable, otherwise by using the stairs.
 - a. Patrol the roof, roof landing, elevator rooms, and any other accessible installations.
 - b. Patrol each floor, staircase and hallway within the building from the top floor to the ground floor
 - c. Patrol all accessible basement areas.
11. Be alert for persons who may be engaged in criminal activity.
 - a. Conduct all investigative encounters in accordance with *P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops,"* and, if applicable, with the procedures for trespass investigations as set forth in step "12," below.
 - b. If a person is stopped, a **STOP REPORT** shall be prepared pursuant to *P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops,"* and an **ACTIVITY LOG** entry shall be made to document the encounter.
 - (1) Check the appropriate box indicating the stop is related to a Trespass Affidavit Program building.
 - c. Take police action pursuant to *P.G. 208-01, "Law of Arrest" or Patrol Guide Series 209, "Summonses,"* only if there is probable cause to believe that a person has committed a felony or misdemeanor, or the person committed a violation in the officer's presence.

NOTE

Mere presence in or near a building enrolled in the Trespass Affidavit Program does not provide a basis to approach and conduct an investigative encounter, nor does it establish reasonable suspicion for a stop. When approaching a person based only on an objective credible reason (Level 1 Request for Information), members are prohibited from requesting consent to search the person.

**UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

12. Trespass Investigation: Be alert for persons who may be engaged in criminal trespass.
 - a. Level 1 Request for Information: If there is an objective credible reason to approach such a person based on observed behavior or other credible information, a member of the service may approach and ask in a non – threatening and non – accusatory manner:
 - (1) If he or she lives in the building
 - (2) If he or she is visiting someone in the building
 - (3) If he or she has business in the building.
 - b. Level 2 Common Law Right of Inquiry: If, based on the answers to questions in the initial encounter and/or observed behavior, there is a founded suspicion of criminal trespass, take reasonable measures to verify the person’s authorization to be in the building.

NOTE

Do not use a tone or take steps that would create a situation where a reasonable person would not feel free to leave when there is less than reasonable suspicion that the person is a trespasser.

- c. Level 3 Terry Stop: Stop a person in accordance with *P.G. 212-11, “Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops,”* and take reasonable measures to investigate only if there is reasonable suspicion to believe that the person has committed, is committing, or is about to commit criminal trespass. Such measures include, but are not limited to, the following:
 - (1) Temporarily detaining the person while another uniformed member visits the building resident whom the person claims to be visiting; and/or
 - (2) Requiring the person to accompany uniformed member to the apartment of the building resident whom the person claims to be visiting.

NOTE

Merely passing through a door that has a broken lock or that has been propped open does not, alone, constitute reasonable suspicion of criminal activity.

- d. Take police action pursuant to *P.G. 208-01, “Law of Arrest”* or *Patrol Guide Series 209, “Summonses,”* only if there is probable cause to believe that the person committed trespass. A reasonable investigation is ordinarily necessary to determine whether probable cause exists.

**UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

- (1) Make **ACTIVITY LOG** entry describing the details of arrest/summons.
- (2) Document investigative steps taken prior to making the arrest or issuing the summons including the factors used to determine that the person knowingly entered or remained unlawfully, particularly if signs are not present or visible.
- (3) Utilize Department-issued smartphone to photograph sign(s) prohibiting trespassing or document the warning and the location in **ACTIVITY LOG**.

NOTE

Even if there is probable cause to arrest a person for trespassing, officers may exercise their discretion to refrain from arresting that person, and instead, instruct that person to leave under appropriate circumstances.

- e. In all cases when an arrest is made for criminal trespass, the arresting officer must:
 - (1) Prepare a **TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-144)** and submit to the desk officer for review
 - (2) Prepare a **STOP REPORT**, if appropriate
 - (3) Submit the **TRESPASS CRIMES – OWNER’S AFFIDAVIT** or New York County District Attorney’s supporting affidavit, as appropriate, for the building to the desk officer.
13. Notify Communications Section radio dispatcher upon exiting the building and make an **ACTIVITY LOG** entry indicating the time the interior patrol was completed and any conditions noted.

DESK OFFICER

14. Ensure that the completed **TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION** and the **TRESPASS CRIMES – OWNER’S AFFIDAVIT** or New York County District Attorney’s supporting affidavit, as appropriate, are included in the arrest package for all arrests in or around any building participating in a Trespass Affidavit Program that include a charge of criminal trespass.
15. Review the **TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION** for accuracy and completeness and endorse in the appropriate space on the form.
 - a. Have **TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION** photocopied.
 - b. Return original **TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION** to the arresting officer for inclusion in the arrest package.
16. Have photocopies of **TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION(S)** placed in chronological order in a binder maintained at the desk.

**ADDITIONAL
DATA**

During the course of an interior patrol, members of the service are likely to encounter other persons in the building. While detecting trespassers inside buildings enrolled in the Trespass Affidavit Program is an important public safety function, it is equally critical that members of the service treat residents and their guests with courtesy, professionalism, and respect at all times.

If a member of the service has reason to seek to determine if a person is authorized to be in the building, the member may ask for the person's voluntary cooperation. When feasible and consistent with safety, advise the person that the purpose of the interior patrol is to keep the building safe and ensure that only tenants and their invited guests are within the building, and advise the person that he or she is free to leave (unless the person is under arrest or detained in a Level 3 stop). A person's refusal or inability to produce identification or provide information does not elevate the level of the encounter. However, if the individual refuses or is unable to explain his or her presence in the building, the member may instruct the person that he or she must leave the building or be subject to arrest for trespass.

*The **TRESPASS CRIMES – OWNER'S AFFIDAVIT (PD651-051)** will be utilized for Department Trespass Affidavit Program buildings in the Bronx, Brooklyn, Staten Island and Queens. The New York County District Attorney's Office manages a Trespass Affidavit Program in Manhattan and utilizes its own supporting affidavits.*

*The **TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-144)** will be prepared in every instance, including Manhattan, where a uniformed member of the service effects a trespass arrest in a building participating in a Trespass Affidavit Program.*

**RELATED
PROCEDURES**

*Law of Arrest (P.G. 208-01)
Arrests – General Processing (P.G. 208-03)
Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops (P.G. 212-11)
Interior Patrol of Housing Authority Buildings (P.G. 212-60)
Trespass Affidavit Program (A.G. 303-27)
Summonses (P.G. 209 Series)*

**FORMS AND
REPORTS**

***ACTIVITY LOG (PD112-145)**
STOP REPORT (PD383-151)
WHAT IS A STOP? (PD383-153)
TRESPASS CRIMES – OWNER'S AFFIDAVIT (PD651-051)
TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-144)*

BY DIRECTION OF THE POLICE COMMISSIONER

**DISTRIBUTION
All Commands**

INTERIM ORDER NO. 29



INTERIM ORDER

SUBJECT: INTERIOR PATROL OF HOUSING AUTHORITY BUILDINGS		
DATE ISSUED:	REFERENCE:	NUMBER:
04-25-17	*P.G. 212-60	30

PURPOSE

To assist the New York City Housing Authority (NYCHA) in enforcing its rules, limiting criminal activity, providing a safe and secure environment and ensuring the habitability of its residential buildings by performing interior patrols in a manner that respects the rights of Housing Authority residents and guests.

SCOPE

Members of the service shall conduct all inquiries, interactions and enforcement activities in and around NYCHA buildings with the courtesy, professionalism, and respect to which all persons are entitled in their own homes. This procedure must be applied consistent with *P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops."* *P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops"* and the corresponding training materials establish the parameters for all investigative encounters irrespective of location of occurrence.

PROCEDURE

To conduct interior patrols in NYCHA buildings. Uniformed members of the service shall frequently inspect the interior of Housing Authority buildings on assigned posts as follows:

UNIFORMED MEMBER OF THE SERVICE

1. Notify Communications Section radio dispatcher, utilizing radio code 10-75I, and make an **ACTIVITY LOG (PD112-145)** entry of the time and street address upon entering the building.
2. Notify Video Interactive Patrol Enhanced Response (VIPER) unit by radio, if VIPER cameras present.

VIPER UNIT MEMBER

3. Advise uniformed member of conditions that:
 - a. Require attention
 - b. Significantly affect safety.
4. Provide ongoing assistance to uniformed member of the service performing interior patrol.

UNIFORMED MEMBER OF THE SERVICE

5. Inspect front, rear and other exterior doors and door locks, intercom system, and the interior of the lobby.
6. Inspect elevators and ascertain if they are operable.
 - a. Notify Housing Authority Emergency Service Department maintenance personnel of inoperable elevators.
7. Document in **ACTIVITY LOG** whether signs prohibiting trespassing are legible and prominently displayed in areas where persons entering the building can readily see them.
 - a. If signs are missing, illegible or defaced, prepare a **FIELD REPORT (PD 313-1511)**.

**UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

8. Proceed to top floor of building by elevator, if operable, otherwise by using the stairs.
 - a. Patrol the roof, roof landing, elevator rooms, and any other accessible installations.
 - b. Patrol each floor, staircase and hallway within the building from the top floor to the ground floor.
 - c. Patrol all accessible basement areas.
9. Inspect elevator doors on each floor, taking immediate action when necessary.
 - a. Notify Housing Authority Emergency Service Department or NYPD Emergency Service Unit personnel immediately and remain at scene and secure location until unsafe condition has been corrected if:
 - (1) Elevator door glass is missing
 - (2) Outer elevator door opens when elevator is not present
 - (3) Any other dangerous condition concerning elevators exists.
10. Notify the Housing Authority in accordance with the procedure set forth in *P.G. 207-29, "Field Reports,"* by preparing a **FIELD REPORT** regarding:
 - a. Any damage or defect related to the intercom system, lobby door or lobby door lock
 - b. Any missing or defective signs, including signs that designate restricted areas and prohibit entry in those restricted areas, and/or any missing alarms to restricted areas
 - c. Any other condition that potentially compromises the safety or security of the building, its residents or authorized visitors
 - d. Violations of NYCHA "House Rules" and regulations.
11. Be alert for persons who may be violating Housing Authority rules and regulations within NYCHA property.
 - a. Upon encountering persons who are violating a Housing Authority rule, take appropriate police action pursuant to *P.G. 207-29, "Field Reports,"* unless there is a basis for criminal enforcement.
 - b. Observation of a violation of any Housing Authority rule, regardless of whether it is also a criminal offense, may, at a minimum, provide an officer with an objective credible reason to approach the person to inquire further.
 - c. Do not stop a person in accordance with *P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops,"* for a violation of Housing Authority rules unless the rule violation is also a criminal offense. Mere lingering in a common area, without more, is not a criminal offense for which a person may be stopped or arrested.
 - d. Do not take police action pursuant to *P.G. 208-01, "Law of Arrest,"* for a violation of Housing Authority rules unless the rule violation is also a criminal offense.

**UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

12. Be alert for persons who may be engaged in criminal activity.
 - a. Conduct all investigative encounters in accordance with *P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops,"* and, if applicable, with the procedures for trespass investigations as set forth in step "13" below.
 - b. If a person is stopped, a **STOP REPORT (PD383-151)** shall be prepared pursuant to *P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops,"* and an **ACTIVITY LOG** entry shall be made to document the encounter.
 - (1) Check the appropriate box indicating the stop is related to a NYCHA building.
 - c. Take police action pursuant to *P.G. 208-01, "Law of Arrest"* or *Patrol Guide Series 209, "Summonses,"* only if there is probable cause to believe that a person committed a felony or misdemeanor or the person committed a violation in the officer's presence.

NOTE

Mere presence in or near a NYCHA building does not provide a basis to approach and conduct an investigative encounter, nor does it establish reasonable suspicion for a stop. When approaching a person based only on an objective credible reason (Level 1 Request for Information), members are prohibited from requesting consent to search the person.

13. Trespass Investigations: Be alert for persons who may be engaged in criminal trespass.
 - a. Level 1 Request for Information: If there is an objective credible reason to approach such a person based on observed behavior or other credible information, a member of the service may approach and ask in a non – threatening and non – accusatory manner:
 - (1) If he or she lives in the building
 - (2) If he or she is visiting someone in the building
 - (3) If he or she has business in the building.
 - b. Level 2 Common Law Right of Inquiry: If, based on the answers to questions in the initial encounter and/or observed behavior, there is a founded suspicion of criminal trespass, take reasonable measures to verify the person's authorization to be in the building.

NOTE

Do not use a tone or take steps that would create a situation where a reasonable person would not feel free to leave when there is less than reasonable suspicion that the person is a trespasser.

**UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

- c. Level 3 Terry Stop: Stop a person in accordance with *P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops,"* and take reasonable measures to investigate only if there is reasonable suspicion to believe that the person has committed, is committing, or is about to commit criminal trespass. Such measures include, but are not limited to, the following:
 - (1) Temporarily detaining the person while another uniformed member visits the building resident whom the person claims to be visiting; and/or
 - (2) Requiring the person to accompany uniformed member to the apartment of the building resident whom the person claims to be visiting.

NOTE

Merely passing through a door that has a broken lock or that has been propped open does not, alone, constitute reasonable suspicion of criminal activity.

- d. Take police action pursuant to *P.G. 208-01, "Law of Arrest"* or *Patrol Guide Series 209, "Summonses,"* only if there is probable cause that the person committed trespass. A reasonable investigation is ordinarily necessary to determine whether probable cause exists.
 - (1) Make **ACTIVITY LOG** entry describing the details of arrest/summons.
 - (2) Document investigative steps taken prior to making the arrest or issuing the summons including the factors used to determine that the person knowingly entered or remained unlawfully, particularly if signs are not present or visible.
 - (3) Utilize Department-issued smartphone to photograph sign(s) prohibiting trespassing or document the warning and the location in **ACTIVITY LOG**.

NOTE

Even if there is probable cause to arrest a person for trespassing, officers may exercise their discretion to refrain from arresting that person, and instead instruct that person to leave under appropriate circumstances.

- e. In all cases when an arrest is made for criminal trespass, the arresting officer must:
 - (1) Prepare a **TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-144)** and submit to the desk officer for review
 - (2) Prepare a **STOP REPORT**, if appropriate
 - (3) Prepare a **COMPLAINT REPORT (PD313-152)**.

**UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

14. Restricted Areas:
 - a. Restricted areas are limited to those areas specifically designated as restricted by Housing Authority rules and regulations
 - b. In the absence of conspicuously posted rules, do not arrest a person for trespassing in a restricted area of a building (including the roof, roof landing or boiler room), unless probable cause is established that the person knows that their presence in the restricted area is prohibited (e.g., the member of the service knows that the person has been previously found in that same type of restricted area of a Housing Authority development, notwithstanding the fact it may have been a different Housing Authority development, based on the officer's prior experiences with the person or information communicated to the officer)
 - c. In the absence of such conspicuously posted rules or regulations, a person found on a roof or roof landing or in a boiler room, or any other restricted area, should be:
 - (1) Instructed to leave such area if he or she is a resident or authorized visitor and there is no other basis to arrest such person, or
 - (2) Instructed to leave the building if he or she is an unauthorized visitor and there is no other basis to arrest such person.
 - d. Prepare a **FIELD REPORT** anytime a person is observed in a restricted area and there are no conspicuously posted rules
 - e. Any person may be arrested for trespassing on a roof or roof landing or in a boiler room or in any other restricted area if he or she refuses to leave after instructed.
15. Notify Communications Section radio dispatcher upon exiting the building and make an **ACTIVITY LOG** entry indicating the time the interior patrol was completed and any condition noted.
16. Alternate between outside area patrol and interior patrol of Housing Authority grounds and buildings, unless otherwise directed.
17. Patrol each building on assigned post.

**MEMBERS
ASSIGNED TO
RMP DUTIES**

18. Comply with above requirements, if not on an assignment, when available to perform interior patrol.

**PLATOON
COMMANDER/
PATROL
SUPERVISOR/
ASSIGNED
SUPERVISOR**

19. Instruct uniformed members performing interior patrol that, absent exigent circumstances, two or more uniformed members must remain together at all times.
20. Ensure all interior patrols are performed in an appropriate manner with special attention to:
 - a. Proper tactics
 - b. Required equipment (e.g., serviceable flashlight, O.C. spray, etc.)
 - c. Radio transmissions
 - d. Proper documentation (e.g., **ACTIVITY LOG** entry, **STOP REPORT, WHAT IS A STOP? [PD383-153]** informational card, **FIELD REPORT**, etc.).

INTERIM ORDER NO. 30

- DESK OFFICER**
21. Ensure that the completed **TRESPASS CRIMES – FACT SHEET SUPPORTING DEPOSITION** is included in the arrest package for all arrests that include a charge of criminal trespass.
 22. Review the **TRESPASS CRIMES – FACT SHEET SUPPORTING DEPOSITION** for accuracy and completeness and endorse in the appropriate space on the form.
 - a. Have **TRESPASS CRIMES – FACT SHEET SUPPORTING DEPOSITION** photocopied.
 - b. Return original **TRESPASS CRIMES – FACT SHEET SUPPORTING DEPOSITION** to the arresting officer for inclusion in the arrest package.
 23. Have photocopies of **TRESPASS CRIMES – FACT SHEET SUPPORTING DEPOSITION(S)** placed in chronological order in a binder maintained at the desk.

- PSA/PRECINCT COMMANDING OFFICER**
24. Review available sources and identify buildings that are in need of increased interior patrols.
 25. Assign and direct members to perform patrols at directed locations.

ADDITIONAL DATA

During the course of an interior patrol, members of the service are likely to encounter other persons in the building. While detecting trespassers inside NYCHA buildings is an important public safety function, it is equally critical that members of the service treat residents and their guests with courtesy, professionalism, and respect at all times.

If a member of the service has reason to seek to determine if a person is authorized to be in the building, the member may ask for the person's voluntary cooperation. When feasible and consistent with safety, advise the person that the purpose of the interior patrol is to keep the building safe and ensure that only tenants and their invited guests are within the building, and advise the person that he or she is free to leave (unless the person is under arrest or detained in a Level 3 stop). A person's refusal or inability to produce identification or provide information does not elevate the level of the encounter. However, if the individual refuses or is unable to explain his or her presence in the building, the member may instruct the person that he or she must leave the building or be subject to arrest for trespass.

RELATED PROCEDURES

*Complaint Reporting System (P.G. 207-01)
 Field Reports (P.G. 207-29)
 Law of Arrest (P.G. 208-01)
 Arrests – General Processing (P.G. 208-03)
 Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops (P.G. 212-11)
 Interior Patrol of Multiple Dwelling Buildings Enrolled in the Trespass Affidavit Program (P.G. 212-59)
 Summonses (P.G. 209 Series)*

FORMS AND REPORTS

ACTIVITY LOG (PD112-145)
COMPLAINT REPORT (PD313-152)
FIELD REPORT (PD313-1511)

**FORMS AND
REPORTS**
(continued)

STOP REPORT (PD383-151)
TRESPASS CRIMES – FACT SHEET AND SUPPORTING DEPOSITION (PD351-144)
WHAT IS A STOP? (PD383-153)

BY DIRECTION OF THE POLICE COMMISSIONER

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All Commands

INTERIM ORDER NO. 30

NOTE

Any member of the service with a question relating to this disclosure of confidential information under this section shall consult with the Legal Bureau.

3. Effective immediately, the following guidelines pertaining to inquiries regarding aliens shall be adhered to:

INQUIRIES REGARDING ALIENS:

UNIFORMED MEMBERS OF THE SERVICE/PEACE OFFICERS - shall not inquire about a person's immigration status unless investigating illegal activity other than mere status as an undocumented alien.

- (a) Uniformed members of the service/peace officers shall continue to cooperate with federal authorities in investigating and apprehending aliens suspected of criminal activity.

CIVILIAN MEMBERS OF THE SERVICE (OTHER THAN PEACE OFFICERS) - shall not inquire about a person's immigration status unless:

- (a) Such person's immigration status is necessary for the determination of program, service or benefit eligibility or the provision of City services; or
- (b) Such officer or employee is required by law to inquire about such person's immigration status.

**RELATED
PROCEDURES**

Foreign Nationals (P.G. 208-56)
Guidelines for Interaction with Limited English Proficient (LEP)
Persons (P.G. 212-90) [10 22 s.17]

BY DIRECTION OF THE POLICE COMMISSIONER
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INTERIM ORDER NO. 5



PATROL GUIDE

Section: Command Operations		Procedure No: 212-67	
POLICE/CLERGY PROGRAM			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 3

PURPOSE

To formalize police/clergy cooperation; provide instruction and direction to both police and clergy; and to aid the Department in its effort to advance the concept of Community Policing.

DEFINITION

POLICE/CLERGY LIAISONS - designated members will be available to assist the Department in:

- (1) Maintaining calm.
- (2) Seeking cooperation from the community during and after emergencies such as bias incidents, hostage cases, and emotionally disturbed person situations.
- (3) Acting as unofficial recruiters, urging young people in their congregations to seek careers with the Police Department.
- (4) Attending appropriate events (e.g., Precinct Community Council meetings, Youth Councils, etc.).

POLICE/CLERGY VOLUNTEERS - will be selected by precinct commanders, in numbers based upon the individual precinct needs. These volunteers will function within precinct boundaries and will perform duties as recruiters, advisers and as a bridge between the community and the precinct.

PROCEDURE

When a vacancy occurs in the Police/Clergy Program:

PRECINCT COMMANDER

1. Notify **Chief** (10 1-7 s11), Community Affairs, in writing, as to cause of vacancy, i.e., retirement, transfer, inactivity of member, etc.
2. Nominate a member of the clergy to fill vacancy utilizing nomination form (see "ADDITIONAL DATA").
3. Forward nomination to **Chief**-Community Affairs, through channels.

NOTE

*Nominations should not exceed more than five (5) per precinct. Deputy commissioners and bureau chiefs may also make nominations direct to the **Chief**-Community Affairs.*

4. Direct the maintenance of a log, in appropriate Department record book, listing all recruited and selected clergy, both liaisons and volunteers, captioned as follows:

TITLE	FIELD NAME/ ADDRESS	TELEPHONE NUMBERS	RELIGIOUS INSTITUTIONS	TIMES AVAILABLE	LANGUAGES SPOKEN	OTHER SPECIAL QUALIFICATIONS
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NOTE

A list of the clergy participating in the program will be forwarded to the Community Affairs Division.

POLICE/CLERGY REVIEW COMMITTEE

5. Review nominations.
6. Forward recommendations to the Police Commissioner.

CHIEF COMMUNITY AFFAIRS

7. Arrange for issuance of identification card to nominee after approval of Police Commissioner.

NOTE

The mere possession of a Police/Clergy Liaison Identification Card does not allow the bearer access to police lines without authorization of the ranking officer in charge.

ADDITIONAL DATA

OPERATIONAL CONSIDERATIONS

*If exigent circumstances exist, a supervisor in the rank of captain or above in the bureau concerned may give permission for provisional registration of a confidential informant. The requesting command is required to immediately fax a copy of the **CONFIDENTIAL INFORMANT REGISTRATION/REACTIVATION REQUEST** and **SUPPLEMENTAL** to the Intelligence Bureau. If provisional registration of a confidential informant is approved, the Intelligence Bureau, Public Security Section must be notified to check the Confidential Informant Database to ensure the provisional confidential informant is not previously registered with the Department. This provisional registration does not exempt members of the service from complying with this procedure within seventy-two hours.*

*For priority investigations (e.g., homicides, shootings, serious assaults, etc.), a supervisor in the rank of captain or above may request confidential informant and contact information from the Intelligence Bureau directly by telephone. The form **CONFIDENTIAL INFORMANT DATABASE INQUIRY** will also be prepared and forwarded to the Intelligence Bureau within twenty-four hours via Department mail for requests made under these circumstances.*

*A supervisor, preferably the immediate supervisor of the contact, will be physically present at all meetings (e.g., debriefings, controlled buys, payments, etc.) between a confidential informant and a contact. The supervisor will review the **CONFIDENTIAL INFORMANT INFORMATION CHANGE, ACTIVITY AND PAYMENT** report, complete the captions in the "Verifying Supervisor" section and sign the completed report. Whenever a payment is made to a confidential informant, the supervisor will also verify the payment by signing under the appropriate caption in the "Payment" section of the report. A supervisor is not required to attend meetings between members of the Intelligence Bureau and confidential informants registered to the Intelligence Bureau. However, a supervisor will attend such meetings when practicable and in all cases when payment is to be tendered to the confidential informant.*

OPERATIONAL CONSIDERATIONS FOR PATROL, HOUSING AND TRANSIT BUREAU UNITS

Patrol, Housing and Transit Bureau units may register a confidential informant for a period of no more than thirty days, during which time the informant may be used once. At the end of this thirty day period, the confidential informant will be automatically deactivated in the Confidential Informant Database. However, immediately after employing the services of the confidential informant and prior to the lapse of the thirty day activation period, the Patrol/Housing/Transit Bureau contact will notify their respective bureau confidential informant coordinator regarding the confidential informant's possible use by another Department bureau/unit other than Patrol/Housing/Transit Bureau commands. The bureau coordinators will consider each confidential informant's field of knowledge, as well as other relevant factors, when determining the appropriate investigative bureau/unit for possible future use. Every effort will be made to refer potentially useful confidential informants to the appropriate investigative unit for further development and future use. Bureaus or units that subsequently register these Patrol/Housing/Transit Bureau confidential informants will do so in strict compliance with the provisions contained in this procedure.

**ADDITIONAL
DATA
(continued)**

Patrol/Housing/Transit Bureau commands may not use the field intelligence officer as the registering supervisor solely to circumvent the thirty day activation and single use limitation contained in the paragraph above.

Restrictions and Special Conditions for Registering Confidential Informants:

<i>IF the prospective confidential informant is:</i>	<i>THEN before registration the contact must:</i>
<i>Less than 18 years of age</i>	<i>Have a parent or guardian present and obtain written permission by co-signing the registration form.</i>
<i>On Probation</i>	<i>Obtain permission from the probation officer. Document time/date/to whom you spoke.</i>
<i>On Parole</i>	<i>Obtain written permission from the New York State Department of Corrections and Community Supervision (DOCCS). [10 18s.17]</i>
<i>Wanted on a warrant</i>	<i>Have the warrant vacated. A supervisor in the rank of captain or above must indicate on the registration form the reason for vacating the warrant and specifically what information the confidential informant will provide.</i>
<i>Defendant in an active criminal case</i>	<i>Obtain permission from the Assistant District Attorney concerned.</i>

Personnel assigned to precinct, housing and transit patrol operations will never use a confidential informant to conduct any type of controlled buys, vice enforcement, etc.

CONFIDENTIAL INFORMANT DATABASE

The Intelligence Bureau will query the Confidential Informant Database. If the confidential informant is already registered with the Department or has previously been disapproved as an informant, the Intelligence Bureau will immediately notify the bureau concerned and the request will be disapproved. If the confidential informant is registered but inactive due to failure to maintain regular or scheduled meetings, the existing contact must deactivate the confidential informant before the request can be approved.

In situations in which a confidential informant's identity may compromise a sensitive investigation, e.g., internal investigation or counterterrorism, the member of the service must receive written permission from the bureau chief to exclude personal identifiers from the Intelligence Bureau Database. This documentation will be included in the case file.

The identity of a confidential informant will be kept confidential and will be divulged only on a need-to-know basis. The Commanding Officer, Intelligence Bureau will institute necessary measures and procedures to limit access to the database and to ensure that confidentiality is maintained. Only members specifically designated by the Commanding Officer, Intelligence Bureau will have access to the Confidential Informant Database. The Commanding Officer, Intelligence Bureau will review the confidential performance indexes of designated members on a semiannual basis and discontinue their designation if they are found unsuitable for any reason.



PATROL GUIDE

Section: Command Operations		Procedure No: 212-76	
INFORMATION CONCERNING OFFICIAL BUSINESS OF DEPARTMENT			
DATE ISSUED: 12/03/04	DATE EFFECTIVE: 12/10/04	REVISION NUMBER: 04-03	PAGE: 1 of 3

PURPOSE

To facilitate the proper release of information concerning official Department business.

PROCEDURE

Upon receiving request for information about Department business:

1. Treat official business of the Department as confidential.
2. Understand clearly the right of the public to be informed on matters of public interest.
3. Exercise discretion when divulging authorized information.
4. Release information to a properly identified representative of:

AGENCY

INFORMATION CONCERNING

Department of Citywide
Administrative Services

- Official business of that agency

U.S. Civil Service Commission

- Applicant for a federal position

N.Y.S. Department of
Corrections and Community
Supervision (DOCCS) (request
from the area director) [10 18 s.17]

- Persons arrested

State Liquor Authority

- Persons arrested or summonsed who are applicants for or holders of state liquor licenses.
- Persons arrested or summonsed in premises licensed by the State Liquor Authority or in the vicinity of the premises when the cause of the arrest or summons originated there.
- Premises licensed, or for which an application has been made under the Alcoholic Beverage Control Law.

Waterfront Commission of
New York Harbor

- Person licensed or registered by Commission

Crime Victims Compensation
Board

- Official business of that agency

N.Y.C. Department or agency

- An employee of that department or agency only if the City is not likely to become a party to an action arising out of the incident. In such cases, the investigator will be referred to the Corporation Counsel.

PATROL GUIDE

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NOTE

When information is given to other than a representative of the press, an entry identifying the person and the subject will be made in the Command Log. A text reference to the entry will be made in the margin of the record concerned.

ADDITIONAL DATA

Requests from government agencies, private organizations, institutions of higher education, etc., for statistics, surveys, samples and other types of information concerning the Department will be forwarded to the Office of Management Analysis and Planning for preparation of a Department response.

ROUTINE INQUIRIES:

Many requests, particularly those coming to Patrol Services Bureau commands, are of a routine nature. Local commanders are expected to respond to such requests as directed by this procedure, ensuring that responses are accurate and in accord with Department policy.

UNUSUAL OR TIME CONSUMING REQUESTS:

Some requests involve surveys or samples and may be time consuming; others may be related to business of the entire Department or involve broad policy questions. Local commanders should not ordinarily undertake data gathering research to answer a request from outside the Department when it will impair their ability to perform their primary function. Time consuming requests, those involving the business of the entire Department and those which raise policy questions, should be forwarded to the Office of Management Analysis and Planning for preparation of an appropriate response. Office of Management Analysis and Planning will confer with Deputy Commissioner - Public Information on matters regarding Department policy on release of information.

Where additional guidance is deemed necessary to classify a particular request as routine or unusual, a commanding officer may contact the Office of Management Analysis and Planning.

A member of the service, active or retired, may obtain information relative to his/her medical record upon written request to the Commanding Officer, Medical Division. No fee will be charged for such information. A person or organization outside the Department may obtain such information, for a fee of \$5.00, if the request is made in writing and is accompanied by a notarized authorization from the member concerned or in the event of his death, from the next of kin or representative of his estate. Requests for such information from other governmental agencies do not require notarized authorization or fee. Requests for payroll records will be directed to Director, Payroll Section for processing in a similar manner.

*When advised that an audit of records, procedures or operations of a command is to be conducted by any city, state or federal agency, the desk officer/supervisory head concerned will notify the Office of Management Analysis and Planning (646)610-5390, furnishing the time, date, subject of the audit, the identity of personnel who will conduct the audit and the agency to which assigned. Auditors must possess identification cards issued by the auditing agency and/or a letter of introduction from the **Chief, Management Analysis and Planning [10 13 s.17]**. All members of the service will cooperate with properly identified auditors; questions concerning identity of auditing personnel will be directed to the Office of Management Analysis and Planning; those concerning confidentiality of records/information requested will be directed to the Legal Bureau.*

PATROL GUIDE

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- BOROUGH MESSENGER** 34. Return stamped copy of **CONSOLIDATED FEE RECEIPT** and **RECEIPT FOR FEES COLLECTED** to Borough Fiscal Coordinator.
- BOROUGH FISCAL COORDINATOR** 35. Compare stamped copy of **CONSOLIDATED FEE RECEIPT** (white) and **RECEIPT FOR FEES COLLECTED** with file copy of **CONSOLIDATED FEE RECEIPT** (blue).
- a. Notify borough supervisor of any discrepancies.
 - b. File all copies of related receipts with copies of **FEE TRANSMITTAL SHEETS** and negative reports as outlined in step 20.
- OPERATIONS COORDINATOR** 36. Compare **FEE TRANSMITTAL SHEET** copy (blue) received through Department mail from Audit and Accounts Sections with command file copy (buff).
- a. Notify Audit and Accounts Section of any discrepancies, or if **FEE TRANSMITTAL SHEET** copy (blue) has not been received within ten (10) days.
 - b. File **FEE TRANSMITTAL SHEET** copy (blue) with command file copy (buff) in binder.
- COMMANDING OFFICER** 37. Conduct monthly inspection to ensure that all fees are being forwarded daily and have been received at the Audit and Accounts Section.

ADDITIONAL DATA

Non-patrol commands requesting an exemption from any of the aforementioned steps must submit a request, in writing, to the Director, Audit and Accounts Section. Written approval of any such exemption must be maintained on file at the requesting command and available for review by authorized auditors from other agencies.

*Requisition of additional pre-serialized **CONSOLIDATED FEE RECEIPTS** will be made direct to Audit and Accounts Section.*

If the command clerk, and/or operations coordinator are absent the commanding officer will designate another member of the service to assume their duties.

RELATED PROCEDURE

Incidents Involving Holders of Handgun Licenses or Rifle/Shotgun Permits (I.O. 6 s.13)

FORMS AND REPORTS

CONSOLIDATED FEE RECEIPT (PD122-011)
FEE RECEIPT (PD122-017)
FEE TRANSMITTAL SHEET (PD122-150)
RECEIPT FOR FEES COLLECTED (PD122-170)
TYPED LETTERHEAD



PATROL GUIDE

Section: Command Operations		Procedure No: 212-83	
LEAVING CITY ON OFFICIAL BUSINESS			
DATE ISSUED: 06/09/06	DATE EFFECTIVE: 06/16/06	REVISION NUMBER: 06-01	PAGE: 1 of 3

PURPOSE To obtain permission and funds to leave the city on police business.

PROCEDURE When required to leave the city on police business:

UNIFORMED MEMBER OF THE SERVICE

1. Submit three (3) copies of request on **Typed Letterhead** to Police Commissioner or Chief of Department, including:
 - a. Rank, name, shield number and command
 - b. Destination
 - c. Purpose, including **COMPLAINT REPORT (PD313-152)** number, crime and warrant (including issuing agency)
 - d. Identity of prisoner, if any
 - e. Identity of escorting officer(s)
 - f. Date and time of departure
 - g. Estimated date of return
 - h. Means of travel
 - i. Estimate of expenses and who will pay them
 - j. Statement indicating necessity to carry firearms, when appropriate
 - k. Tour performed while out of city
 - l. Overtime anticipated
 - m. Next scheduled tour after return to city.

NOTE

When a vehicle is to be utilized as the primary means of transportation to and from the destination (rather than by airline, railroad or bus) the member must ascertain the availability of a Department vehicle by inquiring in the following order:

- a. *At their respective command*
- b. *If none is available at the command level, inquire at the member's respective bureau or overhead command*
- c. *If a vehicle is not available at the bureau/overhead command, the member should contact the Confidential Rental and Lease Office (CRALO), Fleet Services Division at (718) 476-5646.*

*If there is a vehicle available at Fleet Services Division, the member must submit a request on **Typed Letterhead** to the Commanding Officer, Support Services Bureau requesting approval for the assignment of a Department vehicle, by CRALO, for the pending travel.*

This protocol does not apply to the rental of a vehicle upon arrival at a destination by airline or railroad where the vehicle is to be used only for local transportation at that site.

Any questions regarding this procedure should be addressed to the Director, Audits and Accounts Unit.

Members under the jurisdiction of the Patrol Services Bureau, Detective Bureau, Organized Crime Control Bureau, Housing Bureau and Transportation Bureau will address request to Chief of Department. Other members will address request to Police Commissioner.

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**UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

2. Deliver request to commanding officer.

**COMMANDING
OFFICER**

3. Endorse indicating approval/disapproval.

NOTE

When applicable, include the following statement in endorsement:

"In compliance with Federal Aviation Authority Regulation, it is necessary that the officer retain possession of and accessibility to his weapon during flight."

4. Forward request to next higher command.

**COMMANDING
OFFICER,
NEXT HIGHER
COMMAND**

5. Endorse indicating approval/disapproval.
6. Forward original and first (1st) copy to Police Commissioner or Chief of Department through channels.

NOTE

The original copy of a disapproved request will be returned to the originating command through channels, and an immediate telephone notification made to the commanding officer of the requesting member.

**COMMANDING
OFFICER, P.C.O.
OR CHIEF OF
DEPARTMENT'S
OFFICE**

7. Forward approved request to originating command.

**COMMANDING
OFFICER**

8. Give requesting officer(s) copy of approval.

IF TRIP IS TO BE MADE BY AIRLINE:

**COMMANDING
OFFICER**

9. Instruct member(s) concerned to notify security director of airline being used and supervisor in charge, Port Authority Police, of trip and fact that firearm will be carried.

**UNIFORMED
MEMBER OF
THE SERVICE**

10. Show authorization, shield and **IDENTIFICATION CARD (PD416-091)** to airline official prior to boarding plane.
11. Use alternate airline if permission to board aircraft while armed is refused.
12. Do not surrender firearm for storage to anyone.
13. Request permission to pre-board flight if guarding prisoner.
14. Do not permit prisoner to sit adjacent to normal or emergency exit nor next to aisle.

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UNIFORMED MEMBER OF THE SERVICE (continued)

15. Do not carry **Oleoresin Capsicum (O.C.) pepper spray [10 5 s.17]**, tear gas or similar devices aboard aircraft.
16. Do not consume intoxicants at any time while aboard aircraft or allow prisoner to do so.
17. Remain with prisoner at all times.
18. Do not identify self or prisoner to anyone except designated airline employee or police official having jurisdiction over any phase of flight.
19. Do not take police action which might endanger aircraft or passengers.
20. Do not display firearm or other authorized equipment.
21. Leave aircraft at the direction of the flight captain or after all passengers have debarked.
22. Keep prisoner handcuffed with hands to rear when practical.

NOTE

Each prisoner transported by commercial flight must be escorted by at least two (2) officers.

23. Obtain travel expense funds from **Audits and Accounts Unit**. If closed, funds may be obtained at Office of Chief of Detectives.
 - a. Submit itemized account of expenditures within ten (10) days after return to city.

ADDITIONAL DATA

When emergency circumstances require an immediate trip outside the city via department vehicle, a request may be made by telephone, through channels. Standard written request, including reference to telephone message, will be forwarded as soon as possible.

When a trip outside the city on police business does not require any expenditure of funds, permission may be granted by:

- *Police Commissioner*
- *Deputy Commissioners*
- *Chief of Department*
- *Chief of Patrol*
- *Chief of Housing*
- *Chief of Transportation*
- *Chief of Internal Affairs*
- *Chief of Detectives*
- *Chief of Organized Crime Control*
- *Chief of Personnel*
- *Commanding Officer, Support Services Bureau.*

RELATED PROCEDURE

Official Trips by Department Representatives (A.G. 320-18)

FORMS AND REPORTS

COMPLAINT REPORT (PD313-152)
Typed Letterhead

PATROL GUIDE

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CRIME ANALYSIS SUPERVISOR (continued)

- c. Crime Trends, Clusters, Alerts - Post all trends, clusters, alerts and intelligence information that are generated by the Patrol Borough Pattern Identification Module (PIM), and that affect the command.
- d. Surveillance Systems - Post one (1) map identifying all of the camera locations and a list of addresses where the cameras are deployed throughout the command regarding the following:
 - i. A.R.G.U.S.
 - ii. V.I.P.E.R.
 - iii. Operation Safe Store
 - iv. Housing Authority Small Scale Camera Systems
 - v. Transit Authority C.C.T.V.
 - vi. Red light enforcement (Department of Transportation)
 - vii. Any other appropriate camera programs or initiatives as they are developed and implemented.
- e. Impact and Impact Overtime Zones -
 - i. Post map with current Impact Zone boundaries, and days and hours of deployment.
 - ii. Post map with current Impact Overtime Zone boundaries, and days and hours of deployment.
 - iii. Post map with current deployment and zone boundaries for any programmatic enforcement overtime initiative/strategy conducted within a narrowly focused and defined target area. Identify the name of the program, initiative or strategy and list days and hours of deployment.

NOTE

Crime maps and crime details will be posted weekly before 1400 hours each Tuesday. Other maps, if applicable to the command, will be posted in a timely manner.

Disclosure of domestic violence crime victim information is in violation of Mayor's Executive Orders Number 34 and 41. Therefore, information regarding the status of a person as a "Domestic Violence Crime Victim" (i.e., victim listed on a Domestic Violence Unit's "High Propensity List") cannot be displayed within a Crime Information Center.

DETECTIVE SQUAD SUPERVISOR

- 4. Ensure the timely posting of the following items in the Crime Information Center of affected commands:
 - a. Crime Patterns – All patterns affecting the command, including borough and citywide patterns, from units such as, but not limited to:
 - i. Central Robbery Section
 - ii. Special Victims Squads
 - iii. Major Case Squad
 - iv. Financial Crimes Task Force
 - v. I.A.B., Police Impersonation Squad
 - vi. Auto Crime Division

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DETECTIVE SQUAD SUPERVISOR (continued)

- b. Wanted Person Photos - Photos of wanted persons in the following priority order:
 - i. Subjects wanted by the command.
 - ii. Subjects wanted by other commands who live within the confines of the command.
 - iii. Subjects wanted by other commands who live in New York City.
 - c. Investigation Cards (I-Cards) - Photos of “Probable Cause to Arrest” Investigation Card (I-Card) subjects within twenty-four (24) hours after the I-Card is activated.
 - i. Commands with a large number of I-Cards, should post photos and information regarding individuals who are the subjects of “Probable Cause to Arrest” I-Cards for Homicide, Non-Fatal Shooting and Robbery.
 - ii. Photos regarding “Probable Cause to Arrest” I-Cards for subjects wanted for other crimes may be maintained on clipboards in the Crime Information Center.
5. Ensure the following items are removed from the Crime Information Center:
- a. Remove photos of “Probable Cause to Arrest” I-Card subjects within twenty-four (24) hours after the subject is arrested on the I-Card or the I-Card is otherwise deactivated.
 - b. Remove all closed patterns within twenty-four (24) hours of notification that the pattern has been closed.

FIELD INTELLIGENCE OFFICER

6. Ensure current and accurate lists of the following are posted in the Crime Information Center by the 5th of each month:
 - a. NYS Parolees - Active N.Y.S. Parolees who reside within the command/development(s). Include the:
 - i. Parolee’s address
 - ii. Crime
 - iii. Conditions of Parole
 - b. Top 500 Burglars - “Top 500 Burglar” list as follows:
 - i. Persons arrested for Burglary in the command.
 - ii. Persons arrested for Burglary in other commands /development(s), who reside in the command /development.
 - c. Gang Members - Listing of active gang members who reside within the command/development(s), and indicate their gang affiliation.

**ADDITIONAL
DATA**

Uniformed members of the service are reminded that they MUST follow all federal, state, and local laws, as well as Department regulations, whenever they stop a person for investigation or summons. Members of this Department will NEVER base a stop or other enforcement action solely on an individual's race, perceived ethnicity, appearance, etc.

Civilian members of the service also have an important role in obtaining information and intelligence. Should they become aware of such information in the course of their duties or while off-duty, the civilian member should relay his/her observations, suspicions, and other information to the Intelligence Bureau by following the guidelines outlined in P.G. 212-12, "Citywide Intelligence Reporting System."

In all cases, other than terrorist activity, uniformed member of the service will process routine name checks, warrant checks and other inquiries through the Communications Division. If uniformed member of the service already has a suspect under arrest and suspects him/her of terrorist-related activity, they will not use the MDT/MDC to make inquiries of the Criminal Intelligence Section. Under such circumstances, requests will be made by landline to the Intelligence Bureau, Criminal Intelligence Section, at (646) 805-6000. Arresting officer(s) must call from the precinct or other Department facility where they are processing the arrest.

**RELATED
PROCEDURES**

Citywide Intelligence Reporting System (P.G. 212-12)

**FORMS AND
REPORTS**

ACTIVITY LOG (PD112-145)
STOP REPORT (PD383-151)

3. Interim Order 28, series 2004 is hereby **REVOKED**.
4. Any provisions of the Department Manual or any other Department directive in conflict with the contents of this Order are suspended.

BY DIRECTION OF THE POLICE COMMISSIONER

**DISTRIBUTION
All Commands**



INTERIM ORDER

SUBJECT: REQUEST FOR U NONIMMIGRANT STATUS (U VISA) CERTIFICATION		
DATE ISSUED:	REFERENCE:	NUMBER:
11-30-16	* P.G. 212-111	79

1. The Department is committed to serving all communities in the City of New York, especially those vulnerable to victimization, and recognizes the value of completing certifications and supporting immigrant victims of crime who are helpful in investigations or prosecutions. To further the Department's efforts in this regard, there have been several changes to the U nonimmigrant status (U visa) certification practice. These changes have enhanced transparency and efficiency in the Department's process for reviewing requests while creating a review process for denied certifications.

PURPOSE To review requests for U certifications (**USCIS Form I-918, Supplement B, U Nonimmigrant Status Certification**).

SCOPE The Victims of Trafficking and Violence Protection Act was enacted to encourage victims, regardless of legal immigration status to participate in law enforcement efforts to investigate and prosecute crime. This law created immigration protections including the U nonimmigrant status (known commonly as U status or U visa) for victims of certain serious crimes. To be eligible for a U visa, victims must satisfy several federal statutory requirements, which include submitting a completed law enforcement certification, **USCIS Form I-918, Supplement B, U Nonimmigrant Status Certification** to U.S. Citizenship and Immigration Services, the agency with sole authority to provide U nonimmigrant status (U visa).

USCIS considers certifications as primary, though not exclusive, evidence that an individual: 1) was a victim of a qualifying crime; 2) has knowledge of that crime; and 3) was, is, or is likely to be helpful in the law enforcement investigation or prosecution of the qualifying crime. Though victims seeking U visa must have a U certification to be considered, under the law, certifying agencies, including the Department, have discretion over whether to provide certification. Issuing a certification does not confer U nonimmigrant status (U visa) or any other federal immigration status to the victim. The Department does not have authority to assign or give any immigration status. Certifications are issued by the Department free of charge.

DEFINITIONS USCIS – U.S. Citizenship and Immigration Services (USCIS) is the federal component of the Department of Homeland Security (DHS) that has the sole authority to approve or deny (adjudicate) petitions for U nonimmigrant status (U visa).

APPLICANT – A victim of a qualifying crime who requests a U certification, or a person or organization who requests a U certification on behalf of a victim of a qualifying crime.

**DEFINITIONS
(continued)**

CERTIFYING OFFICIAL – Certifying officials are the only persons with authority to sign certifications for the Department. The Police Commissioner, as head of the Department, is a de facto certifying official. Under federal law, the Police Commissioner, in writing, may designate additional members of the Department, who are in a supervisory capacity, to sign certifications on behalf of the Department.

QUALIFYING CRIMINAL ACTIVITY – A qualifying criminal activity refers to the list of criminal activities that, under federal statute, are part of the criteria for U status.

U VISA CERTIFICATION – USCIS **Form I-918, Supplement B, U Nonimmigrant Status Certification**, a document that the Department may, at its discretion, complete free of charge for an eligible victim of a qualifying crime who is petitioning USCIS for U nonimmigrant status.

U NONIMMIGRANT STATUS (U VISA) – Temporary, four-year nonimmigrant status granted to victims of certain qualifying criminal activities, as designated by U.S. Citizenship and Immigration Services (USCIS).

PROCEDURE

When a person requests a U nonimmigrant status (U visa) certification (USCIS **Form I-918, Supplement B, U Nonimmigrant Status Certification**) from the Department:

**MEMBER OF
THE SERVICE**

1. Inform member(s) of the public to visit the Department’s internet website for directions on how to request certifications from the Department’s U Visa Certification Office.

NOTE

The Department’s U Visa Certification Office is the Chief of Department’s Domestic Violence Unit. This office reviews all certification requests regardless of the qualifying criminal activity. Uniformed members of the service should be aware that members of the public may not be familiar with the word “certification,” and may instead ask for a “U visa,” “U status,” or the “U.” The Department does not give or assign any immigration status. Uniformed members of the service should follow step “1” of this procedure when asked about U status, U certifications, U visas, or any related colloquial terms for U nonimmigrant status. Uniformed members of the service should not directly collect, handle, or forward any documents related to a certification request from members of the public.

All members of the service must be aware of, and conform with, New York City’s policy regarding immigrants as delineated in Patrol Guide 212-66, “Mayor’s Executive Order Numbers 34 and 41, City Policy Concerning Confidential Information and Immigrant Access to City Services.”

**CHIEF OF
DEPARTMENT,
DOMESTIC
VIOLENCE
UNIT**

2. Review all requests for U visa certification.
3. Review all available Department records within forty-five days of receiving request, to verify and make a determination on each of the following:

NOTE

The Department may, when possible, make additional effort to review the request within the initial forty-five day period when the request names specific circumstances, including but not limited to, whether the victim is in immigration proceedings, as indicated in Title 38, Chapter 22 of the Rules of the City of New York, titled “Requesting Certifications for U Nonimmigrant Status (U Certifications).” These specific circumstances are not used as factors to determine whether to issue or deny a certification.

**CHIEF OF
DEPARTMENT,
DOMESTIC
VIOLENCE
UNIT
(continued)**

- a. Identity of the Victim: Determine whether the victim named in the U visa certification request is a direct or indirect victim of a crime or criminal activity that the Department investigated. According to federal regulations, investigation refers to the detection or investigation of a qualifying crime or criminal activity. The victim must possess information about the criminal activity. This information is necessary to complete Part 1 of the U visa certification
- b. Qualifying Criminal Activity: Determine whether the crime or criminal activity is a qualifying criminal activity under federal law. Include date(s) and location(s) of occurrence(s), citation for the state or federal statute implicated, and a description of the incident. This information is necessary to complete Part 3 of the U visa certification
- c. Helpfulness of the Victim: Determine whether the victim was, is, or is likely to be helpful to the Department’s investigation of the qualifying criminal activity. This information is necessary to complete Part 4 of the U visa certification
- d. Family Members Implicated in Criminal Activity: Identify and determine whether any of the victim’s family members are involved in the criminal activity. This information is necessary to complete Part 5 of the U visa certification.

NOTE

The certification has six parts. Agency information (Part 2) does not require verification or determination and the statements in certification (Part 6) depend on the verifications and determinations made in the four sections described in step “3” subdivisions “a through d.” For further information, see ADDITIONAL DATA statement.

4. Maintain and update a list of U visa certification requests received by the Department in the U Visa Certification Tracker. Include at minimum, the following:
 - a. Victim’s full name
 - b. Date request received
 - c. Complaint number
 - d. Command where qualifying crime was reported
 - e. Applicant name (note if applicant is the victim)
 - f. Status of the request, and the final disposition (approved, denied, reason for denial, or referred to another agency)
 - g. Date of final disposition.
5. Prepare recommendation on whether to complete the form and submit to a certifying official for review.

INTERIM ORDER NO. 79

**DESIGNATED
CERTIFYING
OFFICIAL**

6. Review recommendations and make final decision on the U visa certification:
 - a. Approved
 - b. Denied; OR
 - c. Requires more than forty-five days for a complete review.

APPROVED CERTIFICATIONS

**CHIEF OF
DEPARTMENT,
DOMESTIC
VIOLENCE
UNIT**

7. Notify applicant on **OFFICIAL LETTERHEAD (PD158-151)** of approval of U visa certification.
 - a. Provide instructions for retrieving certification. Additional notification via phone or other means is permissible.

DENIED CERTIFICATIONS

**CHIEF OF
DEPARTMENT,
DOMESTIC
VIOLENCE
UNIT**

8. Notify applicant on **OFFICIAL LETTERHEAD** of denial of U visa certification, include:
 - a. Basis for denial
 - b. Instructions for appealing denial.

CERTIFICATION DETERMINATIONS LONGER THAN FORTY-FIVE DAYS

**CHIEF OF
DEPARTMENT,
DOMESTIC
VIOLENCE
UNIT**

9. Inform applicant on **OFFICIAL LETTERHEAD** that the request requires more time for a complete determination.
 - a. Provide a reasonable estimate of when the determination will be completed.
10. Make an entry in the U Visa Certification Tracker.
 - a. Indicate date response was sent and estimated completion date.

NOTE

Every effort will be made to make determinations within forty-five days from when the Domestic Violence Unit received the request, and others requiring more research should be determined within ninety days. In exceptional cases, where a request requires additional time, the applicant will be notified of the circumstances and every effort will be made to resolve the delay and expedite the determination.

IF A DENIAL IS APPEALED

**DEPARTMENT
ATTORNEY,
LEGAL
BUREAU**

11. Review all written requests for appeal.
12. Review all submitted materials, as well as, all available Department records within ninety days of receiving the request for appeal, to make a determination on each of the criteria referred to in step “3” subdivisions “a through d” of this procedure.

NOTE

When the request names specific circumstances, which might include whether the victim is in immigration proceedings, as indicated in Title 38, Chapter 22 of the Rules of the City of New York, titled, "Requesting Certifications for U Nonimmigrant Status (U Certifications)," the Department may, when possible, make additional effort to review the request within the initial forty-five day period. These specific circumstances are not used as factors to determine whether to issue or deny a certification.

**DEPARTMENT
ATTORNEY,
LEGAL
BUREAU
(continued)**

13. Maintain and update a list of appeal requests received for U visa certification in the U Visa Certification Appeals Tracker. Include at minimum, the following:
 - a. Victim's full name
 - b. Date appeal request received
 - c. Complaint number
 - d. Command where qualifying crime occurred
 - e. Applicant name (note if applicant is the victim)
 - f. Status of the request, and the final disposition (approved, denied, reason for denial, or referred to another agency)
 - g. Date of final disposition.
14. Prepare legal opinion on whether to complete the form and submit to a certifying official for review.

**DESIGNATED
CERTIFYING
OFFICIAL,
LEGAL
BUREAU**

15. Review appeal recommendations and make final decision on the U visa certification appeals request:
 - a. Rejected and the initial denial upheld, OR
 - b. Granted and the Department will issue a U visa certification, OR
 - c. Request requires more than ninety days to review.

**DEPARTMENT
ATTORNEY,
LEGAL
BUREAU**

16. Notify applicant on **OFFICIAL LETTERHEAD** of appeal approval or denial.

APPEALS DETERMINATIONS REQUIRING MORE THAN NINETY DAYS

**DEPARTMENT
ATTORNEY,
LEGAL
BUREAU**

17. Send applicant a written response on **OFFICIAL LETTERHEAD** stating that the request requires more time for a complete review.
 - a. Provide a reasonable estimate of when the determination will be made.
18. Make an entry in U Visa Certification Appeals Tracker.
 - a. Indicate date response was sent and estimated completion date.

NOTE

Every effort will be made to make final appeals determinations within ninety days from when the Legal Bureau received the request. In exceptional cases, where a request requires additional time, the applicant will be notified of the circumstances and every effort will be made to resolve the delay and expedite the determination.

**ADDITIONAL
DATA**

The Department's designated U Visa Certification Office (Chief of Department's Domestic Violence Unit) is the only entity with the authority to receive and review requests for certification, including any documents related to the request. The office reviews each request and makes a determination on a case-by-case basis. Requesting a certification from the Department does not guarantee that the applicant will receive it. A completed U visa certification does not assign legal immigration status. The Department does not have authority to assign or give any immigration status.

A certification is one of several eligibility requirements for a victim who is petitioning USCIS for U status. Therefore, a victim has to provide USCIS more information and provide more evidence than what the Department would need to review the certification request. For example, a victim pursuing U nonimmigrant status (U visa) will have to demonstrate to USCIS that he/she experienced substantial harm physical or mental abuse because of the qualifying criminal activity. When reviewing certifications, the Department does not require evidence of substantial harm, nor does it assess whether substantial harm occurred.

The Department's review of certifications focuses on completing the six parts of the certification (Victim Information, Agency Information, Criminal Acts, Helpfulness of the Victim, Family Members Implicated in Criminal Activity, and Certification). To determine whether the Department can complete all six parts of the form, the U Visa Certification Office must review Department records and the written request. The office may review any supplemental documentation provided by the applicant. Supplemental documents may include medical records or copies of Department records, but are not required.

CRITERIA FOR REVIEWING CERTIFICATION REQUESTS:

Identity of the Victim (Victim Information)

Direct or Indirect Victim: *Direct victim is the individual who was the target of the criminal activity. Under federal law, certain indirect victims may apply for U nonimmigrant status (U visa), and therefore must request a U certification. Indirect victims typically are in the following categories:*

- a. In the case of murder, manslaughter, incompetent or incapacitated victims (which include children under 21 years of age), indirect victims include spouses and children under 21 years of age at the time of filing*
- b. If the victim of the criminal activity is under 21 years of age at the time the qualifying criminal activity occurred, indirect victims include parents and unmarried siblings under 18 years of age at the time of the qualifying criminal activity.*

Possess Information: *Under federal law, the victim must possess information about the criminal activity. If the victim was under 16 years of age or incompetent or incapacitated at the time the qualifying crime occurred, a parent, guardian, or "next friend" may possess the information and provide the required assistance (help) on behalf of the victim. Federal law defines "next friend" as a person who acts in the best interests of a foreign national who is under sixteen or incompetent or incapacitated. The "next friend" may appear in court on behalf of the victim, but cannot be either a party to a legal proceeding involving the victim nor a court appointed guardian. A "next friend" also does not qualify for U nonimmigrant status (U visa) or any immigration benefit simply by acting as a "next friend" for the victim.*

**ADDITIONAL
DATA
(continued)**

Qualifying Criminal Activity (Criminal Acts): The criminal activity must be one of, or similar to, the listed activities on the certification form that was investigated by the Department. The criminal activity does not have to be the crime that was ultimately charged. For example, if a victim was trafficked and raped but ultimately the rape alone was charged, the Department's Certification Office could select trafficking and rape as the qualifying criminal activities. In the case of robbery, since the crime is not listed as a qualifying criminal activity, the Certification Office would consider whether the facts and circumstances of the robbery are similar to any of the listed criminal activities such as felonious assault.

The Department has the discretion to provide certifications regardless of whether the perpetrator of the crime is no longer in the jurisdiction or prosecution is unlikely, provided the victim meets all criteria for the certification. For example, a victim of a felonious assault who is attacked from behind and cannot identify the perpetrator could be eligible for a certification as long as the other criteria are met.

Helpfulness: Under federal law, once the victim begins to be helpful there is an ongoing responsibility to continue to be helpful when the Department asks and may not unreasonably refuse to be helpful. While there may be specific factual circumstances where a victim reasonably refuses to be helpful, that determination is made on a case-by-case basis.

The Department of Homeland Security (DHS) has created a U and T Visa Law Enforcement Resource Guide that has information on U visa certifications, including frequently asked questions, which is available at www.dhs.gov.

**RELATED
PROCEDURES**

Mayor's Executive Order Numbers 34 and 41, City Policy Concerning Confidential Information and Immigrant Access to City Services (P.G. 212-66)

**FORMS AND
REPORTS**

OFFICIAL LETTERHEAD (PD158-151)
Form I-918, Supplement B, U Nonimmigrant Status Certification (USCIS)

BY DIRECTION OF THE POLICE COMMISSIONER

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INTERIM ORDER NO. 79



INTERIM ORDER

SUBJECT: OPERATION SAFE STORE		
DATE ISSUED:	REFERENCE:	NUMBER: O.O. 30 s.13
06-12-08	**P.G. 212-112	38

PURPOSE

To combat robbery/violent crime in grocery stores/bodegas.

PROCEDURE

Upon notification that a grocery store/bodega within a command has been included in "Operation Safe Store" or when an incident occurs at a current "Operation Safe Store" location:

PRECINCT COMMANDING OFFICER CONCERNED

1. Review/create response plans to robberies or other serious incidents at the selected locations.
 - a. Revised plans will be submitted to the Office of the Chief of Patrol.
2. Assign special operations lieutenant as Operation Safe Store Coordinator for the precinct.
3. Direct precinct crime prevention officer to visit selected stores on a bi-weekly basis and prepare **OPERATION SAFE STORE BI-WEEKLY INSPECTION REPORT (PD 510-151)**.
 - a. Crime prevention officer will conduct a test of the alarm system during visit to ensure system is operational. The crime prevention officer will record **ICAD Incident number (IO 27 s.15)** on **OPERATION SAFE STORE BI-WEEKLY INSPECTION REPORT**.
4. Review **BI-WEEKLY REPORT**, endorse and forward to Commanding Officer, Technical Assistance Response Unit (T.A.R.U.).
 - a. Maintain copies of all communications involving "Operation Safe Store" in a folder at the command.

NOTE

Borough and precinct commanders will continue to prepare "Small Grocery, Deli and Bodega Robbery Report" and forward same with weekly COMPSTAT reports.

5. Notify Chief of Department, Chief of Patrol, Patrol Borough concerned, **Chief, [IO 9 s.17]** Management Analysis and Planning, and T.A.R.U. if program location closes, moves, changes store type, or if any other activity/incident occurs at location that precludes continuation in the program (i.e. false report, crime committed by store owner, etc.).
 - a. Store should not be removed from the Operation Safe Store Program without written approval from the Chief of Department.

COMMANDING OFFICER, T.A.R.U.

6. Coordinate repair of alarm/video systems in selected stores with vendor and precinct commander concerned.
7. Review **BI-WEEKLY REPORTS** submitted by precinct crime prevention officers for accuracy and completeness.
8. Contact vendor when necessary for repairs, etc. in subject stores, if required.

WHEN AN INCIDENT OCCURS AT AN "OPERATION SAFE STORE" LOCATION:

- | | |
|--|---|
| COMMUNICATIONS SECTION
911 OPERATOR | 9. Designate calls for service to a designated "Operation Safe Store" location as a "Priority 2" assignment. |
| COMMUNICATIONS SECTION
DISPATCHER | 10. Notify responding units that location is a designated "Operation Safe Store" location. |
| MEMBER OF THE SERVICE | 11. Request response of patrol supervisor when responding to incident at location designated under "Operation Safe Store." |
| PATROL SUPERVISOR | 12. Direct preparation of COMPLAINT REPORT WORKSHEET (PD 313-152a) .
13. Request response of precinct squad/nightwatch and detective bureau duty captain to confirmed reports of <u>serious</u> crimes, e.g. shootings, robberies, etc., at "Operation Safe Store" locations.
14. Request immediate response of T.A.R.U. to retrieve videotape or digital images from recorders on the premises.
a. T.A.R.U. will respond to all crimes at Operation Safe Store locations where video tape may be of value. |
| MOS ASSIGNED TO TARU | 15. Respond to location and retrieve videotape/digital images from recorders on premises and forward to investigators on scene.
a. Record rank, name, shield number and command of person taking control of video evidence
b. Ensure that equipment on premises is in good working order
c. Replace videotape, etc. before leaving premises
d. Provide additional copies of video tape/digital images to Chief, Management Analysis and Planning and Central Robbery Division . |
| MEMBER OF THE SERVICE | 16. Prepare COMPLAINT REPORT WORKSHEET .
a. When preparing COMPLAINT REPORT WORKSHEETS regarding incidents at "Operation Safe Store" locations, members concerned MUST check off "Grocery/Bodega" under the " Premises Type " caption.
17. Ensure the following is listed in the "Details" section of the COMPLAINT REPORT WORKSHEET :
a. Location is a participant in "Operation Safe Store"
b. Whether or not evidence was retrieved. |

**MEMBER OF
THE SERVICE
(continued)**

18. Ensure the following persons are listed in “Notifications” captions on **COMPLAINT REPORT WORKSHEET**:
 - a. Patrol supervisor who responded to location (name of supervisor)
 - b. Precinct detective squad member who responded to location (name of investigator)
 - c. Detective Bureau Duty Captain who responded to location
 - d. Name of T.A.R.U. MOS who responded to retrieve evidence.
19. Voucher evidence obtained at location on **PROPERTY CLERK’S INVOICE (PD521-141)**.
 - a. Include invoice number on **COMPLAINT REPORT WORKSHEET**.

**PRECINCT
DETECTIVE
SQUAD**

20. Respond to all serious occurrences at “Operation Safe Store” locations regardless of whether incident may be part of a pattern or not.

NOTE

*When preparing a **COMPLAINT FOLLOW-UP INFORMATIONAL (pink) (PD313-081A)** [10 85 s.15], detectives **MUST** state whether equipment in participating store was operational and whether evidence retrieved at the location was of any value.*

**PATROL
SUPERVISOR**

21. Prepare an **UNUSUAL OCCURRENCE REPORT (PD 370-152)** with details of the incident and forward to:
 - a. Chief of Department
 - b. Chief of Patrol
 - c. Chief of Detectives
 - d. Deputy Commissioner, Operations
 - e. **Chief**, Management Analysis and Planning
 - f. Central Robbery **Division**
 - g. TARU
 - h. Patrol Borough Command concerned.

**ADDITIONAL
DATA**

When future stores are added to the program, commanding officers of precincts where new stores are located will:

- a. *Visit location concerned and review program with store owner concerned*
- b. *Have store owner prepare and sign **OPERATION SAFE STORE – ACKNOWLEDGEMENT OF INSTALLATION / RESPONSIBILITIES (PD 510-011)***
- c. *Countersign report.*

**FORMS AND
REPORTS**

OPERATION SAFE STORE BI-WEEKLY INSPECTION REPORT (PD 510-151)
COMPLAINT REPORT WORKSHEET (PD 313-152a)
PROPERTY CLERK’S INVOICE (PD521-141)
COMPLAINT FOLLOW-UP INFORMATIONAL (pink) (PD313-081A)
UNUSUAL OCCURRENCE REPORT (PD 370-152)
OPERATION SAFE STORE – ACKNOWLEDGEMENT OF INSTALLATION / RESPONSIBILITIES (PD 510-011)

APPENDIX “A”
OPERATION SAFE STORE LOCATIONS

Patrol Boro	Address	Pct	Phase	Store Name
PBMS	15 Stanton St	5	2	Tavarez Grocery
PBMS	139 E 12th St	9	2	News at 12 Grocery
PBMS	201 2nd Ave	9	2	Union Square One Stop
PBMN	101 Edgecombe Avenue	32	1	101 Edgecombe Deli
PBMN	2278 7th Avenue	32	2	S&M Deli Corp
PBBX	910 Prospect Ave	41	2	Gabi Deli/Grocery
PBBX	1408 Fulton Street	42	2	MJ Super Deli
PBBX	1570 White Plains Road	43	2	Mikey’s Deli & Grocery
PBBX	1206 Elder Ave	43	2	Elder Grocery
PBBX	3401 Olinville Avenue	47	2	Kids Fantasy Deli
PBBX	788 E. 214 Street	47	2	Big Brothers
PBBX	169 E. 205 Street	52	1	Family Grocery Deli
PBBS	5124 Clarendon Road	67	1	Melo Grocery
PBBS	1044 Winthrop Street	67	2	El Portal Grocery
PBBS	5605 Clarendon Road	67	2	Nashal Food Crop
PBBS	2920 Avenue I	70	2	Harry Deli & Grocery
PBBN	417 Saratoga Avenue	73	1	Colombo Mini Market
PBBN	835 Pennsylvania Avenue	75	1	All American Hero
PBBN	790 Nostrand Avenue	77	1	Express Deli Grocery
PBBN	1017 Bedford Avenue	79	1	JNM Grocery
PBBN	73 Decatur St	79	2	Al's Grocery
PBBN	144 Lewis Ave	81	2	Borbon Grocery
PBBN	613 Madison Street	81	2	D & C
PBBN	445 Evergreen Avenue	83	2	Rodriguez Food Center
PBQS	101-05 Lefferts Boulevard	102	2	Quick Stop Grocery
PBQS	87-74 168th St	103	2	ABDO Grocery
PBQS	147-07 Guy R. Brewer Blvd.	105	1	Airport Deli
PBQN	65-25 Queens Boulevard	108	2	65 Place Grocery
PBQN	208-02 48 Avenue	111	2	ABC Convenience Store
PBQN	32-61 Francis Lewis Blvd	111	2	FLB Gourmet Deli
PBQN	23-27 30 Avenue	114	1	DIPA Mini-Market
PBSI	1410 Richmond Terrace	120	2	Alex Deli
PBSI	164 Victory Blvd	120	2	Staten Convienent Market



INTERIM ORDER

SUBJECT: AUTHORIZATION/NOTIFICATION REGARDING DEPARTMENT CEREMONIES		
DATE ISSUED:	REFERENCE:	NUMBER: (O.O. 30 s.13)
8-3-05	**P.G. 212 SERIES	P.G. 212-114

1. The Department participates in and/or coordinates a significant number of ceremonies annually. To ensure that the Department is aware of all Department involved ceremonies and that each ceremony is handled in a dignified manner with participation by appropriate Department resources, the following procedure has been established:

PURPOSE To initiate timely notification to the Ceremonial Unit to ensure appropriate Department participation in ceremonies and eliminate scheduling conflicts.

PROCEDURE When a Department unit is requesting permission to host a ceremony or when a member of the service becomes aware of a ceremony being coordinated by a private organization to honor a member of the service (e.g., Street Renaming Dedication Ceremony).

**UNIT
COMMANDER/
MEMBER
CONCERNED** 1. Prepare a **Typed Letterhead** outlining the particulars of the event, at least thirty (30) days prior to the event, when possible, and forward through channels to the Ceremonial Unit, Police Academy, Room 761.

NOTE *To ensure that the Ceremonial Unit is apprised of the event in a timely fashion, immediately fax a copy of the report/request directly to (212) 477-7631. A sample of the **Typed Letterhead** has been included in the Additional Data statement.*

**CEREMONIAL
UNIT
PERSONNEL** 2. Review the report/request and determine if any scheduling conflicts exist.
3. Forward report/request, with recommendations, to Commanding Officer, Police Commissioner's Office for final approval.

**COMMANDING
OFFICER,
POLICE
COMMISSIONER'S
OFFICE** 4. Review report/request and notify Ceremonial Unit if the request has been approved or disapproved.

**CEREMONIAL
UNIT
PERSONNEL** 5. Notify command concerned of Department's decision regarding the event.
6. Coordinate Department resources regarding all approved events.

**ADDITIONAL
DATA** *No Department unit is authorized to participate or host any ceremony prior to obtaining approval. No additional Department resources, other than those approved, will participate in the event.*

**ADDITIONAL
DATA
(continued)**

Commanders will make every effort to ensure that their commands remain operational during the ceremony. Indicate in the **Typed Letterhead** if the unit will remain operational during the ceremony and if it will be staffed with command personnel or by personnel from outside commands.(i.e., **Strategic Response Group [10 53 s.16]**)

The **Typed Letterhead** should provide an overview of the command resources participating in the event as follows:

- a. Include the number of members attending the event, how many will be in uniform or civilian clothes and how many will be on or off-duty.
- b. Indicate if the ceremony is an annual or one (1) time event and the type of Department resources the command requests to participate in the ceremony (i.e., Chaplain, bugler, helicopter, etc.).
- c. Address issues such as, alternate dates, alternate site if inclement weather, etc., and provide a guest list and contact person.

To enable as many family members and friends of the honoree to attend the event, every effort will be made to schedule the event on a weekend. Commanders must articulate the reason why the event is not scheduled on a weekend in their **Typed Letterhead**.

Sample Typed Letterhead

002 Precinct #100-2005

POLICE DEPARTMENT
CITY OF NEW YORK

May 15, 2005

From: Commanding Officer, 002 Precinct

To: Commanding Officer, Ceremonial Unit (Through Channels)

Subject: REQUEST AUTHORIZATION TO HOST A STREET RENAMING CEREMONY

1. The undersigned requests authorization for this command to host a Street Renaming Ceremony to honor fallen Police Officer John Smith, Tax Registry #000000, Shield #00000, 002 Precinct (include details of incident).

2. Below are the details regarding this ceremony:

- a. Day: Tuesday
(Not scheduled on a weekend due to the family's request)
- b. Date: July 19, 2005
(Alternate dates Sunday, July 24 and Saturday, August 20)
- c. Time: 1000 hours
(Refreshments immediately following at 002 Precinct)
- d. Location: In the street in front of the 002 Precinct
(In the lobby of the 002 Precinct if inclement weather)
- e. Type of Ceremony: Street Renaming Ceremony

- f. *List of Distinguished Guests (i.e., family members, City Councilman, etc.)*
 - g. *The 002 Precinct will remain operational during the ceremony, however a total of twenty (20) members from Manhattan South Strategic Response Group [10 53 s.16] will be utilized to provide patrol coverage from 0930 hours to 1230 hours.*
 - h. *Approximately 75 members of the 002 Precinct will participate in the event, 25 will be on-duty and in uniform and 50 members will be off-duty and in uniform. Approximately 30 retired members from the 002 Precinct will attend the event in civilian clothes. Additionally, it is anticipated that approximately 50 people from the community will also attend the ceremony.*
 - i. *This ceremony is a one (1) time event and not held on an annual basis.*
 - j. *The following Department resources are requested to participate:*
 - (1) *One (1) member from the Ceremonial Unit to coordinate the event*
 - (2) *Color Guard*
 - (3) *Bugler*
 - (4) *Two (2) bagpipers*
 - (5) *Department singer*
 - (6) *Department Chaplain*
 - (7) *Member of the Photo Unit*
 - (8) *One (1) helicopter from Aviation Unit for a fly over*
 - (9) *Two (2) Highway Units to escort family members*
 - (10) *Four (4) Traffic Agents for traffic control*
 - (11) *Two (2) members from the Mounted Unit*
 - k. *Detective Sonia Rivera, 002 Precinct Community Affairs Unit, (646) 610-0000, Cell #(917) 111-1000, Monday - Fridays 1000 x 1800 hours, is the individual responsible for coordinating this ceremony.*
 - l. *Request that the Mayor, Police Commissioner and the Executive Staff be invited to attend the ceremony.*
3. *For your information and consideration.*

*Brian James
Inspector*

FORMS AND **Typed Letterhead**
REPORTS

2. Any provisions of the Department Manual or any other Department directive in conflict with the contents of this order are suspended.

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION
All Commands

- | | |
|---|--|
| ELECTRONICS SECTION | 5. Review the recording(s) and all documentation from Commanding Officer, requesting command. |
| | 6. Prepare a report on Typed Letterhead , with findings. |
| | a. All information regarding the Department radio used in the unauthorized transmission will be included in the report (e.g., unique identifiers, member of service, command and/or vehicle the radio is assigned to, etc.). |
| COMMANDING OFFICER, REQUESTING COMMAND | 7. Pick up report from the Electronics Section. |

ADDITIONAL DATA

LEGAL CONSIDERATIONS

911 call audios, radio dispatch audios, ICAD Event Information Reports obtained from the Tape and Records Unit and/or Electronics Section should not be reproduced, duplicated, copied, etc., and will not be provided to any non-Department personnel. When applicable, direct any non-Department personnel requesting audios and records, to the Communications Division, Tape and Records Unit.

RELATED PROCEDURES

Processing Subpoenas for Police Department Records and for Testimony by Members of the Service (P.G. 211-15)

FORMS AND REPORTS

REQUEST REPRODUCTION OF SUSPECTED UNAUTHORIZED TRANSMISSION (PD347-161)
Typed Letterhead

3. The new form, **REQUEST REPRODUCTION OF SUSPECTED UNAUTHORIZED TRANSMISSION (PD347-161)** is available as a form fillable PDF on the Department Intranet in the Department Forms and Reports Section.

4. Upon publication, this Interim Order has been incorporated into the On-Line Patrol Guide.

5. Any provisions of the Department Manual or any other Department directive in conflict with the contents of this Order are suspended.

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION
All Commands

INTERIM ORDER NO. 75



PATROL GUIDE

Section: Mobilization/Emergency Incidents		Procedure No: 213-02	
EMERGENCY INCIDENTS			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 3

- PURPOSE** To ensure the prompt response of personnel and equipment to the scene of an emergency incident.
- DEFINITION** EMERGENCY INCIDENTS - a serious accident, vehicle collision (10 73 s.13), explosion, civil disorder, demonstration, or similar incident.
- PROCEDURE** Upon arriving at the scene of an emergency incident:
- UNIFORMED MEMBER OF THE SERVICE**
1. Radio Communications Section and request:
 - a. Personnel and equipment, if necessary
 - b. Patrol supervisor/platoon commander.
 2. Take other police action indicated by the situation.
- PATROL SUPERVISOR/ PLATOON COMMANDER**
3. Review action taken and determine if additional personnel/equipment is needed.
 4. Activate a Level 1 mobilization, when appropriate, through:
 - a. Radio dispatcher, OR
 - b. Operations Unit by telephone.
 5. Establish command post with telephone, if necessary.
 6. Notify precinct desk officer, Operations Unit, Communications Section and patrol borough office wheel of:
 - a. Location and nature of emergency incident
 - b. Location and telephone number of command post
 - c. Location of mobilization point and route to be used by responding units.
- NOTE** *Mobilization point should be of sufficient size to accommodate a Level 3 or 4 mobilization. Mobilization point and route should be transmitted to Communications Section.*
7. Request command post flag and log, as necessary.
 8. Assign uniformed members of the service per CIMS (PG 220).
 9. Supervise uniformed members of the service, as required.
 10. Prepare **DETAIL ROSTER/ASSIGNMENT SHEET (PD406-141)**, if applicable.
 11. Keep the precinct desk officer and Operations Unit informed of facts.
 12. Inform responding commanding officer/duty captain of:
 - a. Details of emergency
 - b. Action taken
 - c. Personnel and equipment on scene or requested.
- COMMANDING OFFICER/ DUTY CAPTAIN**
13. Assume command and review action taken.
 14. Contact command post by telephone for update and determine if additional personnel/equipment are required.
 15. Activate a Level 2, 3 or 4 mobilization, as necessary.
 16. Develop a plan and deploy personnel to return normalcy to area affected by emergency.

PATROL GUIDE

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**COMMANDING
OFFICER/
DUTY CAPTAIN
(continued)**

17. Return uniformed members of the service to regular duty when presence is no longer required.
 - a. Notify and confer with Operations Unit supervisor relative to other citywide conditions before returning personnel to regular duty.

**ADDITIONAL
DATA**

At the scene of an emergency incident to which a uniformed member of the service in the rank of captain or above is not responding, the platoon commander, or if not available, the patrol supervisor precinct / PSA / transit district of occurrence will assume command as the Incident Commander / Agency Incident Commander until a transfer of command or demobilization occurs.

Based upon the nature and size of the emergency incident, the patrol Duty Captain or Duty Inspector or Duty Chief or Patrol Borough Commanding Officer / Executive Officer may respond. The Patrol Borough Commanding Officer / Executive Officer or if not available, highest ranking patrol Duty supervisor at the scene of the emergency incident will:

1. assume command, or
2. designate the appropriate Incident Commander / Agency Incident Commander, or
3. direct that a transfer of command to an appropriate Incident Commander / Agency Incident Commander occurs.

The Incident Commander / Agency Incident Commander may only be superseded by the Police Commissioner, First Deputy Commissioner, Chief of Department or senior ranking operational Bureau Chief. Other deputy commissioners may render advice and assistance to the Incident Commander / Agency Incident Commander but may not assume command of the incident.

If the incident is of a nature where specialized knowledge or expertise is necessary for the most effective police response (i.e., subway accidents, emergencies in public housing developments, etc.), the Incident Commander shall designate an appropriate ranking member with the aforementioned skills as the Operations Section chief. In most cases, the designee will be the highest ranking member from the appropriate bureau or division involved (e.g., Housing Bureau for public housing incidents, Transit Bureau for subway incidents, etc.).

The Police and Fire Departments maintain underwater diving units (SCUBA Divers) for response to waterborne accidents, fires and other emergencies. Police Department units, Harbor and Emergency Service personnel are available twenty-four (24) hours daily, and will respond to any submersion or accidents involving occupied vehicles, boats or aircraft or evidence searches. The Aviation Unit is available twenty-four (24) hours a day, seven (7) days a week with scuba team divers for near and offshore air-sea rescues. The Fire Department unit is available on a daily basis, twenty-four (24) hours a day and will respond to fire incidents requiring the use of divers. Request for the Police Department diving unit will be made to the Special Operations Division for routine dives and to the Communications Section in emergencies. (IO 17 s.06)

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**RELATED
PROCEDURES**

Command Post Operations (P.G. 213-01)
Rapid Mobilization (P.G. 213-03)
Mobilization Readiness Levels (P.G. 213-04)
Duties At Unusual Disorder (P.G. 213-05)
Unusual Disorder Plan-Formulating Plan (P.G. 213-08)
Unusual Disorder Maps (P.G. 213-07)
Unusual Disorder Kits (P.G. 213-09)
Unusual Occurrence Reports (P.G. 212-09)
Mayor's Plan For Coordinated Action At Emergencies (A.G. 316-06)

**FORMS AND
REPORTS**

DETAIL ROSTER/ASSIGNMENT SHEET (PD406-141)



PATROL GUIDE

Section: Mobilization/Emergency Incidents		Procedure No: 213-03	
RAPID MOBILIZATION			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 12

PURPOSE To have personnel respond rapidly to the scene of an unusual disorder/emergency incident.

PROCEDURE When IMMEDIATE assistance is required at the scene of an unusual disorder/emergency incident:

PATROL SUPERVISOR

1. Assess situation and, if needed, activate Mobilization Level 1 through radio dispatcher.
 - a. Patrol supervisors are authorized to activate a Mobilization Level 1.
 - b. Consult with commanding officer/duty captain prior to activating a Level 1 mobilization for a missing person investigation, absent exigent circumstances. (IO 14 s. 14)
2. Notify commanding officer/duty captain, if assistance is required beyond a Level 1 mobilization.
 - a. Upon activation, commanding officer/duty captain will immediately respond to scene.

PLATOON COMMANDER

3. Respond to scene of incident and assume duties of the Incident Commander.
 - a. Upon arrival of the commanding officer/duty captain, assume the duties of the Operations Officer in the field command post, and
 - b. Advise Incident Commander, as necessary.

NOTE *For incidents occurring in areas that are the responsibility of the Housing Bureau or Transit Bureau, the Housing Bureau or Transit Bureau platoon commander should, if not on scene, respond and assume the duties and responsibilities as described in step 3 above.*

DUTY CAPTAIN

4. Respond to scene.
 - a. Contact the command post, while enroute, and get an estimation of the situation from the patrol supervisor/platoon commander at scene.
 - b. Assess situation and activate a further mobilization (see pages 5 through 9), after conferral, if necessary.
 - (1) Communicate the number of personnel and the level of mobilization required to the patrol borough, Communications Section or the Operations Unit.

NOTE *Mobilization Levels 2, 3 or 4 require the authorization of a captain or above. The captain need not be on the scene, but if authorizing any further mobilization while not at the scene, he/she must communicate with one of the following:*

- a. Patrol supervisor/platoon commander
- b. Patrol borough concerned
- c. Operations Unit.

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NOTE
(continued)

Mobilization levels need not be utilized in consecutive order. Circumstances may dictate activating Mobilization Level 3 before Level 2 or Level 2 before Level 1. HOWEVER, CAUTION SHOULD BE TAKEN WHEN UTILIZING THESE CODES IN OTHER THAN CONSECUTIVE ORDER BECAUSE PERSONNEL AND EQUIPMENT IN THE OMITTED MOBILIZATION LEVEL WILL NOT RESPOND.

The supervisor activating a mobilization should notify the Operations Unit of personnel and/or equipment that is NOT required. The Operations Unit will then notify units concerned.

All units will comply with duties as listed in the applicable Patrol Guide (213 Series), Operations Unit directions and their respective unit unusual disorder plans.

**ACTIVATING
SUPERVISOR**

5. Notify Operations Unit and patrol borough concerned of the situation that resulted in mobilization.
6. Maintain control of members of the service.
7. Be prepared to brief ranking members of the service.
8. Designate a mobilization point and advise Communications Section of mobilization point and route to be used by responding members.
9. Provide for security of Department resources at the mobilization point and any staging areas utilized.
10. Provide traffic post coverage to allow for the quick access of responding units.
11. Update the Operations Unit and the patrol borough concerned.
12. Act as "Incident Commander" until relieved or until a higher ranking uniformed member from the Patrol Services Bureau, Housing Bureau, or Transit Bureau, assumes command.

NOTE

At the scene of an emergency incident to which a uniformed member of the service in the rank of captain or above is not responding, the platoon commander, or if not available, the patrol supervisor precinct / PSA / transit district of occurrence will assume command as the Incident Commander / Agency Incident Commander until a transfer of command or demobilization occurs.

Based upon the nature and size of the emergency incident, the patrol Duty Captain or Duty Inspector or Duty Chief or Patrol Borough Commanding Officer / Executive Officer may respond. The Patrol Borough Commanding Officer / Executive Officer or if not available, highest ranking patrol Duty supervisor at the scene of the emergency incident will:

1. assume command, or
2. designate the appropriate Incident Commander / Agency Incident Commander, or
3. direct that a transfer of command to an appropriate Incident Commander / Agency Incident Commander occurs.

The Incident Commander / Agency Incident Commander may only be superseded by the Police Commissioner, First Deputy Commissioner, Chief of Department or senior ranking operational Bureau Chief. Other deputy commissioners may render advice and assistance to the Incident Commander / Agency Incident Commander but may not assume command of the incident.

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NOTE
(continued)

If the incident is of a nature where specialized knowledge or expertise is necessary for the most effective police response (i.e., subway accidents, emergencies in public housing developments, etc.), the Incident Commander shall designate an appropriate ranking member with the aforementioned skills as the Operations Section chief. In most cases, the designee will be the highest ranking member from the appropriate bureau or division involved (e.g., Housing Bureau for public housing incidents, Transit Bureau for subway incidents, etc.). (IO 17 s.06)

**DESK OFFICER,
OPERATIONS
UNIT**

13. Notify:
 - a. Affected patrol boroughs, divisions and/or bureaus concerned, (i.e., Housing Bureau, Transit Bureau, Special Operations Division, Traffic Management Center [IO 1 s.11] etc.) to stage required personnel (see pages 5 to 9).
 - b. Transit Bureau Patrol Operations Wheel to identify and stage Transit Bureau equipment vehicles necessary.

AFTER ACTIVATION OF A LEVEL 2, 3 OR 4 MOBILIZATION

**TRANSIT
BUREAU,
PATROL
OPERATIONS
WHEEL**

14. Confer, by telephone, with the desk officer of each Transit District concerned regarding the Transit Bureau location to which mobilized Transit Bureau personnel and equipment will respond.
 - a. Stage disorder equipment vehicle(s), as required.

NOTE

Disorder equipment vehicles are available through the Operations Unit, twenty-four (24) hours a day, seven (7) days a week.

**DESK OFFICER,
TRANSIT
BUREAU**

15. Notify affected patrol personnel of transit facility designated for response (see pages 5 through 9).
 - a. Have notified personnel respond by transit system to chosen Transit Bureau location
 - b. Notify command post of number of personnel available at chosen Transit Bureau location.

**DESK OFFICER,
ALL OTHER
BUREAUS**

16. Stage required personnel.
17. Inspect responding members for proper equipment.
18. Supply members with a van to respond to mobilization point.

NOTE

Housing Bureau and Transit Bureau personnel mobilized on a Level 3 mobilization will ONLY be utilized to secure their own respective facilities/developments. Housing Bureau and Transit Bureau personnel mobilized on a Level 4 mobilization can be used for other duties.

**MOBILIZED
SERGEANTS**

19. Inspect responding members for proper equipment and direct members to respond to mobilization point.
20. Respond, with necessary personnel, promptly, to the mobilization point, upon notification.
21. Ensure all responding members are properly equipped.

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- MOBILIZED SERGEANTS (continued)**
22. Ascertain response route and radio frequency to be used from Communications Section dispatcher.
 23. Advise members of the nature of the emergency and radio frequency to be used.

NOTE *Supervisors will direct members to tune radios to the frequency designated, although only the vehicle operator and the supervisor will have their radios on while responding to the scene. Transit Bureau supervisor at command post will coordinate communications between the command post and the mobilized Transit Bureau personnel present without citywide frequencies tuned into their radios.*

24. Prepare **DETAIL ROSTER/ASSIGNMENT SHEET (PD406-141)** prior to arrival at the mobilization point.

FIRST PLATOON RESPONSE EXCEPTION

NOTE *One (1) sergeant per mobile field force will respond to mobilization point with two (2) police officers from the same precinct and a van. The patrol borough concerned will designate which precincts will supply sergeants and lieutenants. Patrol Borough Staten Island will send **only** one (1) sergeant. All other bureaus/divisions will supply personnel as required (see pages 5 through 9).*

- MOBILIZED SERGEANTS**
25. Gather members from precincts as required to form a squad.
 26. Receive instructions at mobilization point and proceed with squad to the staging area or post in van provided.
 27. Comply with steps 21, 22 and 23, above.

NOTE *Mobilized lieutenants will be designated by their local patrol borough. On the 2nd and 3rd Platoon, three (3) lieutenants per patrol borough will respond to the mobilization point and form their respective precinct squads into mobile field forces (see pages 10 and 11). On the 1st Platoon **only**, one (1) lieutenant per patrol borough will respond with an RMP and form their respective precinct squads into patrol borough platoons. Patrol Borough Staten Island will supply one (1) lieutenant on the 2nd and 3rd Platoons and no lieutenants on the 1st Platoon. Patrol Boroughs Queens North and Queens South will send only two (2) lieutenants on the 2nd and 3rd Platoon and only one (1) lieutenant on the 1st Platoon.*

ALL PLATOONS

- MOBILIZED LIEUTENANTS**
28. Respond to mobilization point when notified by patrol borough or Operations Unit of a Mobilization Level Three or Level Four (ALL PLATOONS).
 29. Form uniformed members from precincts into mobile field forces as per "Mobile Field Force Assignments - Patrol Services Bureau" (pages 10 and 11).

NOTE *Patrol boroughs/Operations Unit are responsible to reallocate resources within the affected borough or throughout the City to maintain adequate levels of police service and adequate levels of supervision.*

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ADDITIONAL DATA [IO 10 s.03]

1. Patrol Guide procedure 213-03, "Rapid Mobilization," states as follows, "At the scene of a large scale unusual disorder or other emergency incident, the highest ranking uniformed police supervisor is in command and will be designated as Incident Commander." It further states, "In most cases, the designee will be the highest ranking member from the bureau involved (e.g., the Housing Bureau for public housing incidents, the Transit Bureau for subway incidents, the Chief of Transportation for traffic emergencies, etc.)." Designating an Incident Commander provides centralized command at the scene of an emergency.

2. If an incident occurs under the 'stand-alone' model concept, patrol borough commander(s) will assume operational command of ALL Department resources within their geographical area of responsibility with the exception of Chief of Citywide Operations personnel, Facilities Management Division Personnel, and the Transit Bureau. [IO 20 s.17]

a. The Transit Bureau will initiate citywide 'stand-alone' operations at the Transit Bureau headquarters in Brooklyn.

3. Under this concept, the Chief of Department/designee will confer with the Deputy Commissioner, Management & Budget to determine which resources assigned to the Facilities Management Division can be made available to the appropriate patrol borough commander. As an event unfolds, follow-up conferrals can be conducted to adjust the availability of resources accordingly. The decision(s) reached by the Chief of Department/designee will be communicated to the appropriate patrol borough commander.

4. When it is determined that patrol borough(s) will operate under the "stand-alone" concept, patrol borough commands will activate borough command posts in accordance with standard operating procedures. Additionally, representatives will be assigned from the Detective Borough, Intelligence Bureau, Housing Bureau, Chief of Transportation, School Safety Division, Chief of Citywide Operations and any other unit deemed appropriate by the patrol borough commander. An operational plan should be developed by each patrol borough to facilitate "stand-alone" operations. It should include, at minimum, pre-designated assignments among the borough staff and outside command representatives, identification of necessary equipment and support staff, as well as providing for a relief factor. Since each patrol borough is unique, the borough commander should tailor plans that will address the needs of that particular patrol borough, i.e., potential for civil disorder, public panic, the threat of secondary events, etc. However, patrol borough commanders must recognize that the NYPD Emergency Operations Center retains the authority to direct movement and allocation of resources out of the patrol borough in response to incidents elsewhere throughout the City.

RELATED PROCEDURES

Command Post Operations (P.G. 213-01)
Emergency Incidents (P.G. 213-02)
Mobilization Readiness Levels (P.G. 213-04)
Duties At Unusual Disorders (P.G. 213-05)
Unusual Disorder Plan-Formulating Plan (P.G. 213-08)
Unusual Disorder Maps (P.G. 213-07)
Unusual Disorder Kits (P.G. 213-09)
Unusual Occurrence Reports (P.G. 212-09)

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**RELATED
PROCEDURES
(continued)**

Mayor's Plan for Coordinated Action at Emergencies (A.G. 316-06)

**FORMS AND
REPORTS**

DETAIL ROSTER/ASSIGNMENT SHEET (PD406-141)

LEVEL 1

LOCAL **STRATEGIC RESPONSE GROUP** (10 53 s.16) MOBILIZATION

**AUTHORITY
TO CALL**

- PATROL SUPERVISOR

**RESPONDING
UNITS**

- LOCAL **STRATEGIC RESPONSE GROUP**
- 1-RADIO EMERGENCY PATROL (REP)
- 1-PATROL SUPERVISOR HOUSING PSA AND TRANSIT DISTRICT CONCERNED

**ADDITIONAL
SUPERVISORS**

- DUTY CAPTAIN AND COMMAND POST STAFF

LEVEL 2

CITYWIDE **STRATEGIC RESPONSE GROUPS** MOBILIZATION

**AUTHORITY
TO CALL**

- CAPTAIN OR ABOVE

**RESPONDING
UNITS**

- **STRATEGIC RESPONSE GROUP(S)** AS DESIGNATED BY OPERATIONS UNIT
- 1-ESU SUPERVISOR AND TRUCK
- 1-REP PER TASK FORCE ACTIVATED
- 1-HELICOPTER
- 1-COMMAND POST VEHICLE
- 1-DECON TRUCK
- 1-BARRIER TRUCK (LOCAL PATROL BOROUGH)
- 1-SGT. AND 2 DETS. - TARU
- 1-ARREST PROCESSING VEHICLE
- 1-PATROL WAGON
- 1-PATROL SUPERVISOR HOUSING PSA AND TRANSIT DISTRICT CONCERNED, IF NOT ALREADY PRESENT
- 1-TRAFFIC **OPERATIONS DISTRICT** (10 1 s.11) SUPERVISOR

NOTE

OPERATIONS UNIT IS RESPONSIBLE FOR MAKING REQUIRED NOTIFICATIONS.

**ADDITIONAL
SUPERVISORS**

- DUTY INSPECTOR BOROUGH OF INCIDENT
- DUTY CAPTAIN AND COMMAND POST STAFF WITH EACH **STRATEGIC RESPONSE GROUP** MOBILIZED

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LEVEL 3

LOCAL BOROUGH MOBILIZATION 2ND AND 3RD PLATOON

AUTHORITY TO CALL

CAPTAIN OR ABOVE

RESPONDING UNITS

- 3 LIEUTENANTS (1 PER MOBILE FIELD FORCE) (PBQN AND PBQS ONLY 2 LIEUTENANTS EACH, PBSI SUPPLIES ONLY 1 LIEUTENANT, HOUSING BUREAU 1 LIEUTENANT PER 3 PSAs AND TRANSIT BUREAU 1 LIEUTENANT PER BOROUGH)
- 1 SERGEANT AND 8 POLICE OFFICERS PER PRECINCT AND HOUSING PSA WITHIN PATROL BOROUGH CONCERNED
- 1 SERGEANT AND 8 POLICE OFFICERS PER TRANSIT DISTRICT PURSUANT TO THEIR PLAN (SEE PAGE 11)
- 2 SERGEANTS AND 20 POLICE OFFICERS (HIGHWAY DISTRICT WITH RMPs)
- 1 SERGEANT AND 10 POLICE OFFICERS (STREET CRIME UNIT)
- 2 SERGEANTS AND 10 POLICE OFFICERS (MOUNTED UNIT)
- 1 SERGEANT AND 2 DETECTIVES TARU (IF NOT ALREADY PRESENT)
- 1-ESU SUPERVISOR
- 1-POT TRUCK OR PEACEKEEPER
- 1-MLG OR HELP CAR
- 1-REP OR TRUCK
- 1-PATROL WAGON
- 1-HELICOPTER (IF NOT ALREADY PRESENT)
- 1-COMMAND POST VEHICLE (IF NOT ALREADY PRESENT)
- 1-DECON TRUCK (IF NOT ALREADY PRESENT)
- 1-BARRIER TRUCK (IF NOT ALREADY PRESENT)
- 1-ARREST PROCESSING VEHICLE (IF NOT ALREADY PRESENT)

NOTE

OPERATIONS UNIT IS RESPONSIBLE FOR MAKING REQUIRED NOTIFICATIONS.

ADDITIONAL SUPERVISORS

- DUTY CAPTAIN AND COMMAND POST STAFF (IF NOT ALREADY PRESENT)
- STAFF RESPONSIBLE FOR ASSISTING THE INCIDENT COMMANDER, AS NECESSARY
- TRAFFIC **OPERATIONS DISTRICT** SUPERVISOR (IF NOT ALREADY PRESENT)

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LEVEL 3

LOCAL BOROUGH MOBILIZATION 1ST PLATOON

AUTHORITY TO CALL

- CAPTAIN OR ABOVE

RESPONDING UNITS

- 3 SERGEANTS PER PATROL BOROUGH (1 PER MOBILE FIELD FORCE WITH VAN) (PBQN AND PBQS WILL SEND 2 SERGEANTS EACH, PBSI, HOUSING BUREAU AND TRANSIT BUREAU WILL SEND 1 SERGEANT EACH)
- 2 POLICE OFFICERS PER PRECINCT AND HOUSING PSA WITHIN PATROL BOROUGH CONCERNED BY RMP
- 2 POLICE OFFICERS PER TRANSIT DISTRICT PURSUANT TO THEIR PLAN (SEE PAGE 11)
- 1 SERGEANT AND 8 POLICE OFFICERS (HIGHWAY DISTRICT WITH RMPs)
- 1 SERGEANT AND 10 POLICE OFFICERS (STREET CRIME UNIT)
- 1-ARREST PROCESSING VEHICLE (IF NOT ALREADY PRESENT)
- 1-ESU SUPERVISOR
- 1-REP AND TRUCK
- 1-MLG OR HELP CAR
- 1-PATROL WAGON
- 1-HELICOPTER
- 1-BARRIER TRUCK (IF NOT ALREADY PRESENT)
- 1-COMMAND POST VEHICLE (IF NOT ALREADY PRESENT)

NOTE

OPERATIONS UNIT IS RESPONSIBLE FOR MAKING REQUIRED NOTIFICATIONS.

ADDITIONAL SUPERVISORS

- DUTY CAPTAIN AND COMMAND POST STAFF
- 1 LIEUTENANT (SELECTED BY PATROL BOROUGH CONCERNED EXCEPT PBSI)

LEVEL 4

CITY WIDE PRECINCT MOBILIZATION 2ND AND 3RD PLATOON

AUTHORITY TO CALL

- CAPTAIN OR ABOVE

RESPONDING UNITS

- 3 LIEUTENANTS (1 PER MOBILE FIELD FORCE) (PBQN AND PBQS ONLY 2 LIEUTENANTS EACH, PBSI SUPPLIES ONLY 1 LIEUTENANT, TRANSIT BUREAU 1 LIEUTENANT PER BOROUGH MOBILIZED)
- 1 HOUSING BUREAU LIEUTENANT PER 3 PSAs
- 1 SERGEANT AND 8 POLICE OFFICERS PER PRECINCT AND HOUSING PSA PER BOROUGH MOBILIZED
- 1 SERGEANT AND 8 POLICE OFFICERS PER TRANSIT DISTRICT PURSUANT TO THEIR PLAN (SEE PAGE 11)
- 1 SERGEANT AND 10 POLICE OFFICERS (HIGHWAY DISTRICT WITH RMPs [ADDITIONAL])

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RESPONDING UNITS (continued)

- 1 SERGEANT AND 10 POLICE OFFICERS (STREET CRIME UNIT [IF NOT ALREADY PRESENT])
- 2 SERGEANTS AND 10 POLICE OFFICERS (MOUNTED UNIT [ADDITIONAL])
- 1-ARREST PROCESS VEHICLE (ADDITIONAL)
- 1-SERGEANT AND 4 POLICE OFFICERS - PAFTS
- 1-ESU SUPERVISOR (ADDITIONAL)
- 1-POT TRUCK OR PEACEKEEPER (ADDITIONAL)
- 1-MLG OR HELP CAR (ADDITIONAL)
- 1-REP OR TRUCK (ADDITIONAL)
- 1-SERGEANT AND 2 DETECTIVES - TARU (IF NOT ALREADY PRESENT)
- 1-COMMAND POST VEHICLE (ADDITIONAL)
- 1-BARRIER TRUCK (IF NOT ALREADY PRESENT)
- 1-DECON TRUCK (IF NOT ALREADY PRESENT)
- 1-PATROL WAGON (ADDITIONAL)

NOTE

OPERATIONS UNIT IS RESPONSIBLE FOR MAKING REQUIRED NOTIFICATIONS.

ADDITIONAL SUPERVISORS

- DUTY CHIEF
- DUTY INSPECTOR (BOROUGH OF INCIDENT)
- DUTY CAPTAIN AND COMMAND POST STAFF WITH EACH BOROUGH MOBILIZED, UNLESS ALREADY ON SCENE FROM LEVEL 2
- STAFF RESPONSIBLE FOR ASSISTING INCIDENT COMMANDER, AS NECESSARY
- 1 CAPTAIN HOUSING BUREAU AND TRANSIT BUREAU, IF AVAILABLE
- 1 TRAFFIC CONTROL SUPERVISOR (IF NOT ALREADY PRESENT)

LEVEL 4

CITY WIDE PRECINCT MOBILIZATION 1ST PLATOON

AUTHORITY TO CALL

CAPTAIN OR ABOVE

RESPONDING UNITS

- EACH DESIGNATED BOROUGH WILL SEND (PER PATROL BOROUGH):
- 3 SERGEANTS PER PATROL BOROUGH (1 PER MOBILE FIELD FORCE WITH VAN), PBQN AND PBQS WILL SEND 2 SERGEANTS EACH, PBSI, HOUSING BUREAU AND TRANSIT BUREAU WILL SEND 1 SERGEANT EACH
 - 2 POLICE OFFICERS PER PRECINCT AND HOUSING PSA WITHIN PATROL BOROUGH CONCERNED BY RMP
 - 2 POLICE OFFICERS PER TRANSIT DISTRICT PURSUANT TO THEIR PLAN (SEE PAGE 11)
 - 1 SERGEANT AND 8 POLICE OFFICERS (HIGHWAY DISTRICT WITH RMPs [IF NOT ALREADY PRESENT])
 - 1 SERGEANT AND 10 POLICE OFFICERS (STREET CRIME UNIT [IF NOT ALREADY PRESENT])
 - 1-ESU SUPERVISOR (IF NOT ALREADY PRESENT)

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**RESPONDING
UNITS
(continued)**

- 1-REP AND TRUCK (IF NOT ALREADY PRESENT)
- 1-MLG OR HELP CAR (IF NOT ALREADY PRESENT)
- 1-PATROL WAGON (ADDITIONAL)
- 1-POT TRUCK OR PEACEKEEPER (ADDITIONAL)
- 1-HELICOPTER (IF NOT ALREADY PRESENT)
- 1-BARRIER TRUCK (IF NOT ALREADY PRESENT)
- 1-COMMAND POST VEHICLE (ADDITIONAL)

NOTE

OPERATIONS UNIT IS RESPONSIBLE FOR MAKING REQUIRED NOTIFICATIONS.

**ADDITIONAL
SUPERVISORS**

- DUTY CAPTAIN AND COMMAND POST STAFF
- 1 LIEUTENANT (SELECTED BY PATROL BOROUGH CONCERNED, EXCEPT PBSI)
- 1 CAPTAIN HOUSING BUREAU AND TRANSIT BUREAU, IF AVAILABLE

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MOBILE FIELD FORCE ASSIGNMENTS PATROL SERVICES BUREAU

		2ND & 3RD PLATOONS (1 SGT AND 8 POs PER PRECINCT)		1ST PLATOON (1 SGT PER MOBILE FIELD FORCE 2 POs PER PRECINCT)		
MOBILE FIELD FORCE NUMBER		SGTs	POs	SGTs	POs	PCTS ASSIGNED
PBMS	1	3	24	1	6	1-5-7
	2	4	32	1	8	6-9-10-13
	3	3	24	1	6	MTS-17-MTN
	SUB TOTAL	10	80	3	20	
PBMN	4	4	32	1	8	19-20-CPP-24
	5	4	32	1	8	26-30-33-34
	6	4	32	1	8	23-25-28-32
	SUB TOTAL	12	96	3	24	
PBBX	7	4	32	1	8	40-42-44-48
	8	4	32	1	8	41-43-45-49
	9	4	32	1	8	46-47-50-52
	SUB TOTAL	12	96	3	24	
PBBS	10	4	32	1	8	60-61-62-70
	11	5	40	1	10	66-68-72-76-78
	12	4	32	1	8	63-67-69-71
	SUB TOTAL	13	104	3	26	
PBBN	13	3	24	1	6	73-75-81
	14	4	32	1	8	77-79-84-88
	15	3	24	1	6	83-90-94
	SUB TOTAL	10	80	3	20	
PBQS	16	4	32	1	8	102-103-106-107
	17	4	32	1	8	100-101-105-113
	SUB TOTAL	8	64	2	16	
PBQN	18	4	32	1	8	104-108-114-115
	19	4	32	1	8	109-110-111-112
	SUB TOTAL	8	64	2	16	
PBSI	20	3	24	1	6	120-122-123
SUB TOTAL PSB		76	608	20	152	

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TRANSIT BUREAU

MFF	1	3	24	1	6	PER	TRANSIT	PLAN
BELOW								
	2	4	32	1	8	DO		
	3	4	32	1	8	DO		
	SUB TOTAL	11	88	3	22			

HOUSING BUREAU

	1	3	24	1	6	ANY 3 PSAs
	2	3	24	1	6	DO
	3	3	24	1	6	DO
	SUB TOTAL	9	72	3	18	

GRAND TOTAL 96 768 26 192

NOTE

Mobile Field Forces are a method of organizing personnel into groups utilizing the "old" geographical patrol division format with the exception of Patrol Borough Queens North and Queens South. The Housing Bureau and Transit Bureau will organize their own mobile field forces as per their own in bureau plans.

TRANSIT BUREAU RESPONSE PLAN

The Transit Bureau Patrol Boroughs do not currently correspond to the geographic and administrative patrol boroughs of the Patrol Services Bureau.

To address this the following response plan will be utilized:

PATROL BOROUGH MOBILIZED	2ND & 3RD PLATOON RESPONSE PER DISTRICT	1ST PLATOON RESPONSE PER DISTRICT	DISTRICT(S) REQUIRED TO RESPOND
PBMS	1 SGT & 8 POs	2 POs	2 & 4
PBMN	1 SGT & 8 POs	2 POs	1 & 3
PBBX	1 SGT & 8 POs	2 POs	11 & 12
PBBS	1 SGT & 8 POs	2 POs	32 & 34
PBBN	1 SGT & 8 POs	2 POs	30 & 33
PBQN AND PBQS	1 SGT & 8 POs	2 POs	20
PBSI	NONE	NONE	NONE



PATROL GUIDE

Section: Mobilization/Emergency Incidents		Procedure No: 213-13	
EMERGENCY PLANS “A” - “B” - “C”			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 2

PURPOSE To expedite movement of traffic and reduce danger to persons or damage to property during adverse weather or street conditions.

DEFINITION PLAN “A” - for hazardous road conditions caused by freezing rain, snow or ice.
PLAN “B” -for dangerous street conditions caused by hurricanes, storms and floods.
PLAN “C” - for traffic congestion and other conditions caused by unusually heavy traffic.

PROCEDURE Upon receipt of FINEST message activating Plan “A” “B” or “C”:

DESK OFFICER

1. Notify commanding officer and other units located in same building.
2. Make assignments of personnel in accordance with prioritized traffic post list maintained at the desk for each emergency plan or as conditions warrant.
 - a. Give priority to school crossings during school hours
 - b. Assign personnel to strategic locations to periodically report on prevalent conditions, if necessary.

NOTE *Patrol borough offices will coordinate the assignment of personnel to traffic posts when Plan “A” is implemented. During emergency periods, personnel assigned to **Strategic Response Groups [10 53 s.16]** may be temporarily assigned to priority traffic posts, if necessary, with the approval of the patrol borough commander.*

3. Assign personnel to survey parkways and expressways, to aid stranded motorists.
4. Direct personnel on patrol and special emergency plan assignment to submit reports of occurrences and action taken, including recommendations.
 - a. File reports in Log at desk.
5. Notify patrol borough office initially and each hour thereafter of the following:
 - a. Traffic conditions
 - b. Detours established
 - c. Intersections and traffic junctions covered
 - d. Serious incidents or conditions
 - e. Additional manpower or equipment required.

NOTE *Patrol borough office notifies Operations Unit direct via telephone at (212) 374-5580.*

6. Direct that Department property be safeguarded against adverse weather conditions.
7. Maintain special log at desk to record incidents which occur while the Emergency Plan is in effect and caption Log across a double page as follows:

TIME	INCIDENT	NOTIFICATION	DISPOSITION	TIME CORRECTED	REMARKS
------	----------	--------------	-------------	-------------------	---------

8. Notify Operations Unit of persons in need of temporary shelter, emergency transportation, etc.

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- DESK OFFICER (continued)**
9. Ascertain that assignments are made according to Emergency Plan, and/or as appropriate, due to existing conditions.
 10. Survey conditions within command and record incidents and situations requiring further attention.
 11. Direct patrol supervisor to survey assigned area and report observations and recommendations.

- UNIFORMED MEMBER OF THE SERVICE**
12. Contact command for possible reassignment upon learning of the activation of Emergency Plan.
 - a. Remain at intersection if assigned to traffic duty.
 - b. Remain on school crossing until completion, if so assigned.
 13. Continue to perform routine patrol duties unless on special assignment, and
 - a. Keep intersections clear and traffic moving.
 - b. Advise persons to safeguard property against high winds, floods, etc.
 - c. Visit construction sites and advise person in charge to secure cranes, scaffolding, building material, etc.
 - d. Remove portable traffic equipment from roadways, if required.
 - e. Safeguard fallen electric wires and notify utility concerned and Emergency Service Unit.
 14. Report the following to the desk officer:
 - a. Unusual or hazardous conditions
 - b. Serious traffic congestion
 - c. Slippery grades
 - d. Dangerous bridge conditions
 - e. Conditions requiring the attention of other agencies.

ADDITIONAL DATA *Available patrol and traffic personnel will be utilized during activation of Emergency Plan "A", "B" or "C".*

Plan "A", "B" or "C" may be activated by the Chief of Transportation [10 13-2 s.17] or higher authority, on a citywide basis or within a borough as required. The Plans may also be implemented by a borough commander within the borough or any part thereof.

When an Emergency Plan is activated or discontinued, the commanding officer authorizing such action will notify the Operations Unit.

When any traffic related problem is observed, or information is received indicating such a problem, the radio dispatcher will be notified via radio or landline (718) 254-1300. Corrective action is to be taken by the members concerned.

When a precinct commander determines that coverage of a previously established prioritized traffic post for Plan "A" is no longer warranted, or that a new location should be added, he will amend the post list accordingly and forward a revised copy to the patrol borough commander. The patrol borough commander shall endorse the revised post list and forward a copy to the Patrol Services Bureau, Traffic Management Center and the Traffic Enforcement District.

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DESK OFFICER (continued) **12.** Prepare and sign two (2) copies of report on **OFFICIAL LETTERHEAD (PD158-151)**, addressed to Department of Motor Vehicles (DMV), explaining reason for forwarding plates to DMV, if owner fails to pickup plates within five (5) days.

a. Wrap registration plates, with report included, in brown paper and forward to Department of Motor Vehicles, if plates not picked up within five (5) days.

TELEPHONE SWITCHBOARD OPERATOR **13.** Notify Department of Sanitation to remove vehicle.

14. Make entry on **HIGHWAY CONDITIONS RECORD (PD311-151)** of notification.

DESK OFFICER **15.** Review **Omniform Complaint Revision** if prepared, and:

a. Sign "For the Commanding Officer"

b. Verify alarm is cancelled and owner notified.

16. Forward **Omniform Complaint Revision** and **PROPERTY CLERK INVOICE** as indicated on forms.

FORMS AND REPORTS

ACTIVITY LOG (PD112-145)

HIGHWAY CONDITIONS RECORD (PD311-151)

OFFICIAL LETTERHEAD (PD158-151)

Omniform Complaint Revision

PROPERTY CLERK INVOICE (PD521-141) [10 68 s.13]

REGISTRATION PLATE REMOVAL NOTICE (PD571-120)



PATROL GUIDE

Section: Quality of Life Matters		Procedure No: 214-30	
REMOVAL OF EXPIRED NEW YORK STATE REGISTRATION PLATES			
DATE ISSUED: 01/01/2000	DATE EFFECTIVE: 01/01/2000	REVISION NUMBER:	PAGE: 1 of 3

PURPOSE

To process vehicles bearing New York State license plates that are unregistered more than two (2) months after expiration of registration.

PROCEDURE

Upon observing a vehicle bearing expired New York State registration plates and/or no registration sticker displayed:

UNIFORMED MEMBER OF THE SERVICE

1. Determine:
 - a. If vehicle has been reported stolen
 - b. Name and address of registered owner
 - c. If vehicle is derelict or abandoned.
2. Issue summons for UNREGISTERED VEHICLE if vehicle HAS NOT BEEN REPORTED STOLEN.
3. Remove license plates from vehicle that remains unregistered more than two (2) months after expiration of registration.

NOTE

Expired New York State license plates will not be removed from a vehicle that has been reported stolen.

IF PLATES ARE REMOVED FROM A DERELICT VEHICLE

UNIFORMED MEMBER OF THE SERVICE

4. Prepare **REGISTRATION PLATE REMOVAL NOTICE (PD571-120)**.
 - a. Fold form at the perforation over the carbon paper and then enter all required information as per captions on Part 2 of **NOTICE**.
 - b. Enter word DERELICT above words "Part 2" in lower left corner.
 - c. Enter registered owner's name, address, city, state and zip code as required by captions on reverse side of Part 1.
5. Place Part 2 of **NOTICE** on vehicle windshield.
6. Enter the date and precinct on **EXPIRED NEW YORK STATE PLATE REMOVAL STICKER (PD571-124)** and affix to driver's side window. If window is broken, affix on roadway side of vehicle in conspicuous, easily observable location.
7. Deliver Part 1 of **NOTICE** and plates to desk officer.

COMMAND CLERK

8. Notify Stolen Property Inquiry Section of:
 - a. Date and time plates removed
 - b. Location of vehicle
 - c. Year and make of vehicle
 - d. Vehicle Identification Number
 - e. Registration plate number, month and year of expiration
 - f. Name and address of registered owner.



INTERIM ORDER

SUBJECT: POLICE ACTION IN PREMISES (LICENSED OR UNLICENSED) WHERE ALCOHOLIC BEVERAGES ARE SOLD		
DATE ISSUED:	REFERENCE:	NUMBER:
05-04-11	*P.G. 214-34	18

PURPOSE

To notify the **Detective Bureau's [10 16 s.17]** Vice Enforcement Division and the State Liquor Authority of founded complaints regarding premises where alcoholic beverages are sold.

PROCEDURE

When any of the following events occur in connection with a premises, licensed or unlicensed, in which alcoholic beverages are sold:

- a. Arrest in premises, or elsewhere, resulting from action originating in premises
- b. Summons served on premises, or on employee, for violation related to premises
- c. Complaint concerning premises, or vicinity of premises and cause originated in premises, which was investigated and resulted in corrected condition
- d. Condition or police action directly concerning the operation of the premises which should be brought to the attention of the State Liquor Authority, Department of Buildings, Fire Department, or any other City agency.

UNIFORMED MEMBER OF THE SERVICE CONCERNED

1. Request patrol supervisor to respond.
 - a. If patrol supervisor is not available, contact desk officer and comply with instructions.
2. Advise patrol supervisor of the facts.
3. Take summary action if offense committed in presence and be guided by *P.G. 208-03, "Arrests - General Processing"* and *P.G. 207-08, "Preliminary Investigation of Vice, Narcotics or Organized Crime-Related Offenses."*
4. Make complete entries in **ACTIVITY LOG (PD112-145)**.
5. Notify the Organized Crime Control Bureau, Field Operations Desk when:
 - a. Premises is selling alcohol without a liquor license, AND/OR
 - b. Premises is operating after hours.

PATROL SUPERVISOR

6. Respond to the scene and determine appropriate police action to be taken.
 - a. Notify the Department of Buildings, Fire Department or the appropriate City agency of apparent code violations.
7. Prepare **POLICE ACTION LICENSED/UNLICENSED PREMISES (PD310-150)** report.
 - a. Prepare additional copy of report marked "Department of Consumer Affairs" if arrest involved a cabaret, public dance hall, catering establishment, or bowling alley
 - b. Prepare one (1) additional copy of report for commanding officer of precinct where premises is located, if action or condition originated in another command
 - c. File one (1) copy of report at command.

NOTE

Whenever the uniformed member concerned is assigned to **the Detective** Bureau, such member's commanding officer will prepare and forward the required **POLICE ACTION LICENSED/UNLICENSED PREMISES** report. A copy of the report will be forwarded to the commanding officer, precinct of occurrence.

**PATROL
SUPERVISOR
(continued)**

8. Direct undercover agent (e.g., auxiliary police officer, etc.) to complete **AFFIDAVIT OF SALE OF ALCOHOL (PD326-060)**, if police action involves the sale of alcohol to a minor or an undercover member.
 - a. Have one copy of **AFFIDAVIT** filed in arrest folder.
9. Notify desk officer, precinct of occurrence of facts.
10. Forward **POLICE ACTION LICENSED/UNLICENSED PREMISES** with additional copies of report and original **AFFIDAVIT OF SALE OF ALCOHOL**, if prepared, to commanding officer.
11. Advise commanding officer of facts regarding police action.

DESK OFFICER

12. Enter facts in Command Log.

**COMMANDING
OFFICER**

13. Verify that desk officer, precinct of occurrence, was notified, if necessary.
14. Review and sign **POLICE ACTION LICENSED/UNLICENSED PREMISES**.
15. Ensure **POLICE ACTION LICENSED/UNLICENSED PREMISES** report is forwarded, DIRECT, to Commanding Officer, Vice Enforcement Division, **3280 Broadway, NY, NY Room 605**, with the following:
 - a. Copies of any summonses issued in regards to police action
 - b. Original **AFFIDAVIT OF SALE OF ALCOHOL**, if prepared.
16. **Scan and email all prepared summonses, reports, etc. to VED@NYPD.ORG.**
17. Ensure a copy of **POLICE ACTION LICENSED/UNLICENSED PREMISES** report, if prepared, is forwarded to the following:
 - a. NYC Department of Consumer Affairs
 - b. Precinct commanding officer where premises is located.

**VICE
ENFORCEMENT
DIVISION**

18. Forward copy of **POLICE ACTION LICENSED/UNLICENSED PREMISES** report to the State Liquor Authority.

**ADDITIONAL
DATA**

*The "Details" section of **POLICE ACTION LICENSED/UNLICENSED PREMISES** must be very specific. It must include a statement that the owner or operator was aware of the offense and indicate circumstances that demonstrated actual or implied knowledge on the part of the owner or operator. Include the following information, when pertinent:*

1. *Employment of a person under eighteen (18) years of age, or serving alcoholic beverages to a person under twenty one (21) years of age:*
 - a. *Name, address and age*
 - b. *How age was ascertained*
 - c. *If enforcement was for the sale of alcohol to a minor, what type of alcohol was purchased (size of container, brand, and cost)*
 - d. *If undercover agent was used, his/her title, age, date of birth, and a statement that the arresting/summonsing officer witnessed the sale.*

**ADDITIONAL
DATA
(continued)**

2. *Sale of alcohol to intoxicated person:*
 - a. *Description of drunken behavior*
 - b. *Type of beverage served after condition was observed by arresting officer.*
3. *Gambling:*
 - a. *Whether defendant is an employee of premises and in what capacity*
 - b. *Name of person in charge*
 - c. *If gambling device was involved, indicate how used.*
4. *Sale of alcoholic beverages during prohibited hours:*
 - a. *Type of beverage*
 - b. *Time of violation and arrest.*
5. *Prostitution:*
 - a. *Period of time observed*
 - b. *Behavior of persons with males or females and number of times males and/or females left and returned*
 - c. *Name of person permitting violation by direct knowledge or by action of male(s)/female(s).*
6. *Narcotics:*
 - a. *Circumstances*
 - b. *Name and title of person in charge who knowingly permitted violation.*

**RELATED
PROCEDURES**

Preliminary Investigation of Vice, Narcotics or Organized Crime-Related Offenses (P.G. 207-08)
Arrests - General Processing (P.G. 208-03)

**FORMS AND
REPORTS**

ACTIVITY LOG (PD112-145)
POLICE ACTION LICENSED/UNLICENSED PREMISES (PD310-150)
AFFIDAVIT OF SALE OF ALCOHOL (PD326-060)

BY DIRECTION OF THE POLICE COMMISSIONER

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INTERIM ORDER NO. 18



PATROL GUIDE

Section: Quality of Life Matters		Procedure No: 214-35	
PROCESSING QUALITY OF LIFE COMPLAINTS USING THE 311 TERMINAL			
DATE ISSUED: 10/16/09	DATE EFFECTIVE: 10/23/09	REVISION NUMBER: 09-05	PAGE: 1 of 4

PURPOSE To ensure Quality of Life complaints received through the 311 terminal and/or telephone switchboard are handled efficiently by members of the service.

PROCEDURE When a Quality of Life complaint has been received through the 311 terminal and/or telephone switchboard:

TELEPHONE SWITCHBOARD OPERATOR

1. Record Quality of Life complaints received via telephone on the **TELEPHONE DISPATCH LOG (PD112-143)**.
2. Review the 311 terminal for duplication of requests for service received via telephone and provide disposition on terminal and **TELEPHONE DISPATCH LOG** when appropriate.
3. Have Quality of Life complaint(s) generated through the 311 terminal or telephone switchboard requiring investigation dispatched as a command assignment.
4. Enter final dispositions on the **TELEPHONE DISPATCH LOG** of calls received via the telephone switchboard.

NOTE *Quality of Life calls received at the telephone switchboard will be recorded in the **TELEPHONE DISPATCH LOG** and the desk officer will assign an available unit to respond. In addition, the caller will be advised to call 311 directly to report any future Quality of Life complaints. If a call is received at the telephone switchboard which requires a referral to another city agency, the caller will be directed to call 311 immediately.*

MEMBER OF SERVICE ASSIGNED

5. Notify Communications upon receipt of a 311 assignment (code 10-61) including location to which responding.
6. Respond to assignment as expeditiously as possible, except if on emergency assignment.
7. Promptly notify Communications upon completion of assignment.
8. Notify desk officer of disposition for completed assignments.
9. Deliver completed assigned 311 calls worksheet to the desk officer by the end of tour. Final dispositions must be indicated.

NOTE *A notification of the disposition for completed assignments must be made to the desk officer immediately upon completion. 311 assignments not completed by the end of tour will be returned to the desk officer for priority assignment to the next platoon.*

PATROL SUPERVISOR 10. Monitor performance of members of the service assigned to 311 calls.

NOTE *Patrol supervisors should be cognizant that 311 calls should be handled as expeditiously as possible and adequate supervision of members of the service should be maintained at all times.*

**PRECINCT
YOUTH
OFFICER
(continued)**

- 1) Document in “Results” caption of **YOUTH REFERRAL** that a photocopy of “Precinct of Residence Copy” of the **YOUTH REFERRAL** was forwarded via Department mail, to the truant’s resident PSA youth officer for investigation.

TRUANT’S RESIDENT PRECINCT OR POLICE SERVICE AREA:

**PRECINCT/PSA
YOUTH
OFFICER**

15. Conduct investigation and summarize outcome in “Results” caption on “Precinct of Residence Copy” of **YOUTH REFERRAL**.
16. Submit completed **YOUTH REFERRAL** to special operations lieutenant for review.
 - a. File **YOUTH REFERRAL(S)** alphabetically upon return from special operations lieutenant.

**SPECIAL
OPERATIONS
LIEUTENANT**

17. Review **YOUTH REFERRAL(S)**, sign in appropriate caption and return form to precinct/PSA youth officer.

ALL PRECINCTS:

**PRECINCT
SCHOOL
SAFETY
SERGEANT**

18. Periodically inspect and sign the **YOUTH REFERRAL REPORT LOG** for completeness and accuracy.
19. Review the **YOUTH REFERRAL REPORT LOG** to identify patterns/recidivists.
20. Maintain regular contact with the School Safety Division, Truancy Coordinator to share information to maximize truancy enforcement.
 - a. Notify Truancy Coordinator prior to conducting a large truancy enforcement operation.
21. Maintain regular contact with the **Detective Bureau, Social Media Analysis and Research Team [10 13-3 s.17]** to maximize resources, spot trends and share information.
22. Close **YOUTH REFERRAL REPORT LOG** at the end of the school year.

**SPECIAL
OPERATIONS
LIEUTENANT**

23. Perform steps “18” through “22” above in the absence of the precinct school safety sergeant.

**ADDITIONAL
DATA**

LEGAL CONSIDERATIONS

*The Education Law and the Regulations of the Chancellor of the New York City Department of Education require that a person attend school until the last session of the school year in which the person reaches seventeen years of age. This law defines the school year as the period commencing on July 1st and ending the next June 30th. Therefore, a person who reaches his/her seventeenth birthday on or after July 1st MUST attend school, when in session, until the following June 30th. A **YOUTH REFERRAL** will be prepared for each truant, including those seventeen years of age.*

**ADDITIONAL
DATA**
(continued)

Only uniformed members of the service and police officers as defined in the Criminal Procedure Law, Section 1.20, subdivision 34, are authorized to issue and/or sign a **COMPLAINT REPORT WORKSHEET (PD313-152A)** with "Juvenile Report" caption checked off, **JUVENILE REPORT SYSTEM WORKSHEET (PD377-159A)** or **YOUTH REFERRAL** as reporting officers. Names of special police, store detectives, school safety agents, etc., may be entered on **COMPLAINT REPORT WORKSHEET** in caption "Reporter/Witness."

On June 30th of each year **YOUTH REFERRAL** records will be purged, as required by "Cuevas v. Leary." **YOUTH REFERRAL(S)** prepared for minors seventeen years of age will be purged as soon as practical after the minor's eighteenth birthday. In addition, the corresponding entry in the **YOUTH REFERRAL REPORT LOG** will be purged by redacting the "Truant Name" and "Truant Address" captions.

OPERATIONAL CONSIDERATIONS

Ordinarily truancy enforcement should not be conducted after 1300 hours.

If necessary, truancy intake site locations may be obtained from the School Safety Division, Truancy Coordinator. Truancy intake sites will be staffed by school safety agents. Uniformed members of the service will not be routinely assigned to these locations.

**FORMS AND
REPORTS**

ACTIVITY LOG (PD112-145)
COMPLAINT REPORT WORKSHEET (PD313-152A)
YOUTH REFERRAL (PD377-153)
JUVENILE REPORT SYSTEM WORKSHEET (PD377-159A)
YOUTH REFERRAL REPORT LOG (PD377-140)
UNDERSTANDING TRUANCY ENFORCEMENT PROCEDURES AND BEST PRACTICES (PD377-111)

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION
All Commands

INTERIM ORDER NO. 47

**ADDITIONAL
DATA
(continued)**

ARRESTING OFFICER/APPEARANCE IN FAMILY COURT

<u>JUVENILE DELINQUENT</u>	<u>FAMILY COURT</u>
REMANDED (APPEARANCE TICKET-FAMILY COURT NOT ISSUED)	APPEAR 0900 HOURS NEXT BUSINESS DAY
RELEASED ON RECOGNIZANCE FOR DESIGNATED FELONY	APPEAR 0900 HOURS NEXT BUSINESS DAY
RELEASED ON RECOGNIZANCE FOR NON-DESIGNATED FELONY	ARRESTING OFFICER EXCUSED

Members will adhere to Interim Order 38, series 2009 "Court Processing of Arrests of Juvenile Delinquents on Weekends and Court Holidays" if an appearance at Family Court is requested on a weekend or court holiday and the borough Family Court is not in session.

BOROUGH COURT SECTION FAMILY COURT LIAISONS

<u>BOROUGH</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>FAX #</u>
MANHATTAN	60 LAFAYETTE STREET	(212) 374-3859	(212) 374-3856
BROOKLYN	330 JAY STREET	(718) 875-6316 (718) 643-5864	(718) 834-8837
BRONX	900 SHERIDAN AVENUE	(718) 590-3228 (718) 590-3829	(718) 992-4879
QUEENS	151-20 JAMAICA AVENUE	(718) 523-9753	(718) 523-2045
STATEN ISLAND	100 RICHMOND TERRACE	(718) 556-4044	(718) 556-4042

**FORMS AND
REPORTS**

ACTIVITY LOG (PD112-145)

AIDED REPORT

APPEARANCE TICKET-FAMILY COURT (PD277-130)

COMPLAINT REPORT (PD313-152)

JUVENILE ARREST INVESTIGATION/PROBATION INTAKE REPORT (PD277-151)

JUVENILE ARREST INVESTIGATION/PROBATION INTAKE REPORT WORKSHEET (PD277-151a)

JUVENILE DELINQUENT ARREST COMPLAINANT'S NOTIFICATION TO APPEAR (PD277-120)

NOTICE OF RECOGNIZANCE-JUVENILE DELINQUENT (PD209-121)

ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)

PROPERTY CLERK'S INVOICE (PD521-141)

**RELATED
PROCEDURES**

Computerized Investigation Report Worksheet System (P.G. 208-23)

Family Offenses/Domestic Violence (P.G. 208-36)

Offense Committed By A Child Under 16 Years Of Age (Other Than Juvenile Offender) (P.G. 215-09)

Arrests - Juvenile Offender (P.G. 215-10)

Court Processing of Arrests of Juvenile Delinquents on Weekends and Court Holidays (Interim Order 38, series 2009)

INTERIM ORDER NO. 41

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INTERIM ORDER

SUBJECT: HANDCUFFING/RESTRAINING STUDENTS WITHIN SCHOOL FACILITIES FOR ARREST OR AS AN EMOTIONALLY DISTURBED PERSON AND USE OF ALTERNATIVE RESTRAINTS/VELCRO CUFFS		
DATE ISSUED:	REFERENCE:	NUMBER:
01-10-17	*P.G. 215-13	3

PURPOSE

To set forth a policy for the handcuffing/restraining of students within New York City public schools to ensure the safety of members of the service and students being taken into custody for an arrest or, when being safeguarded as an emotionally disturbed person.

SCOPE

HANDCUFFING/RESTRAINING POLICY FOR STUDENTS:

The safety of all persons involved is the predominant factor in determining if a student should be restrained and which type of restraint used. When operating in a school environment, the minimum level of restraint necessary should be utilized to secure the student who is being restrained for an arrest or being safeguarded as an emotionally disturbed person. Members of the service should confer and coordinate with school administrative staff, including the principal, dean, teachers and guidance counselor in instances where it may be necessary to restrain a student, when possible and when appropriate and consistent with personal safety, to reduce or eliminate the necessity to use force.

Absent exigent circumstances, handcuffs/alternative restraints/Velcro cuffs should NOT be placed on a student while in a classroom, cafeteria, or area where other students are located. Members of the service should coordinate with school officials to have the student removed to a semi-private location (e.g., principal's office, school security office, etc.) when possible.

When it is necessary to handcuff students 16 years of age and above, metal handcuffs will be used. Alternative restraints will **NOT** be utilized for students sixteen years of age and above.

RESTRAINING STUDENTS UNDER 12 YEARS OF AGE:

Metal handcuffs should not be used on students less than twelve years of age without prior approval of the precinct school safety sergeant, patrol sergeant or school safety supervisor, whenever possible. Metal handcuffs will only be used as a last resort when other means of restraint are not effective and the student, members of the service or others, would face a risk of bodily harm if metal handcuffs were not used.

**SCOPE
(continued)**

The Department is committed to recognizing that handcuffing students in a school facility has unique and sensitive aspects. Incidents that are not criminal but are related to school discipline only, are generally not a police matter, but fall under the purview of school officials. Members of the service will ordinarily defer to school officials for appropriate action when incidents committed by students are related only to school discipline. School actions could include parent conferrals, referral to guidance counselors, suspension and/or initiation of mediation procedures. Incidents committed by students within schools that are low level, non-violent misdemeanor crimes or violations may also be referred to school officials for appropriate action, after a review of the incident by members of the service and a conferral with the school principal/designee.

For the safety of all concerned, the Department's policy is to rear handcuff students who are arrested in a school facility unless mitigating circumstances dictate not to. Consideration should be given to a student's age or special needs status when determining how a student is restrained. A decision may be made not to rear handcuff or use restraints when such special circumstances exist.

Verbal commands, constructive restraint or alternative restraints should be strongly considered or attempted prior to utilizing metal handcuffs.

A student less than twelve years of age will **NOT** be handcuffed to a restraining bar, chair, railing, or other fixed objects and must be kept under constant observation by uniformed member of the service/school safety agent at all times.

Precinct commanding officer/executive officer/duty captain will investigate and prepare a report on **Typed Letterhead** when metal handcuffs are utilized on a student less than twelve years of age, and include a determination regarding the necessity and appropriateness of utilizing metal handcuffs. This report will be forwarded to the Chief of Patrol along with a copy to the Commanding Officer, School Safety Division.

DEFINITIONS

CONSTRUCTIVE RESTRAINT – Physical control, with no restraining device employed, using the minimal amount of physical force necessary to control movement in order to ensure the safety of the student (i.e., for use on a student who is obeying all commands).

ALTERNATIVE RESTRAINT – A Velcro restraining device that is an alternative to metal handcuffs when taking a student into custody, who poses a possible safety risk, risk of flight, and/or non-compliance. Only those members of the service trained in the use of Velcro restraining devices may use these alternative restraints. Alternative restraints will not be utilized for students sixteen years of age or older. All school safety agents carry and are trained in the use of alternative restraints/Velcro cuffs.

**DEFINITIONS
(continued)**

SPECIAL EDUCATION STATUS – Students with physical, intellectual, or emotional disabilities. Students may have one or more types of disabilities. Students with special education status may be attending any New York City public school.

PROCEDURE

When handcuffing/restraining a student for arrest or, safeguarding as an emotionally disturbed person inside or on the grounds of a school facility, during school hours, after school or at weekend school related events:

**UNIFORMED
MEMBER OF
THE SERVICE**

1. Notify, confer, and coordinate actions with School Safety Division personnel and the principal/designee, prior to taking police action, or when responding to a student experiencing emotional issues in a public school facility, unless exigent circumstances exist.
 - a. If conferrals with School Safety personnel or the principal/designee are not possible prior to effecting an arrest due to exigent circumstances, then a notification of the arrest **MUST** be made to School Safety Division personnel and school principal/designee as soon as practical after the arrest has been effected, or a student has been restrained for emotional issues.
 - b. During a conferral with the principal/designee and School Safety Division personnel, discussions should include the option of referring low level non-violent criminal incidents and violations of law committed by a student in a school facility, to school officials for appropriate action in lieu of arrest or a summons.

**UNIFORMED
MEMBER OF
THE SERVICE/
SCHOOL
SAFETY
AGENT LEVEL
I-III**

2. Inform school personnel of the decision to effect an arrest and the basis of that decision unless physical resistance, flight or other factors render such procedure impractical.
3. Remove student, if possible, to a semi-private location (e.g., principal's office, school security office, etc.).
4. Inform student of authority and cause for arrest, unless physical resistance, flight or other factors render such procedure impractical.
5. Use appropriate level of restraint, as applicable (e.g., constructive restraint, alternative restraints/Velcro cuffs, or metal handcuffs), based on factors described in **ADDITIONAL DATA** statement under heading "OPERATIONAL CONSIDERATIONS."
6. Request precinct school safety sergeant, or if unavailable, patrol supervisor to respond to the scene, whether being taken into custody for an arrest or being safeguarded as an emotionally disturbed person.
7. Keep the student under constant supervision regardless of level of restraint used.
8. **DO NOT** remove student from a school to a Department facility if, upon investigation, it is determined that the incident involves the commission of a violation.

- | | |
|--|--|
| PRECINCT
SCHOOL SAFETY
SERGEANT/
PATROL
SUPERVISOR/
SUPERVISOR OF
SCHOOL
SECURITY | 9. Respond to location and verify that probable cause exists to support the arrest or to supervise the restraining of a student for emotional issues.
10. Assess the type of restraint used and direct change in level of restraint, as appropriate.
11. Advise school administrator to contact their Legal Department, if school administrator objects to arrest.
12. Notify precinct commanding officer/executive officer/duty captain, whenever metal handcuffs are utilized to restrain a student less than twelve years of age for any period of time. |
| PRECINCT
COMMANDING
OFFICER/
EXECUTIVE
OFFICER/
DUTY
CAPTAIN | 13. Investigate and prepare a report on Typed Letterhead when metal handcuffs are utilized on a student less than twelve years of age, and include a determination regarding the necessity and appropriateness of utilizing metal handcuffs.
a. Forward Typed Letterhead to the Chief of Patrol, along with a copy to the Commanding Officer, School Safety Division. |
| PRECINCT
SCHOOL
SAFETY
SERGEANT | 14. Meet with principals of schools located within the command at the beginning of each school year to discuss school conditions, and to apprise them of the Department's handcuffing/restraining policy. |
| SCHOOL
SAFETY
AGENT LEVEL
I-II | 15. Be aware of all police action taken on school grounds and document any police action taken on SCHOOL SAFETY DIVISION CRIMINAL INCIDENT REPORT (PD313-147) . |
| SCHOOL
SAFETY
AGENT LEVEL
III/
SUPERVISOR
OF SCHOOL
SECURITY | 16. Verify that SCHOOL SAFETY DIVISION CRIMINAL INCIDENT REPORTS are prepared as required. |

***ADDITIONAL
DATA***

OPERATIONAL CONSIDERATIONS

Constructive restraint or alternative restraints/Velcro cuffs may be utilized when it is necessary to take a student into police custody. Nothing in this procedure prevents a member of the service from removing restraints from a student or moving to a lower level of restraint (i.e., from metal handcuffs to alternative restraints or, from alternative restraints to constructive restraint) when the incident has stabilized and the student is no longer a danger to themselves or others.

**ADDITIONAL
DATA
(continued)**

The safety of all persons involved is the predominant factor in determining if a student should be restrained, and if restrained, which method is utilized. It is incumbent on the member of the service to use a reasonable belief standard in determining the level of restraint. Factors that may be considered in making this determination include the following:

- a. Age of the student (generally a student who is less than twelve years of age; however, students under the age of sixteen may be eligible for alternative restraints, dependent upon circumstances)*
- b. Physical stature of the student*
- c. Type of offense/nature of incident (including use of weapons)*
- d. Presence of student's parent/guardian*
- e. Special education status*
- f. The reputation of the student with school authorities (including whether the student has a history of emotional or behavioral difficulties)*
- g. The student's demeanor and compliance with instructions given by school staff, parents, and members of the service*
- h. Whether the student is demonstrating behavior that may cause imminent harm to themselves or others*
- i. Whether there is possible risk of escape*
- j. Medical, mental, physical and/or emotional condition/limitation of the student, if known.*

*If a juvenile has been arrested and removed from a school to a Department facility for arrest processing, a notification must be made to the Juvenile Crime Desk. The Juvenile Crime Desk will assist supervisors in making a determination as to whether that juvenile should be released on a **JUVENILE REPORT SYSTEM WORKSHEET (PD377-159A)** or, if the juvenile should be processed as a Juvenile Delinquent as per P.G. 215-09, "Offenses Committed by a Child Under 16 Years of Age (Other than a Juvenile Offender)."*

LEGAL CONSIDERATIONS

Whether probable cause to arrest exists will be determined by the Police Department. While the desires of school personnel (principals, teachers, etc.) may be considered by the member of the service in determining whether an arrest is warranted, the views of school personnel are NOT controlling. In the event a conflict arises between a member of the service who wishes to effect an arrest of a student and school personnel, the member of the service will request the response of the precinct school safety sergeant or, if unavailable, the patrol supervisor.

The final decision as to whether to take a student into custody for a criminal offense and the method of restraint rests with the ranking uniformed police supervisor present at the scene.

Under no circumstances will school personnel be permitted to interfere with an arrest.

**RELATED
PROCEDURES**

*Arrests – General Processing (P.G. 208-03)
Prisoners - General Procedure (P.G. 210-01)
Truants (P.G. 215-07)*

INTERIM ORDER NO. 3

**RELATED
PROCEDURES
(continued)**

*Offense Committed by a Child Under 16 Years of Age (Other Than a Juvenile Offender)
(P.G. 215-09)
Reporting and Recording Public School-Related Criminal Incidents (P.G. 215-16)
Police Actions, Related Questioning, Arrests and Investigations at Department of Education
Facilities (P.G. 215-17)
Mentally Ill or Emotionally Disturbed Persons (P.G. 221-13)*

**FORMS AND
REPORTS**

***SCHOOL SAFETY DIVISION CRIMINAL INCIDENT REPORT (PD313-147)
JUVENILE REPORT SYSTEM WORKSHEET (PD377-159A)
Typed Letterhead***

BY DIRECTION OF THE POLICE COMMISSIONER

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INTERIM ORDER NO. 3

PATROL GUIDE

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- JUVENILE
DESK
ANALYST**
7. Perform relevant computer checks of the juvenile and the parent/guardian, and advise arresting officer of results.
 8. Provide arrest processing support.
 9. Make recommendation to remand juvenile or release on recognizance, as appropriate (see *ADDITIONAL DATA*).
 10. Provide arresting officer with Family Court return date, if required.
- ARRESTING
OFFICER**
11. Obtain information regarding juvenile's history from the Juvenile Desk analyst.
 12. Be guided by responses from Juvenile Desk analyst.
 13. Document results of conferral with analyst in **ACTIVITY LOG**.
 14. Comply with applicable arrest processing procedures.
 15. Telephone Juvenile Desk, as soon as possible, for changes to the following:
 - a. Any change in the charge(s) that will amend the status of the juvenile (i.e., upgrade in charge(s) or additional charges, Assistant District Attorney declines to prosecute juvenile in criminal court, etc.)
 - b. Inability to make a parental notification or the inability to release the juvenile to a responsible parent/legal guardian/adult relative
 - c. Any changes that would amend the Juvenile Desk's previous recommendation (i.e., investigation reveals that juvenile misrepresented his/her actual age or identity, etc.).
- JUVENILE
DESK
ANALYST**
16. Notify the Juvenile Crime Squad for the following offenses:
 - a. Any felony
 - b. Criminal Possession of Weapon (firearm only)
 - c. Reckless Endangerment
 - d. Arson.
 17. Notify the appropriate investigative unit (i.e., Precinct Detective Squad/Nightwatch for felonies, Burglary/Robbery Apprehension Module (BRAM) for robberies and burglaries, and the respective Special Victims Squad/Child Abuse Squad for serious sex crimes).
 18. Notify the Corporation Counsel for the following offenses:
 - a. Any Homicide, including attempts (request that a Corporation Counsel representative respond)
 - b. Rape 1st Degree (request that a Corporation Counsel representative respond)
 - c. Any First Degree Sexual Offense
 - d. Assault 1st Degree
 - e. Robbery 1st Degree
 - f. Any Firearm-Related Offense.
 19. Make any other necessary notification on the behalf of arresting officer (i.e., Special Victims Squad for sex offenses with minors, etc.) with the exception of the notification to juvenile's parent/guardian.
 20. Provide officer with Juvenile Desk – Intake Log number, if appropriate.

PATROL GUIDE

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ARRESTING OFFICER

- Document the Juvenile Desk – Intake Log number in the “Narrative” section of the **JUVENILE REPORT SYSTEM WORKSHEET (PD377-159A)**, or in the “Details” section of the **COMPLAINT REPORT WORKSHEET (PD313-152A)**, and the “Narrative” section of the **ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)**.

ADDITIONAL DATA

*Juvenile Desk personnel will make a recommendation whether to remand or release on recognizance a juvenile based on several factors including the age of the juvenile, the offense charged, the information provided by the arresting officer, and the results of comprehensive background checks of the juvenile and their parent(s). The ultimate decision making authority, however, remains with the supervisor at the detention command. This provides the flexibility to respond to information or circumstances known only to supervisors at the field command. However, the discretion to depart from the recommendations of the Juvenile Desk should be founded on the rationale that the Department will act on the principle of “what is best for the child” balanced by appropriate measures to discourage future criminal behavior. Examples of considerations that should not impact discretion are the availability of vehicles for transport or shortage of personnel. In cases where conditions in the field necessitate a departure from the Juvenile Desk recommendation, the desk officer must confer with a Juvenile Desk supervisor. If after conferral with the Juvenile Desk supervisor, the desk officer’s decision is to not follow the recommendation of the Juvenile Desk, the commanding officer of the command of detention, will prepare a report, on Typed Letterhead, to the **Real Time Crime Center [10 13-3 s.17]** explaining the reason for the non-compliance*

*School safety agents who detain and remove a juvenile to a police facility for arrest processing or for the issuance of a **JUVENILE REPORT SYSTEM WORKSHEET** and **COMPLAINT REPORT WORKSHEET**, as per P.G. 215-08, “On-Line Juvenile Report System,” are also required to comply with the above procedure. When school safety agents have removed a juvenile to a police facility for processing, they will notify the School Safety Division (SSD) Operations Center prior to calling the Juvenile Desk. The SSD Operations Center member will issue the agent a SSD Operations Center serial number for entry on a **SCHOOL SAFETY DIVISION CRIMINAL INCIDENT REPORT (PD313-147)**, if appropriate. When the detention of a juvenile takes place within school grounds, the SSD Operations Center will contact the Juvenile Desk on behalf of the arresting agent, if necessary. This process will ensure that the SSD Operations Center remains aware of all enforcement activity occurring in and around New York City public schools.*

It is not the function of the Juvenile Desk to collect or disseminate statistical data on juveniles and juvenile incidents.

RELATED PROCEDURES

*Arrest of Juvenile Offender (P.G. 215-10)
Offenses Committed by a Child Under 16 Years of Age (Other Than a Juvenile Offender) (P.G. 215-09)
On-Line Juvenile Report System (P.G. 215-08)*

FORMS AND REPORTS

ACTIVITY LOG (PD112-145)
JUVENILE REPORT SYSTEM WORKSHEET (PD377-159A)
COMPLAINT REPORT WORKSHEET (PD313-152A)
ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)
SCHOOL SAFETY DIVISION CRIMINAL INCIDENT REPORT (PD313-147)



INTERIM ORDER

SUBJECT: PUBLIC ACCESS DEFIBRILLATION PROGRAM		
DATE ISSUED:	REFERENCE:	NUMBER:
07-02-12	*P.G. 216-19	38

PURPOSE

To account for and properly document the use of Automated External Defibrillators (AEDs) in assigned commands, and to provide for the training and certification of uniformed, civilian and auxiliary members of the service in their use.

DEFINITIONS

AUTOMATED EXTERNAL DEFIBRILLATOR (AED) – An electronic device that is used to defibrillate the heart by applying an electric shock to it.

UTILIZATION OF AED – Once an AED is placed on an aided, the Department considers that as utilized, even if a shock is not administered. When the AED pads are placed on an aided the machine will perform an analysis and advise what actions should be taken.

CARDIO PULMONARY RESUSCITATION (CPR) ADMINISTERED – The Department considers that CPR has been administered once a member of the service performs rapid chest compressions or mouth-to-mouth ventilation on an aided.

PROCEDURE

In all commands assigned Automated External Defibrillators (AEDs):

DESK OFFICER

1. Account for all AED kits assigned to command at the beginning of each tour.
2. Assign an AED at the start of each tour to a member of the service trained and certified by the Department, as AED qualified.
3. Notify radio dispatcher of the unit(s) that have been assigned an AED kit.
4. Make a Command Log entry accounting for all AED kits and the notification to radio dispatcher.
 - a. Note the assignment of AED kits by their serial numbers, with the prefix “AED” (e.g., AED 1234).
5. Ensure assignment of AED kits are noted on the roll call.
6. Secure AED kits that are not in use, in an appropriate location (e.g., radio room, property room).

MEMBER OF THE SERVICE CERTIFIED TO UTILIZE AED/ ADMINISTER CPR

7. Inspect the AED kit to ensure that it contains the following items:
 - a. Operational AED – one device
 - b. Electrode pads with wire leads – two sealed packages, each containing two pads
 - c. Pocket mask
 - d. Gloves
 - e. Cloth/gauze compress
 - f. Razor.

**MEMBER OF
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CERTIFIED TO
UTILIZE AED/
ADMINISTER
CPR**

8. Notify desk officer of any deficiencies/missing equipment and make appropriate **ACTIVITY LOG (PD112-145)** entries.

UPON ARRIVING AT THE SCENE OF A CARDIAC AIDED CASE

**MEMBER OF
THE SERVICE
CERTIFIED TO
UTILIZE AED/
ADMINISTER
CPR**

9. Advise radio dispatcher of aided's condition and request response of Emergency Medical Service (EMS) to the scene.
10. Utilize the AED device in compliance with Department guidelines/training.
 - a. The AED will only be attached to an unconscious adult patient after it has been confirmed that the patient is not breathing and does not have a pulse
 - b. Provide care until relieved by advanced level emergency medical personnel.
11. Brief responding EMS crew or other advanced level emergency medical personnel of the following:
 - a. Condition of the patient when found
 - b. Nature of care provided, (i.e., rescue breathing, CPR, defibrillation, etc.).
12. Prepare **AIDED REPORT** (IO 75 s.16).
 - a. Note in "Details" section of **AIDED REPORT** if the AED was utilized, or CPR administered and results achieved.
 - (1) If AED utilized, include serial number.
 - b. If CPR was administered, check the appropriate caption on the **AIDED REPORT**.
13. **Submit** **AIDED REPORT** immediately to the desk officer after returning to the command.

DESK OFFICER

14. After member of the service returns to the command, telephone the ESU desk to obtain an AED/CPR log number and **enter** this number in the "Details" section [IO 10 s.17] of the **AIDED REPORT**.
 - a. Forward a copy of the completed **AIDED REPORT** to the ESU-AED Coordinator via fax, and via Department mail to the Emergency Service Unit, Attention: EMT School
 - b. Ensure AED is secured until delivery, and is not reassigned.
15. Schedule an appointment and ensure the AED is delivered to the ESU-AED Coordinator, for downloading of information after each use.

**ESU-AED
COORDINATOR**

16. Download information from the data card or AED, as appropriate, and submit to the Supervising Chief Surgeon or designee.
 - a. Check AED for operability/serviceability (battery charge, etc.).
17. Fax copy of the **AIDED REPORT** to the Office of the Supervising Chief Surgeon.



PATROL GUIDE

Section: Aided Cases		Procedure No: 216-22	
MOBILE CRISIS OUTREACH TEAMS AND ASSERTIVE COMMUNITY TREATMENT TEAMS			
DATE ISSUED: 07/27/07	DATE EFFECTIVE: 08/03/07	REVISION NUMBER: 07-04	PAGE: 1 of 2

PURPOSE

To safeguard and remove mentally ill or emotionally disturbed persons at the direction of Mobile Crisis Outreach or Assertive Community Treatment Teams pursuant to Sections 9.37 and 9.58 of the New York State Mental Hygiene Law.

DEFINITIONS

MOBILE CRISIS OUTREACH TEAMS- These teams are independently operated by local hospitals or community-based mental health organizations, are usually funded by the Department of Health and Mental Hygiene, and may sometimes be attached to New York State licensed “comprehensive emergency programs.” Their goal is to assess, stabilize and rapidly refer patients to longer-term providers.

ASSERTIVE COMMUNITY TREATMENT TEAMS (ACT)- Similar to Mobile Crisis Outreach Teams, but are “hospitals on wheels,” more richly staffed by mental health workers and charged with providing a wide range of ongoing services. ACT teams sometimes need to order involuntary transport of their patients to hospital emergency rooms. They receive contract funding from the Department of Health and Mental Hygiene and are licensed by the New York State Office of Mental Health.

QUALIFIED MENTAL HEALTH PROFESSIONAL (QMHP)- are members of a Mobile Crisis Outreach or Assertive Community Treatment Team who are licensed psychologists, certified social workers or registered professional nurses.

PROCEDURE

When directed to assist, on scene, designated physicians or qualified mental health professionals assigned to Mobile Crisis Outreach Teams or Assertive Community Treatment Teams, uniformed members of the service will:

UNIFORMED MEMBER OF THE SERVICE

1. Comply with provisions of *Patrol Guide 216-05, “Mentally Ill or Emotionally Disturbed Persons.”*
2. Examine the Department of Health and Mental Hygiene photo identification card of the physician or qualified mental health professional on scene.
 - a. Record pertinent information in **ACTIVITY LOG (PD112-145)**, including the identity of the physician or qualified mental health professional ordering the removal, and the length of time the aided was in police custody.
3. Prepare **AIDED REPORT (IO 75 s.16)**.
 - a. **Submit Form OMH 475 (Application for Involuntary Admission on Certificate of a Director of Community Services or Designee) OR Form OMH 482 (Mobile Crisis Outreach Team Authorization for Transport) with AIDED REPORT.**

PATROL GUIDE

PROCEDURE NUMBER:	DATE EFFECTIVE:	REVISION NUMBER:	PAGE:
216-22	08/03/07	07-04	2 of 2

ADDITIONAL DATA

Designated physicians authorizing a removal must prepare **Form OMH 475 (Application for Involuntary Admission on Certificate of a Director of Community Services or Designee)** prior to directing the involuntary transport of an individual. Other qualified mental health professionals assigned to Mobile Crisis Outreach Teams / Assertive Community Treatment Teams must prepare **Form OMH 482 (Mobile Crisis Outreach Team Authorization for Transport)** prior to directing the involuntary transport of an individual. In either case, a copy of the required form must be provided to responding officers for **submission with the AIDED REPORT.**

A uniformed member of the service will assist in the transportation of the patient to the hospital and ride in the body of the ambulance with the patient. A uniformed member will remain with the patient until he/she is examined and is either released or admitted at the psychiatric emergency room.

Mobile Crisis Outreach or Assertive Community Treatment Teams ordering the removal of a mentally ill person will safeguard all personal property (other than contraband) removed from the patient.

RELATED PROCEDURES

Unusual Occurrence Reports (P.G. 212-09)
Hostage/Barricaded Person(s) (P.G. 212-38)
Aided Cases – General Procedure (P.G. 216-01)
Mentally Ill or Emotionally Disturbed Persons (P.G. 216-05)
Mental Health Removal Orders (P.G. 216-06)

FORMS AND REPORTS

ACTIVITY LOG (PD112-145)
AIDED REPORT

Application for Involuntary Admission on Certificate of a Director of Community Services or Designee (OMH Form 475)
Mobile Crisis Outreach Team Authorization for Transport (OMH Form 482) [IO 41 s.16]



INTERIM ORDER

SUBJECT: RESPONSE TO SUSPECTED OVERDOSE INCIDENTS		
DATE ISSUED:	REFERENCE:	NUMBER:
04-20-17	**P.G. 216-23	28

PURPOSE

To delineate the duties and responsibilities of uniformed members of the service when coming into contact with an individual that may have apparently overdosed while using drugs and/or alleged opioids.

DEFINITIONS

OPIOIDS – An opiate (synthetic or otherwise) which includes but is not limited to heroin, morphine, oxycodone, fentanyl, methadone, hydrocodone, and codeine.

FENTANYL AND FENTANYL ANALOGUES – Fentanyl is a fast acting (rapid onset) potent narcotic analgesic and synthetic opioid pain medication. Fentanyl, a prescription opioid, is approximately thirty to fifty times more powerful than heroin, and eighty to one hundred times more powerful than morphine. Fentanyl can be absorbed through the skin, therefore proper handling of opioids such as Fentanyl is essential to keeping members of the service and the public safe.

OPIOID ANTAGONIST – An FDA approved drug (e.g., Naloxone, Narcan, etc.) that when administered, negates or neutralizes, in whole or in part, the pharmacological effects of an opioid in the body.

NALOXONE KIT – An opioid antagonist kit which consists of intranasal mucosal atomization devices, safety gloves, Rescue Breathing Face Shield, and Naloxone Hydrochloride prefilled syringes.

NOTE

If trained and equipped with Naloxone, uniformed members of the service must carry Naloxone while performing patrol duty.

DRUG PARAPHERNALIA – Items associated with the use, preparation, manufacture, packaging, or storage of narcotics, including but not limited to, straws, syringes, cutting agents, scales, strainers, pestles, empty or new glassine envelopes or vials, plastic bags, rubber stamps, drug records, etc.

STAMPS – An image and/or writing that drug dealers utilize to identify the dealer's "brand" for the product. When applicable, the stamp will be located on wax folds or glassines.

PROCEDURE

Upon arrival at a scene when an individual may be suffering from, or has died from, a suspected drug overdose:

**UNIFORMED
MEMBER OF
THE SERVICE**

1. Request an ambulance and render reasonable aid to suspected overdose victim.
 - a. Request the response of a uniformed member of the service equipped with a Naloxone Kit, if not present at scene.
 - b. Ascertain from witnesses if Naloxone was administered to individual prior to police arrival.

NOTE

The uniformed member of the service will use common sense standards and consider the totality of the circumstances in deciding whether the individual is suffering from, or has died from, a suspected overdose. The presence of narcotics and/or drug paraphernalia, statements from the aided/family/witnesses, or other independent observations from the uniformed member of the service should be considered in making a determination.

2. If individual is unresponsive, administer Naloxone, if appropriate.
3. Request dispatcher to notify responding Emergency Medical Service (EMS) personnel that Naloxone was administered.
4. If individual is not breathing and has no pulse, Cardio Pulmonary Resuscitation (CPR)/Automated External Defibrillator (AED) should be administered while waiting to administer additional dose of Naloxone.
5. If individual has not responded to Naloxone within three to five minutes, administer one additional dose of Naloxone.
6. Inform responding EMS personnel of the circumstances which led to the belief that the individual was suffering from an opioid drug overdose (i.e., physical signs, statements by witnesses, etc.).
 - a. Inform EMS personnel of any attempt to revive individual (e.g., CPR, AED, etc.) and number of Naloxone doses given.

NOTE

If individual is removed from scene prior to arrival of uniformed member of the service, the responding member will ascertain which hospital the individual was removed to and comply with steps "7" through "11" and steps "23" through "26."

7. Request the response of the patrol supervisor and notify the detective squad.
8. Notify desk officer of fatal/non-fatal suspected overdose.
 - a. Inform desk officer if Naloxone was administered.
 - (1) Indicate whether Naloxone was administered by NYPD, EMS, NYC Fire Department (FDNY), family member, friend or other person.
 - (2) Include name of person(s) administering Naloxone.
9. Safeguard scene and potential evidence, including but not limited to, narcotics (including legally prescribed medicine), drug paraphernalia, pill bottles and anything else that aids in determining the source of the substance.
 - a. If required to handle evidence, utilize Personal Protection Equipment (PPE) (i.e., gloves, etc.).
10. Document any prescription pills found on the person, in the vicinity of the body, and/or, if the initial interview reveals what the individual ingested. Include:
 - a. Doctor's name, address and phone number
 - b. Pharmacy name, address and phone number

**UNIFORMED
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(continued)**

- c. Patient's name on the prescription bottle, address, and phone number.
- 11. Attempt to identify witnesses and obtain from individual/family/witnesses, any potential substance(s) that could possibly be responsible for suspected overdose (e.g., heroin, fentanyl, oxycodone, etc.).

NOTE

Uniformed members of the service must exercise extreme caution in the handling of all drugs and drug paraphernalia. Even the slightest contact can be lethal. Taking proper safety precautions is vital when investigating and documenting drug overdose evidence.

**PATROL
SUPERVISOR**

- 12. If the individual has died or is likely to die, or if Naloxone was administered, request the detective squad to respond.
- 13. Request Evidence Collection Team (ECT) to process scene for evidence.

**DETECTIVE
SQUAD
INVESTIGATOR**

- 14. If the individual has died or is likely to die, or if Naloxone was administered, respond to the scene and conduct investigation.
- 15. Confer with ECT personnel, when appropriate, in regard to the collection of any drugs and/or drug paraphernalia.

**ECT
PERSONNEL**

- 16. Respond to all overdoses (fatal and non-fatal).
- 17. Photograph all drugs and drug paraphernalia and document any relative stamps/markings.
- 18. Ensure evidence is invoiced as "Investigatory Evidence" by initial responding unit.

NOTE

In the event additional testing or analysis is necessary (i.e., Latent Fingerprint analysis or DNA analysis), comply with P.G. 218-09, "Evidence Other Than Controlled Substances/Marijuana and Firearms/Ballistics Evidence Requiring Police Laboratory Analysis."

- 19. Upload all photographs taken of evidence into the Enterprise Case Management System (ECMS).
 - a. Ensure photographs have captured any stamps on glassine envelopes or wax folds, when appropriate.

**DETECTIVE
SQUAD
SUPERVISOR**

- 20. Supervise initial investigation and ensure all preliminary steps have been completed.
 - a. Ensure photographs are uploaded into ECMS.
- 21. Prepare a **Detective Bureau Unusual Occurrence Report** and make appropriate notifications.
- 22. Review prior overdose cases to see if any patterns or clusters of cases exist.
 - a. Notify Detective Bureau zone captain for appropriate follow-up with narcotics counterpart, if any patterns or clusters of cases exist.

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- 23. Prepare **COMPLAINT REPORT WORKSHEET (PD313-152A)** and report classification as "Investigate Aided – Drug Overdose" or "Investigate DOA – Possible Drug Overdose," as appropriate.
 - a. Enter in "Details" section:

**UNIFORMED
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THE SERVICE
(continued)**

- (1) Any stamps/markings on glassine envelopes or pills
 - i. Include name, address and phone number of the doctor, pharmacy or patient, listed on any prescription bottles
 - (2) ICAD number
 - (3) Type of call (i.e., pick up, radio run)
 - (4) Type of location (apartment, business, etc.)
 - (5) Suspected drug type and manner of ingestion (e.g., injected, snorted, taken in pill form, etc.), if known
 - (6) If Naloxone was administered
 - i. Indicate whether Naloxone was administered by NYPD, EMS, FDNY, family member, friend or other person
 - ii. Include name of person(s) administering Naloxone
 - (7) Condition of aided (e.g., was individual conscious or breathing before/after administration of Naloxone, etc.)
 - (8) Naloxone Log number.
- b. If individual has died or is likely to die, or if Naloxone was administered, enter case status on **COMPLAINT REPORT WORKSHEET** as “Open” and refer to detective squad.

GOOD SAMARITAN LAW

NOTE

Members are reminded that the 911 Good Samaritan Law prohibits a person from being charged with possessing a controlled substance, marijuana, drug paraphernalia, or alcohol by someone under 21, when evidence is obtained as the result of the person seeking, in good faith, health care for himself or another person who is experiencing a drug or alcohol overdose. Members of the service will comply with Operations Order 12, series 2014, entitled, “911 Good Samaritan Law” if controlled substances, marijuana or drug paraphernalia are observed while responding to a suspected opioid overdose.

24. Prepare **AIDED REPORT** in non-arrest situations or, **MEDICAL TREATMENT OF PRISONER (PD244-150)** form in arrest situations.
25. If Naloxone has been administered by a uniformed member of the service, complete the **New York State Public Safety Naloxone Quality Improvement Usage Report** and deliver to the desk officer, precinct of occurrence.
 - a. If report is entered directly into a digital PDF, print a copy for review by the desk officer.
26. Prepare a **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)** for any drugs or drug paraphernalia recovered from the scene as directed by ECT.
 - a. Use the Property and Evidence Tracking System (PETS) and invoice recovered items as “Investigatory Evidence.”

DESK OFFICER

27. Notify the commanding officer/duty captain and Patrol Borough of fatal/non-fatal suspected overdoses.
28. Notify Operations of all fatal/non-fatal suspected overdoses.
 - a. If Naloxone was administered, obtain Naloxone Log number from Operations Division.

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**DESK OFFICER
(continued)**

- (1) Indicate whether Naloxone was administered by NYPD, EMS, FDNY, family member, friend or other person.
 - (2) Include name of person(s) administering Naloxone.
 - b. Include any Department report serial numbers and/or log numbers that were prepared in regard to the incident (e.g., **AIDED REPORT, COMPLAINT REPORT**, Naloxone Log number, etc.).
 - c. Ensure notification to Operations Division is documented on **COMPLAINT REPORT WORKSHEET**, and **AIDED REPORT** or **MEDICAL TREATMENT OF PRISONER**.
 - d. Ensure Naloxone Log number is entered on **COMPLAINT REPORT WORKSHEET**, and **AIDED REPORT** or **MEDICAL TREATMENT OF PRISONER**.
- 29. Review **PROPERTY CLERK INVOICE(S)** prepared, **COMPLAINT REPORT WORKSHEET** and **AIDED REPORT** or **MEDICAL TREATMENT OF PRISONER**, and verify reports are accurate and complete.
 - a. Review **New York State Public Safety Naloxone Quality Improvement Usage Report** if prepared, for completeness and forward as required.
 - (1) Forward a copy of the **New York State Public Safety Naloxone Quality Improvement Usage Report** via email to the Operations Division.

**OPERATIONS
DIVISION**

- 30. Maintain a log to document the administration of Naloxone.
 - a. When notified that Naloxone was administered, provide the desk officer with a Naloxone Log number.
 - b. Document whether Naloxone was administered by NYPD, EMS, FDNY, family member, friend or other person.
 - (1) Include name of person(s) administering Naloxone.
 - c. Forward a copy of **New York State Public Safety Naloxone Quality Improvement Usage Report** to the Office of the Chief of Department, when received.

**PATROL
SUPERVISOR**

- 31. Prepare report on **Typed Letterhead** addressed to the Chief of Department for fatal overdoses.
 - a. Indicate whether Naloxone was administered by NYPD, EMS, FDNY, family member, friend or other person.
 - (1) Include name of person(s) administering Naloxone.
 - b. Include any Department report serial numbers and/or log numbers that were prepared in regard to the incident (e.g., **AIDED REPORT, COMPLAINT REPORT**, Naloxone Log number, etc.).
- 32. Forward copy of report on **Typed Letterhead** along with copies of **COMPLAINT REPORT**, **New York State Public Safety Naloxone Quality Improvement Usage Report**, **AIDED REPORT** or **MEDICAL TREATMENT OF PRISONER** form to the following:
 - a. Chief of Department
 - b. Chief of Patrol

**PATROL
SUPERVISOR
(continued)**

- c. Chief of Crime Control Strategies, Crime Analysis Unit
- d. Supervising Chief Surgeon
- e. Borough/Bureau training coordinator
- f. Training sergeant.

**ADDITIONAL
DATA**

LEGAL CONSIDERATIONS

Naloxone Rescue Kits

Members of the service are advised that possession of Naloxone by the public is legal. Naloxone is not a controlled substance. Rescue kits containing Naloxone have been distributed to friends and family members of intravenous drug users. In past distributions, some rescue kits contained a hypodermic instrument to administer the Naloxone intravenously. Possession of a hypodermic instrument, in most circumstances, is not a crime.

Possession of Hypodermic Instruments

Members of the service are reminded there was a change several years ago to the New York Public Health Law Section 3381. Under that change, any person eighteen years of age or more may lawfully purchase and possess up to ten hypodermic instruments without a prescription. The ten instrument limitation is at the point of purchase. In other words, a person may purchase ten instruments in one pharmacy, ten more in another and so on. Under this change to the law, there is also no limit as to how many instruments a person may possess.

Members of the service should also be reminded New York State Penal Law Section 220.03 was changed several years ago. That change made it lawful to possess a residual amount of a controlled substance inside a hypodermic instrument or syringe. The law did not define what constitutes a residual amount. Prior to this change, members of the service had been instructed not to charge persons with possession of a controlled substance if the amount recovered from inside a hypodermic instrument was a residual amount and the person was a member of a syringe exchange program. That direction was the result of litigation and a Court Order. The change to New York State Penal Law Section 220.03 makes residual amount possessed inside of a hypodermic instrument or syringe lawful for all persons. As always, members of the service are reminded to contact the Legal Bureau should there be any questions or concerns regarding the validity of an arrest.

**RELATED
PROCEDURES**

*Aided Cases General Procedure (P.G. 216-01)
Preparation of Aided Report (P.G. 216-02)
Dead Human Body General Procedure (P.G. 216-04)
Mentally Ill or Emotionally Disturbed Persons (P.G. 221-13)
Public Access Defibrillation Program (P.G. 216-19)*

**RELATED
PROCEDURES
(continued)**

*Invoicing Property – General Procedure (P.G. 218-01)
Evidence Other Than Controlled Substances/Marijuana and Firearms/Ballistics
Evidence Requiring Police Laboratory Analysis (P.G. 218-09)
911 Good Samaritan Law (Operations Order 12, series 2014)*

**FORMS AND
REPORTS**

COMPLAINT REPORT (PD313-152)
COMPLAINT REPORT WORKSHEET (PD313-152A)
MEDICAL TREATMENT OF PRISONER (PD244-150)
AIDED REPORT
Typed Letterhead
New York State Public Safety Naloxone Quality Improvement Usage Report

**AUTHORIZED
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THE SERVICE
(continued)**

- b. A field test will be conducted even if only one container/cigarette is seized, provided that there is a sufficient amount of marijuana remaining in the container/cigarette after the field test has been conducted to permit the remaining marijuana to be analyzed by the Police Laboratory.
- c. If more than one container/cigarette of marijuana is seized from a specific person and the first container/cigarette is field tested with negative results, then field test subsequent container(s)/cigarette(s) until a positive result is obtained OR five container(s)/cigarette(s) have field tested negative.
 - (1) Once a positive result has been obtained, DO NOT open or field test any additional container(s)/cigarette(s) of marijuana seized from one specific person.
 - (2) Never field test more than five containers/cigarettes of marijuana seized from one specific person.
- d. After a container/cigarette of marijuana is opened and has field tested positive, the container/cigarette will be resealed and the container/cigarette will be placed in a SEPARATE zip-lock bag. This will allow the Police Laboratory criminalists to identify and analyze the field tested container/cigarette when laboratory analysis is required by the District Attorney's Office.
- e. Containers/cigarettes that are not field tested will NOT be placed in a zip-lock bag.
- f. The field tested container/cigarette in the zip-lock bag that tested positive will be listed on the **PROPERTY CLERK INVOICE (PD521-141)** as Item #1.
- g. If several container(s)/cigarette(s) are field tested:
 - (1) The container/cigarette which tested positive will be placed in a SEPARATE zip-lock bag. The container/cigarette that was field tested with positive results will be identified as such by marking the outside of the zip-lock bag, "POS." This bag will be listed as "Item #1" on the **PROPERTY CLERK INVOICE**.
 - (2) The remaining container(s)/cigarette(s) that are field tested with negative results will ALL be placed into a SEPARATE zip-lock bag. The zip-lock bag holding container(s)/cigarette(s) of marijuana, which were field tested with negative results, will be identified as such by marking the outside of the zip-lock bag "NEG." Container(s)/cigarette(s) which field tested NEGATIVE will be listed as "Item #2" on the **PROPERTY CLERK INVOICE**.
 - (3) The non-field tested container(s)/cigarette(s) will not be placed into a zip-lock bag and will be listed as "Item #3" on the **PROPERTY CLERK INVOICE**.

**AUTHORIZED
UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

- h. The container/cigarette in the zip-lock bag marked “POS” and the container(s)/cigarette(s) in the zip-lock bag marked “NEG” and the container(s)/cigarette(s) that were not field tested, will ALL be placed into the **Narcotics Evidence Envelope (Misc. 1-71)** [IO 80 s.13].
 - (1) Place sealed and signed Narcotic Evidence Envelope inside of a Plastic Security Envelope.
 - (2) Ensure that the captions on the Narcotic Evidence Envelope are visible through the rear of the Plastic Security Envelope.
 - (3) Seal Plastic Security Envelope by removing paper strip exposing the pre-applied adhesive and fold the top of envelope over aligning blue circles. Sign name, shield number, command and date across seal.
 - (4) The serial numbers of both envelopes are recorded on the **PROPERTY CLERK INVOICE** utilizing the “Packaging Function” in the Property and Evidence Tracking System.
 - i. When an officer conducts a field test and is uncertain whether the results are Positive or Negative then:
 - (1) Consult with a supervisor and obtain clarification.
 - (2) If the field testing officer is still uncertain after consulting with the supervisor, record the field test result as **NEGATIVE**.
 - j. **DO NOT** reseal opened container/cigarettes of marijuana with tape unless it is absolutely necessary. If tape must be used to reseal an opened container/cigarette, use as little as possible.
 - k. **DO NOT** tape separate individual marijuana container(s)/cigarette(s) together. Always try to avoid using tape when invoicing container(s)/cigarette(s) of marijuana.
6. Prepare a separate **MARIJUANA FIELD TEST REPORT** for each prisoner whose marijuana was field tested.
- a. Utilize the **FIELD TEST REPORT** appropriate to the borough of arrest.
7. Attach the triplicate copy (pink) of the completed **MARIJUANA FIELD TEST REPORT(S)** to the **PROPERTY CLERK INVOICES** and the invoiced marijuana and forward to the Police Laboratory in the normal manner.
- a. If marijuana from two or more prisoners is invoiced on one **PROPERTY CLERK INVOICE**, attach one copy of **EACH** related **FIELD TEST REPORT** to the one **PROPERTY CLERK INVOICE**.
- b. If marijuana from two or more prisoners is invoiced on one **PROPERTY CLERK INVOICE**, in the “Remarks” column of the **PROPERTY CLERK INVOICE**, list **EACH** prisoner’s name and next to their name print in bold letters, “**FIELD TESTED POSITIVE,**” **or** “**FIELD TESTED NEGATIVE.**”
8. Deliver original (white) copy and duplicate (blue) copy of **FIELD TEST REPORT** with arrest package to the Assistant District Attorney at the Complaint Room.
- a. Include in the arrest package a completed Supporting Deposition with the caption “Buyer” and/or “Seller” as appropriate.

INTERIM ORDER NO. 22

**AUTHORIZED
UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

9. Dispose of used field test kit(s) and loading devices in the precinct plastic glove disposal receptacle.

**SUPERVISOR
CONCERNED**

10. Witness field test, sign and seal.

11. Ensure that used field test kit is properly disposed of.

12. Ensure all forms prepared by authorized member of the service are complete and accurate.

a. Ensure that the various reports that are prepared in connection with the same arrest(s) or seizure(s) accurately and consistently reflect the circumstances of the incident.

13. Follow *P.G. 210-13, "Release of Prisoners"* for a negative field test(s).

**ADDITIONAL
DATA**

OPERATIONAL CONSIDERATIONS

*The Police Laboratory will notify the Chief of Patrol, Chief of Housing, Chief of Transit, or the Chief of OCCB, as appropriate, whenever the field test results are different from the results obtained by a Police Laboratory criminalist. This is referred to as a field test "discrepancy." The Police Laboratory will also notify the Chief of Patrol, Chief of Housing, Chief of Transit, or the Chief of OCCB, as appropriate of all procedural, clerical and/or administrative errors made with regard to conducting field tests (e.g. incomplete/incorrect preparation of **FIELD TEST REPORTS**, failing to conduct field tests when required, improperly packaging field tested container(s)/cigarette(s), etc.).*

Zip-lock bags and field testing kits can be obtained from the Quartermaster Section.

DEPARTMENT POLICY

Only uniformed members of the service who have received field testing training are authorized to conduct and supervise this testing procedure. Twenty field tests are conducted in the classroom when uniformed members of the service receive their initial training and certification. Personnel will be considered expert after receiving this initial training. Uniformed members assigned to patrol will only field test marijuana and no other controlled substance.

**FORMS AND
REPORTS**

MARIJUANA FIELD TEST REPORT – MANHATTAN/QUEENS/STATEN ISLAND (PD321-143)

MARIJUANA FIELD TEST REPORT – BRONX (PD321-144)

MARIJUANA FIELD TEST REPORT – BROOKLYN (PD321-145)

PROPERTY CLERK INVOICE (PD521-141)



INTERIM ORDER

SUBJECT: REVISION TO PATROL GUIDE 218-09, "EVIDENCE OTHER THAN CONTROLLED SUBSTANCES/MARIJUANA AND FIREARMS/BALLISTICS EVIDENCE REQUIRING POLICE LABORATORY ANALYSIS"		
DATE ISSUED:	REFERENCE:	NUMBER:
06-28-13	*P.G. 218-09	23

1. In an effort to enhance the method by which property coming into police custody is invoiced and stored, the Department has created a new computerized system entitled, "Property and Evidence Tracking System."

2. Therefore, effective immediately, Patrol Guide 218-09, "Evidence Other Than Controlled Substances/Marijuana and Firearms/Ballistics Evidence Requiring Police Laboratory Analysis" is **SUSPENDED** and the following new procedure will be complied with:

PURPOSE To ensure that evidence, other than controlled substances/marijuana and firearms/ballistics evidence, which comes into the custody of the Department and requires laboratory analysis, is properly handled, packaged and submitted to the Police Laboratory.

PROCEDURE Upon taking property described above into custody that requires analysis at the Police Laboratory:

UNIFORMED MEMBER OF THE SERVICE

1. Follow invoicing procedures as contained in the Department Manual.
2. Invoice evidence requiring analysis by the Police Laboratory, as follows:
 - a. Prepare a separate **PROPERTY CLERK INVOICE (PD521-141)** as appropriate, utilizing the Property and Evidence Tracking System, for each of the following:
 - (1) Different property type
 - (2) Different property categories
 - (3) Different owners
 - (4) Property that will be delivered and/or stored at different locations
 - (5) Bloodstain, DNA, serology, or other biological evidence
 - (6) Other types of evidence.
3. List each piece of evidence, requiring laboratory analysis, as a separate item on a separate line on the **PROPERTY CLERK INVOICE**.
 - a. Each item will be given a separate "Item #" on the **PROPERTY CLERK INVOICE**.
 - b. Each item of evidence will be specifically described by the invoicing member (e.g., blue long sleeve shirt, bloodied short sleeve undershirt, etc.)
 - c. Ensure **INVOICE** does not exceed twenty line items.
4. Package evidence in accordance with Department procedures.
 - a. See "**ADDITIONAL DATA**" for additional packaging instructions.
5. Write the corresponding **PROPERTY CLERK INVOICE** number, as well as the "Item #", on the outside of each package/container submitted to the laboratory.

**ADDITIONAL
DATA
(continued)**

Items being delivered to the Police Laboratory for fingerprint analysis should be placed in a plastic bag, not a paper bag. However, if an item must be analyzed for BOTH fingerprint and bloodstain/serological/DNA/other biological evidence, then it should NOT be placed in a plastic bag; it should be placed in a paper bag.

LOCKS

If a lock is submitted to the Police Laboratory for analysis, then the key to that lock must also be invoiced and submitted to the Laboratory. If no key is available, do not submit the lock for analysis.

Any questions regarding the proper handling, packaging, or invoicing of evidence should be referred to a supervisor at the Police Laboratory, 24 hours a day, 7 days a week.

**RELATED
PROCEDURES**

*Processing Alcohol Seized in ABC Law Violations (P.G.218-32)
Processing Firearms and Firearm-Related Evidence (P.G.218-23)*

**FORMS AND
REPORTS**

***PROPERTY CLERK INVOICE (PD521-141)
REQUEST FOR LABORATORY EXAMINATION REPORT (PD521-168)
PROPERTY TRANSFER REPORT (PD521-1412)***

3. Any provisions of the Department Manual or any other Department directive in conflict with the contents of this Order are suspended.

BY DIRECTION OF THE POLICE COMMISSIONER

**DISTRIBUTION
All Commands**

INTERIM ORDER NO. 23



INTERIM ORDER

SUBJECT: USING SECURITY LEAD SEALS OR PLASTIC SECURITY ENVELOPES		
DATE ISSUED:	REFERENCE:	NUMBER:
06-28-13	*P.G. 218-10	24

PURPOSE

To provide a method of identifying property which does not have serial numbers, identifying marks, is difficult to describe, or to increase the control, security and accountability of small property items coming into police custody.

PROCEDURE

When required to invoice property without serial numbers, identifying marks, or is difficult to describe, follow normal invoicing procedures:

USING SECURITY LEAD SEALS

UNIFORMED MEMBER OF THE SERVICE

1. Request lead seals from desk officer.

DESK OFFICER

2. Check **COMMAND LOG** (IO 46s.14) and obtain serial number of last lead seal used.
3. Give next serially numbered lead seal to member concerned and make entry in **COMMAND LOG** accounting for number.
 - a. Use one space on **COMMAND LOG** to account for all lead seals listed on same **PROPERTY CLERK INVOICE (PD521-141)**, if possible.

UNIFORMED MEMBER OF THE SERVICE

4. Place lead seal on property as required:
 - a. Use one lead seal for different items in same case, where possible
 - b. Leave room on wire for inspection of items
 - c. Attach seals in presence of desk officer and other interested persons.
5. Record serial numbers of lead seals used on **PROPERTY CLERK INVOICE** and in **ACTIVITY LOG (PD112-145)**.

USING PRE-NUMBERED/BARCODED SECURITY ENVELOPES

UNIFORMED MEMBER OF THE SERVICE

6. Request Plastic Security Envelope or Jewelry Security Envelope, as appropriate, from desk officer.
7. Perform the following under the supervision of the desk officer:
 - a. Complete captions on envelope and attach security lead seals, where necessary
 - b. Place items in envelope and seal in accordance with instructions on the envelope
 - c. Enter or scan barcode of Plastic Security Envelope or Jewelry Security Envelope during packaging when creating **PROPERTY CLERK INVOICES** utilizing the Property and Evidence Tracking System.

**UNIFORMED
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THE SERVICE
(continued)**

8. Present sealed envelope to desk officer.

DESK OFFICER

9. Examine envelope to ensure that:
- It is properly sealed
 - Contents match description of **PROPERTY CLERK INVOICE**.

OPERATIONAL CONSIDERATIONS

**ADDITIONAL
DATA**

*Plastic Security Envelopes may be used for all small property items except evidence requiring serological examination, (e.g., blood, semen, and other body fluids). Controlled substances/marijuana are to be placed into a **Narcotics Evidence Envelope (Misc. I-71)** and sealed. The **sealed envelope (10 80 s.15)** will then be placed into a Plastic Security Envelope and sealed for added protection. Controlled substances that contain phencyclidine (Angel Dust) will be put in a Plastic Security Envelope, and sealed, prior to being placed in the **Narcotics Evidence Envelope**. Jewelry items must be placed in a separate Jewelry Security Envelope. This does not apply to members of the Police Laboratory.*

If it becomes necessary to open a sealed Plastic Security or Jewelry Security Envelope, a new envelope will be prepared in the command which the envelope is opened OR the Property Clerk's borough office, as appropriate. In all such instances, the opened envelope(s) will be placed into the new envelope(s) and entered into the Property and Evidence Tracking System, utilizing the "Update invoice" and "Packaging" functions. Plastic Security or Jewelry Security Envelopes will not be used for items which can readily puncture or tear the envelope, (e.g., screwdrivers, knives with exposed blades, etc.). Items which cannot be placed in Security Envelopes will be tagged for identification and safeguarded in other than a Plastic Security Envelope.

Cash and jewelry will continue to be placed in individual Security Envelopes and will not be placed in the same envelope with other small items.

When it becomes necessary to invoice hypodermic needles, syringes, and other sharp narcotics paraphernalia:

- Utilize hypo container which comes in a plastic bag containing full instructions*
- Voucher hypo container on a separate **PROPERTY CLERK INVOICE** apart from other property/evidence involved in same occurrence*
- Place hypo container in a serialized Plastic Security Envelope*
 - Multiple hypo containers will be placed in same Plastic Security Envelope, if involved in the same occurrence.*
(No other evidence [e.g., glassine envelopes, etc.] will be placed in same Plastic Security Envelope.)
- Store **INVOICE** and Plastic Security Envelope containing hypo container in property locker to be forwarded to appropriate Property Clerk facility.*

The operations coordinator will request additional lead seals and prenumbered/barcoded security envelopes from the Property Clerk Division.

INTERIM ORDER NO. 24

***RELATED
PROCEDURE***

Invoicing Property - General Procedure (P.G. 218-01)

***FORMS AND
REPORTS***

PROPERTY CLERK INVOICE (PD521-141)
ACTIVITY LOG (PD112-145)

BY DIRECTION OF THE POLICE COMMISSIONER

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INTERIM ORDER NO. 24



INTERIM ORDER

SUBJECT: PROCESSING FIREARMS AND FIREAR-RELATED EVIDENCE		
DATE ISSUED:	REFERENCE:	NUMBER:
02-13-09	*PG 218-23	7

PURPOSE

To ensure that all firearms and firearm-related evidence coming into possession of the Department is properly marked, packaged, sealed, and invoiced in order to maintain a continuous chain of custody.

DEFINITIONS

FIREARM - The Department's definition of a firearm includes:

- a. Any rifle, shotgun, pistol, revolver, derringer, machine gun, etc., WITH OR WITHOUT a rifled bore.
- b. Any starter's pistol, zip gun, air gun, CO2 hand/long gun, etc.
- c. Any type of homemade, modified, converted, etc., weapon.
- d. Any type of simulated firearm such as a toy gun, imitation pistol, etc.

CARTRIDGE - Live ammunition. A cartridge consists of a bullet (projectile), and a shell casing together as one (1) unit. Cartridge(s) will be distinguished based upon the location from which the cartridge was recovered:

- a. Cartridge removed from the chamber of a firearm.
- b. Remaining cartridge(s) removed from a firearm other than the cartridge removed from the chamber (i.e., removed from magazine or removed from cylinder).
- c. Cartridge(s) NOT removed from a firearm but seized in connection with the recovery of a firearm from a person, object, or location AND there is no need to establish a crime scene (for example: cartridge(s) seized from a person's clothing in connection with an arrest where a firearm is recovered; OR, cartridge(s) seized from a home during an investigation where a firearm is recovered AND there is no need to establish a crime scene because all of the perpetrators are identified).
- d. Cartridge(s) NOT removed from a firearm but recovered from a crime scene where a firearm may or may not have been recovered (for example: cartridge(s) found lying in the street after a shooting; OR, cartridge(s) found lying on the floor in an apartment or automobile after a robbery).

FIRED BULLET - That part of a cartridge which has been fired though the barrel of a firearm (usually lead, metal-jacketed lead or coated lead). A fired bullet may break into pieces of lead, coated lead, metal jacketing, metal jacketing attached to lead, etc.

SHELL CASING - Metal casing part of the cartridge remaining in or ejecting from a firearm after the fired bullet leaves the firearm's barrel.

**DEFINITIONS
(continued)**

PROPERLY “MARKING” FIREARMS AND FIREARM-RELATED EVIDENCE - Members of the service will utilize a scribe or other sharp writing instrument to scratch their initials and a unique consecutive number on each firearm and each item of firearm-related evidence. For example, if at a crime scene 1 fired bullet and 3 shell casings and a semiautomatic pistol with 1 cartridge in the chamber and 4 cartridges in the magazine are recovered; then the firearm would be numbered 1, the magazine numbered 2, the cartridge in the chamber numbered 3 and the cartridges in the magazine would be numbered 4 through 7, the fired bullet would be numbered 8 and the 3 shell casings would be numbered 9 through 11. It does not matter what particular number a firearm or item of firearm-related evidence is assigned provided the same number is not used more than once. Therefore, in the above example, it also would be proper to have the fired bullet numbered 1, the 3 shell casings numbered 2 through 4, the firearm numbered 5, the magazine numbered 6, the cartridge in the chamber numbered 7 and the 4 cartridges in the magazine numbered 8 through 11.

PROPERLY “SEALING” A CONTAINER - In order to properly seal a container (other than NYPD Plastic Security Envelope), a member of the service must:

- a. Fasten the container securely with EVIDENCE TAPE in a manner to prevent loss/contamination of the evidence and to ensure that if the container is opened there would be obvious damage to the container and/or evidence tape AND sign name legibly across the border between the evidence tape and the container.
- b. An NYPD Plastic Security Envelope has adhesive on the envelope flap and does not have to be fastened with evidence tape. Seal Plastic Security Envelope by removing paper strip exposing the pre-applied adhesive and fold the top of envelope over aligning blue circles. Sign name, tax number, command and date on pre-printed line with denoted captions. [IO 39 s.17]

PROCEDURE

Whenever a firearm as defined above, and/or firearm-related evidence comes into the possession of a member of the service, in addition to other required actions:

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1. DO NOT touch, move or disturb any firearm and/or firearm-related evidence that may become part of a crime scene except when absolutely necessary, e.g., large crowd gathering, rendering aid to a victim, etc.
2. Unload cartridge(s) from cylinder, chamber, and/or magazine of a firearm.
 - a. To prevent possible destruction of fingerprints or other forensic evidence, DO NOT handle unnecessarily.
 - b. If a firearm is unfamiliar or it appears to be difficult to unload, safeguard in original condition and notify desk officer.
3. Mark, package and seal the cartridge removed from the chamber of the firearm.
 - a. Mark the bullet portion of the cartridge; do not mark the metal shell casing portion. Do not mark the cartridge if it is too small/deformed.

**UNIFORMED
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(continued)**

- b. Package and seal in a container/envelope. Write initials, unique consecutive number and "Cartridge Removed From Chamber" on the container and include the serial number of the firearm/lead seal.
- 4. Mark, package and seal ALL cartridges removed from the firearm other than the cartridge removed from the chamber.
 - a. Mark the bullet portion of the cartridge(s); do not mark the metal shell casing portion. If the cartridge is too small/deformed to mark, package each cartridge that cannot be marked in a separate container/envelope, seal it, write initials and unique consecutive number on the container and package in conformance with step 4b.
 - b. Package and seal ALL cartridges removed from firearm other than the cartridge removed from the chamber in one (1) evidence container/envelope. Write "Cartridge(s) Removed From Firearm" on container and include the serial number of the firearm/lead seal.
- 5. Mark, package and seal ALL cartridge(s) NOT removed from a firearm but seized in connection with the recovery of a firearm from a person and/or location AND there is no need to establish a crime scene.
 - a. Mark the bullet portion of the cartridge(s); do not mark the metal shell casing portion. If the cartridge is too small/deformed to mark, package each cartridge that cannot be marked in a separate container/envelope, seal it, write initials and unique consecutive number on the container and package in conformance with step 5b or 5c, as applicable.
 - b. DO NOT package cartridges removed from a person in the same container/envelope as cartridges removed from a location. All cartridges removed from the same person will be packaged in one (1) container/envelope and cartridges removed from different persons will be packaged in separate containers/envelopes. Write the name and date of birth of the person from whose clothing the cartridge(s) were recovered and the words "Cartridge(s) Removed From Clothing" on EACH separate container and include the serial number of the firearm/lead seal.
 - c. DO NOT package cartridges removed from a location in the same container/envelope as cartridges removed from a person. All cartridges that were seized from the same location will be packaged in one (1) container/envelope and cartridges removed from different locations will be packaged in separate containers/envelopes. Identify the location from which the cartridge(s) were recovered on EACH separate container and include the serial number of the firearm/lead seal.
 - d. Package entire box or boxes, if one or more boxes containing cartridges are seized in connection with the recovery of a firearm and there is no need to establish a crime scene, in an appropriate container and seal. Write initials and unique consecutive number on the outside of the container. It is not necessary to individually mark the bullet portion of each cartridge in the box.

**UNIFORMED
MEMBER OF
THE SERVICE
(continued)**

6. Mark, package and seal ALL cartridges that were NOT removed from a firearm BUT were recovered from a crime scene where a firearm may or may not have been recovered.
 - a. Mark the bullet portion of ALL of the cartridges. DO NOT mark or place any scratches on the metal shell casing portion of the cartridges. If a cartridge is too small/deformed to mark, write initials and unique consecutive number on the container/envelope in which the cartridge is packaged.
 - b. Package and seal each individual cartridge in a separate container/envelope. NEVER place two (2) or more individual cartridges in the same container/envelope.
7. Mark, package and seal ALL fired bullets recovered from a crime scene.
 - a. Mark the bottom/base of ALL of the fired bullets. DO NOT mark or place any scratches on or near the sides of the fired bullets. If a fired bullet is too small/deformed to mark, write initials and unique consecutive number on the container/envelope in which the fired bullet is packaged.
 - b. Package and seal each individual fired bullet in a separate container/envelope. NEVER place two (2) or more individual fired bullets in the same container/envelope.
8. Mark, package and seal ALL shell casing(s) recovered from a crime scene.
 - a. Mark the inside of ALL of the shell casings. DO NOT mark or place any scratches on the exterior or bottom of the shell casings. If a shell casing is too small/deformed to mark, write initials and unique consecutive number on the container/envelope in which the shell casing is packaged.
 - b. Package and seal each individual shell casing in a separate container/envelope. NEVER place two (2) or more individual shell casings in the same container/envelope.
9. Mark initials and unique consecutive number on recovered firearm(s).
 - a. Affix a separate lead seal on EACH firearm without a distinguishable serial number.
10. Mark initials and unique consecutive number on magazine removed from firearm.
11. Mark initials and unique consecutive number on ALL silencers seized.
12. Mark initials and unique consecutive number on ALL other types of firearm-related evidence that is not affixed to a firearm.



INTERIM ORDER

SUBJECT: INVOICING PROPERTY REMOVED FROM PAROLEE		
DATE ISSUED:	REFERENCE:	NUMBER:
06-28-13	*P.G. 218-29	41

PURPOSE To invoice and safeguard property removed from a parolee by an officer of New York State Department of Corrections and Community Supervision (DOCCS) in non-arrest situations [10 18 s.17] in non-arrest situations.

PROCEDURE When an officer of the New York State Department of Corrections and Community Supervision (DOCCS) delivers property removed from a parolee in non-arrest situations:

- DESK OFFICER**
1. Ascertain if property was obtained within the confines of the precinct.
 - a. Direct parole officer to deliver property to the precinct concerned, if property was obtained within another precinct.
 2. Have the parole officer prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)**.
 3. Direct the command clerk to enter parole officer's **WORKSHEET** into the Property and Evidence Tracking System to generate a **PROPERTY CLERK INVOICE (PD521-141)**.
 4. Comply with *P.G. 218-01, "Invoicing Property – General Procedure."*
 5. Print and give "Invoicing Officer" copy of **PROPERTY CLERK INVOICE** to the parole officer.

RELATED PROCEDURE *Invoicing Property – General Procedure (P.G. 218-01)*

FORMS AND REPORTS *PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)*
PROPERTY CLERK INVOICE (PD521-141)

BY DIRECTION OF THE POLICE COMMISSIONER

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INTERIM ORDER

SUBJECT: REVISION TO PATROL GUIDE 218-30, "INVOICING PROPERTY TAKEN FROM A PERSON'S POSSESSION"		
DATE ISSUED:	REFERENCE:	NUMBER:
06-28-13	*P.G. 218-30	42

1. In an effort to enhance the method by which property coming into police custody is invoiced and stored, the Department has created a new computerized system entitled, "Property and Evidence Tracking System."

2. Therefore, effective immediately, Patrol Guide 218-30, "Invoicing Property Taken From a Person's Possession" is **SUSPENDED** and the following new procedure will be complied with:

PURPOSE To ensure that persons from whose possession property has been taken by the Department are afforded ample notice as to the necessary steps to reclaim property or to circumstances under which the property may not be returned.

DEFINITION CONTRABAND - Means property, the mere possession of which is prohibited under federal, state or local law. Property shall not be deemed to be contraband merely because it may be suspected or is believed to be unlawfully obtained, stolen, or the proceeds or instrumentality of a crime.

PROCEDURE When non-contraband property is removed from the person or possession of any individual, and taken into police custody for any reason:

INVOICING MEMBER

1. Prepare **PROPERTY CLERK INVOICE WORKSHEET (PD521-141A)** for items removed.
 - a. DO NOT enter complainant information on **WORKSHEET**.
2. Inform the person that he or she may examine the **WORKSHEET** for accuracy as to the property listed.
3. Complete **WORKSHEET** by entering the complainant information after person has examined **WORKSHEET** for accuracy.
4. Inform the person that he or she is entitled to a copy of **PROPERTY CLERK INVOICE (PD521-141)**.
 - a. Ask person if he or she will accept copy of **INVOICE**.
 - b. Make appropriate selection for acceptance or refusal while entering **WORKSHEET** into the Property and Evidence Tracking System.
5. Inform the person that if additional property was taken or if the property was erroneously invoiced, this fact may be indicated in the "Remarks" section of the **PROPERTY CLERK INVOICE**.
6. Indicate in the "Remarks" section of the **PROPERTY CLERK INVOICE** concurrence or disagreement with the person's statement as it relates to the itemized list of property.
7. Give the "Prisoner/finder/Owner" copy of the **PROPERTY CLERK INVOICE** to the person regardless of whether the property has been denominated "Arrest Evidence" or otherwise, and regardless of whether it relates to an arrest occurring prior to, simultaneous with, or subsequent to the taking of the property.

PATROL GUIDE

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COMMANDING OFFICER/ DUTY CAPTAIN

9. Conduct immediate investigation.
 - a. Communicate, by telephone, with agency receiving report, if loss/theft occurred outside New York City.
 - b. Interview member of the service concerned reporting loss/theft, by telephone, if necessary.
10. Prepare part "C" of **LOST/STOLEN REPORT**.
 - a. Include recommendation concerning negligence by member of the service.
11. Prepare **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)**, if circumstances warrant.
12. Distribute **LOST/STOLEN REPORT** as indicated on bottom of form.
13. Forward **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** to commanding officer of member reporting loss/theft.

NOTE

*If the duty captain conducts the investigation, a copy of the **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** will be filed in the permanent command of the duty captain.*

MEMBER'S COMMANDING OFFICER

14. Have notation made on member's **FORCE RECORD (PD406-143)** of time and date of the Command Log entry concerning the loss/theft of firearm.
15. Determine if disciplinary action should be taken.

NOTE

When it has been determined that disciplinary action should be taken for the loss of or failure to safeguard a firearm, a consultation with the Department Advocate's Office will be made to determine appropriate disciplinary action.

16. Initiate command discipline or formal charges, if circumstances warrant.
17. Enter disposition on **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** and file.
 - a. Forward duplicate copy of **LOST/STOLEN REPORT**, through channels, to Department Advocate (Schedule B cases only).
18. Prepare part "D" of **LOST/STOLEN REPORT** giving particulars and/or results of investigation and any action taken or contemplated.
19. Distribute **LOST/STOLEN REPORT** as indicated on rear of form.

MEMBER OF THE SERVICE

20. Report to Commanding Officer, **Employee Resources Section (10 67 s.16)** to obtain a new shield or **IDENTIFICATION CARD**.
 - a. Return to permanent command and request clerical member to enter new shield number on **FORCE RECORD**.

PATROL GUIDE

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ADDITIONAL DATA

Members of the service assigned to Police Headquarters whose firearm/shield/**IDENTIFICATION CARD** is lost/stolen within the confines of the 5th Precinct will immediately report the loss/theft to the Headquarters Security Unit. Members of the service assigned to the Police Academy or units within the Police Academy facility (other than 13th Precinct personnel) whose firearm/shield/**IDENTIFICATION CARD** is stolen/lost within the confines of the 13th Precinct will immediately report the loss/theft of firearm/shield/**IDENTIFICATION CARD** to the Police Academy Integrity Unit. A captain or above from the reporting members command will conduct the investigation, prepare the **LOST/STOLEN FIREARM/SHIELD/I.D. CARD REPORT**, and the **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT**. Headquarters Security Unit or Police Academy Integrity Unit personnel will make the notifications required by the preceding procedure and **COMPLAINT REPORT** serial numbers will be obtained from the 5th or 13th Precinct, as appropriate.

If the loss/theft of a shield occurs at a time when the Employee **Resources Section** is closed and the member concerned is scheduled to perform duty in uniform, the member will be assigned to duty in uniform without a shield until the **Employee Resources Section** opens the next business day.

Reports of lost/stolen auxiliary police shields will be processed as directed in P.G. 207-12 "Lost or Stolen Property/**Identity Theft**." The command clerk will enter in the box captioned "Additional Copies For" - Auxiliary Police Section.

Auxiliary police shields coming into the possession of the Department, if not required as evidence, will be forwarded, with a report of the circumstances, to the Commanding Officer, Auxiliary Police Section. A **PROPERTY CLERK'S INVOICE (PD521-141)** is not required in such cases.

RELATED PROCEDURES

General Uniform Regulations (P.G. 204-01)
Reporting Violations Observed By Supervisors (P.G. 206-01)
Violations Subject To Command Discipline (P.G. 206-03)
Schedule "A" and Schedule "B" [10 25 s.17] Command Discipline (P.G. 206-02)
Authorized Penalties Under Command Discipline (P.G. 206-04)
Preparation Of Charges And Specifications **or Schedule "C" Command Discipline [10 27 s.17]** (P.G. 206-05)
Service And Disposition Of Charges And Specifications (P.G. 206-06)

FORMS AND REPORTS

COMPLAINT REPORT (PD313-152)
FORCE RECORD (PD406-143)
IDENTIFICATION CARD (PD416-091)
LOST/STOLEN FIREARM /SHIELD/I.D. CARD REPORT (PD520-150)
PROPERTY CLERK'S INVOICE (PD521-141)
SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)



INTERIM ORDER

SUBJECT: FORCE GUIDELINES		
DATE ISSUED:	REFERENCE:	NUMBER:
05-31-16	**P.G. 221-01	34

SCOPE

The primary duty of all members of the service (MOS) is to protect human life, including the lives of individuals being placed in police custody. Force may be used when it is reasonable to ensure the safety of a member of the service or a third person, or otherwise protect life, or when it is reasonable to place a person in custody or to prevent escape from custody. In all circumstances, any application or use of force must be reasonable under the circumstances. If the force used is unreasonable under the circumstances, it will be deemed excessive and in violation of Department policy.

When appropriate and consistent with personal safety, members of the service 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, MOS will use only the reasonable force necessary to gain control or custody of a subject. The use of deadly physical force against a person can only be used to protect MOS and/or the public from imminent serious physical injury or death.

In determining whether the use of force is reasonable, members of the service should consider the following:

- 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, members of the service, 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 MOS
- h. Size, age, and condition of the subject in comparison to the MOS
- 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.

All MOS are responsible and accountable for the proper use of force. The application of force must be consistent with existing law and with the New York City Police Department's policies, even when Department policy is more restrictive than state or federal law. Depending upon the circumstances, both federal and state laws provide for criminal sanctions and civil liability against MOS when force is deemed excessive, wrongful, or improperly applied.

Excessive force will not be tolerated. MOS who use excessive force will be subject to Department discipline, up to and including dismissal.

**SCOPE
(continued)**

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 Department discipline, up to and including dismissal. If a member of the service becomes aware of the use of excessive force or failure to request or to ensure timely medical treatment for an individual, the member must report such misconduct to the Internal Affairs Bureau Command Center. This report can be made anonymously.

NOTE

Obtaining a Confidential Identification Number from the Command Center investigator will satisfy the member's reporting responsibility, if the information is accurate and complete. Subsequent or ongoing reporting is encouraged to ensure the information is timely and complete and may be made by referencing the Confidential Identification Number.

DEFINITIONS

DE-ESCALATION - Taking action in order to stabilize a situation and reduce the immediacy of the threat so that more time, options, and/or resources become available (e.g., tactical communication, requesting a supervisor, additional MOS and/or resources such as Emergency Service Unit or Hostage Negotiation Team, etc.). 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 - The reasonableness of the use of force is based upon the totality of the circumstances known by the MOS at the time of the use of force. The Department examines the reasonableness of force viewed from the perspective of a member with similar training and experience placed into the same circumstances as the incident under investigation.

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 MOS at the time force was used.

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.

VEHICLE RAMMING ATTACK (VRA) – A form of attack in which a perpetrator deliberately rams a motor vehicle into a crowd of people or building.

PROCEDURE

To provide members of the service with the Department's force/restraint and firearm prohibitions:

**UNIFORMED
MEMBER OF
THE SERVICE**

PROHIBITIONS

1. Uniformed members of the service are authorized under New York State law to discharge a firearm to prevent or terminate the unlawful use of force that may cause death or serious physical injury, taking into account the below prohibitions imposed by the Department.

Members of the service **SHALL NOT**:

- a. Discharge a firearm when, in the professional judgment of a reasonable member of the service, doing so will unnecessarily endanger innocent persons
- b. Discharge firearms in defense of property
- c. Discharge firearms to subdue a fleeing felon who presents no threat of imminent death or serious physical injury to the MOS or another person present
- d. Fire warning shots
- e. Discharge firearm to summon assistance, except in emergency situations when someone's personal safety is endangered and no other reasonable means to obtain assistance is available
- f. Discharge their firearms at or from a moving vehicle unless deadly physical force is being used against the member of the service or another person present, by means other than a moving vehicle
- g. Discharge firearm at a dog or other animal, except to protect a member of the service or another person present from imminent physical injury and there is no opportunity to retreat or other reasonable means to eliminate the threat
- h. Cock a firearm. Firearms must be fired double action at all times.

NOTE

Drawing a firearm prematurely or unnecessarily limits a uniformed member's options in controlling a situation and may result in an unwarranted or accidental discharge of the firearm. The decision to display or draw a firearm should be based on an articulable belief that the potential for serious physical injury is present. When a uniformed member of the service determines that the potential for serious physical injury is no longer present, the uniformed member of the service will holster the firearm as soon as practicable.

2. Members of the service **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
- 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.

INTERIM ORDER NO. 34

NOTE
(continued)

Any violations of the above force prohibitions may be reviewed on a case-by-case basis by the Use of Force Review Board 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 (i.e., a 'vehicle ramming attack' is the type of extraordinary event that this clause is intended to address. The objectively reasonable use of deadly physical force to terminate a mass casualty terrorist event would be legally justified and within Department guidelines). (10 42 s.17)

Members who are subject to investigation, the subject of disciplinary action, civil action, or a civilian complaint related to a violation of the above prohibitions may submit a request for review of the circumstances to the Use of Force Review Board. The Use of Force Review Board will review the facts and circumstances and make a final determination of whether the force used was reasonable under the circumstances and within guidelines.

When a uniformed member of the service 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.

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION
All Commands

INTERIM ORDER NO. 34

**IMMEDIATE
SUPERVISOR
(continued)**

- (1) Photos should be taken in a manner to maintain privacy, when appropriate (e.g., behind curtain, private room, etc.).
- (2) After **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT WORKSHEET** is entered into the FORMS – T.R.I. application, upload any digital photographs that were taken in connection to the **WORKSHEET**.

11. Make determination as to whether force is within guidelines or whether further investigation is necessary.
12. Make **ACTIVITY LOG** entry of detail of the incident including the Threat, Resistance or Injury (T.R.I.) number.
13. Notify the desk officer, precinct/PSA/transit district of occurrence and level of force used and/or type of injury or illness.
14. Complete **PART B** of the **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT WORKSHEET**.
 - a. Staple all **WORKSHEETS** together and forward to desk officer for entry into the FORMS – T.R.I. application by the command clerk.

**DESK
OFFICER,
PRECINCT/PSA
/TRANSIT
DISTRICT OF
OCCURRENCE**

15. Record details of incident in Command Log, including the Threat, Resistance or Injury (T.R.I.) incident number.
16. Notify the Patrol Borough Command, Operations Unit, and the Internal Affairs Bureau (obtain Internal Affairs Bureau log number), if a level 2 or 3 investigation is required.

NOTE

A Level 2 or Level 3 investigation is required for the following:

- a. *Level 2 or 3 force was used or suspected of being used*
- b. *Subject or civilian sustained substantial or serious injury as a result of police action*
- c. *Prisoner attempted or committed suicide*
- d. *Suspected use of excessive force*
- e. *Any person alleges that the force was excessive and a physical injury, substantial physical injury or serious physical injury was sustained.*

**INTERNAL
AFFAIRS
BUREAU,
COMMAND
CENTER
SUPERVISOR**

17. Designate and assign appropriate investigative response according to the “USE OF FORCE – REPORTING/INVESTIGATIVE RESPONSIBILITIES FOR SUPERVISORS” (see “*ADDITIONAL DATA*”).

**INVESTIGATING
SUPERVISOR**

18. Conduct investigation of reported incident.
 - a. Conduct canvass for witnesses and possible video recording of incident.
 - b. Interview subject(s) and witness(es), if available.
 - c. Interview involved uniformed members to assess whether use of force was necessary and reasonable, if applicable.
 - d. Take digital photographs as necessary, including but not limited to, visible injuries or to the absence of injuries. Photos should be taken in a manner to maintain privacy, when appropriate (e.g., behind curtain, private room, etc.).

INTERIM ORDER NO. 36

**INVESTIGATING
SUPERVISOR
(continued)**

- (1) After **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT WORKSHEET** is entered into the FORMS – T.R.I. application, upload any digital photographs that were taken in connection to the **WORKSHEET**.

NOTE

*In situations where a person makes an allegation of force but the member claims that no force was used or no member can be identified, the immediate supervisor of the member concerned will prepare **PART A** of the **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT WORKSHEET**.*

19. Prepare a **T.R.I. INCIDENT - INVESTIGATING SUPERVISOR'S ASSESSMENT REPORT (PD370-154A)**.
20. Forward a copy of **ASSESSMENT REPORT** once FORMS generated incident number is obtained, to the First Deputy Commissioner and additional copies as follows:
 - a. Chief of Department, (through channels)
 - b. Deputy Commissioner, Internal Affairs
 - c. Deputy Commissioner, Legal Matters
 - d. Deputy Commissioner, Training
 - e. Commanding Officer, Risk Management Bureau
 - f. **Chief, Management Analysis and Planning [10 9 s.17]**
 - g. Commanding Officer, member(s) involved.
21. Attach original **ASSESSMENT REPORT** to **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT WORKSHEET(S)**.

NOTE

If the incident involves a firearm discharge by a uniformed member the service, the investigating supervisor will comply with the investigation and reporting requirements as outlined in P.G. 221-04, "Firearm Discharge by Uniformed Member of the Service."

If a subject or civilian dies or is seriously injured and likely to die as a result of police action, the investigating supervisor will comply with the investigation and reporting requirements outlined in P.G. 221-05, "Person Dies or Sustains Injury and is Likely to Die in Police Custody or in Connection with Police Action."

**COMMAND
CLERK
PRECINCT/PSA
/TRANSIT
DISTRICT OF
OCCURRENCE**

22. Enter details of **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT WORKSHEET(S)** into FORMS – T.R.I. application.
 - a. Scan **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT WORKSHEET(S)** into FORMS – T.R.I. application using the scan feature.
 - b. If prepared, scan **T.R.I. INCIDENT - INVESTIGATING SUPERVISOR'S ASSESSMENT REPORT** into FORMS – T.R.I. application using the scan feature.
23. Enter the FORMS generated incident number on each **WORKSHEET** and **ASSESSMENT REPORT**.

DESK OFFICER

24. File **WORKSHEET(S)** and **T.R.I. INCIDENT – INVESTIGATING SUPERVISOR'S ASSESSMENT REPORT** (if completed) at command.
25. Sign-off on all finalized **THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT WORKSHEETS** in the FORMS – T.R.I. application prior to completion of tour.

**COMMANDING
OFFICER,
FORCE
INVESTIGATION
DIVISION
(continued)**

- b. Include any recommendations, as per the following schedule:
- (1) FINDINGS
 - (a) Intentional discharge - no violation of Department firearms guidelines
 - (b) Intentional discharge - violation of Department guidelines
 - (c) Unintentional discharge - violation
 - (d) Unintentional discharge - no violation.
 - (2) RECOMMENDATIONS
 - (a) No corrective action to be taken
 - (b) Member concerned to review the law and instructions
 - (c) Member concerned to have additional firearms instructions
 - (d) Retraining in tactics re: _____
 - (e) Current assignment of member be reviewed
 - (f) Other (Command Discipline, Charges and Specifications, etc.) re: _____ .

NOTE

In many cases the investigating supervisor's determination about the shooting being "within/outside" the Department's guidelines will be reserved for the future when the investigation is completed (e.g., following the interview of uniformed member concerned [see P.G. 206-13, "Interrogation of Members of the Service,"] presentation to grand jury, or completion of a criminal trial.) However, other co-relative decisions will not be postponed. For example, regarding behavior or violations of Department guidelines, immediate action will be taken when the member's behavior is unusual (e.g., refer to Psychological Services, if appropriate) or derelictions are uncovered (e.g., initiate disciplinary actions). These actions will be described in the initial report.

26. Review and sign report.
- a. Forward original report with a copy to the First Deputy Commissioner, with additional copies for:
- (1) Chief of Department
 - (2) Chief of Staff
 - (3) Deputy Commissioner, Legal Matters
 - (4) Deputy Commissioner, Training
 - (5) Deputy Commissioner, Internal Affairs
 - (6) Chief of Detectives
 - (7) Chief of Patrol
 - (8) Chief of Personnel
 - (9) Chief of Transportation, if appropriate
 - (10) Chief of Housing Bureau, if appropriate
 - (11) Chief of Community Affairs
 - (12) Chief, Management Analysis and Planning [IO 9 s.17]
 - (13) Patrol Borough Commander
 - (14) Commanding officer, member concerned.

- COMMANDING/ EXECUTIVE OFFICER OF MEMBER CONCERNED**
27. Conduct assessment of uniformed member(s) concerned, after initial investigation is completed.
- Inquire about uniformed member's well-being.
 - Offer any assistance deemed appropriate including the services of the Counseling Services Unit, Employee Relations Section, Employee Assistance Unit (EAU) and Police Organization Providing Peer Assistance (POPPA).
28. Conduct a follow-up assessment of the uniformed member concerned within twenty-four to forty-eight hours.
- Observe uniformed member's post trauma reaction.
 - Repeat offer of the services of the Counseling Services Unit, Employee Relations Section, Employee Assistance Unit (EAU), and Police Organization Providing Peer Assistance (POPPA).
- COMMANDING OFFICER, FORCE INVESTIGATION DIVISION**
29. After three working days, prepare report on **Typed Letterhead** to First Deputy Commissioner, through channels, making recommendation regarding member of service's temporary assignment.
- Recommend continuance or discontinuance, as appropriate.
 - Note whether member has been interviewed by members of the Medical Division and attended the tactical briefing at the Firearms and Tactics Section.

NOTE *Uniformed member(s) of the service involved in such incidents will not be returned to permanent command without prior approval of the First Deputy Commissioner.*

- COMMANDING OFFICER, FORCE INVESTIGATION DIVISION**
30. Conduct full investigative briefing for the Police Commissioner within seventy two hours of the incident.
31. Prepare a final report within ninety days on **Typed Letterhead**, addressed to the First Deputy Commissioner, as per the *Force Investigation Division Manual*.
- Include, in the final report, all information not available at the time of the initial report, and,
 - Findings and recommendations
 - Medical Examiner's report
 - Ballistics report
 - Department Gunsmith's report (accidental discharges)
 - Synopsis of uniformed member(s) statements
 - Statement that Communications Section tapes were audited and are consistent or not consistent with uniformed member(s)/witnesses' statements
 - District Attorney/grand jury findings, if applicable
 - Internal Affairs Bureau findings, if applicable.
32. Compile data on firearms discharges for each year and complete **ANNUAL FIREARMS DISCHARGE REPORT** as outlined in the New York City Administrative Code and forward document to the **Chief, Management Analysis and Planning** for release to the New York City Council, before the end of the second quarter of the following year.

PROCEDURE	When a person dies or is seriously injured and likely to die while in police custody or immediately prior to police custody:	
UNIFORMED MEMBER OF THE SERVICE	1.	Obtain medical attention for any person injured.
	2.	Safeguard possible crime scene.
	3.	Immediately request the response of the patrol supervisor, precinct of occurrence.
	a.	Notify patrol supervisor regarding the type of force used, the reason force was used, and injury to any person involved, if applicable.
	4.	If person dies, make every attempt to shield the body from public view, if feasible, and if it will not harm the integrity of the crime scene.
PATROL SUPERVISOR	5.	Respond to scene and assess the situation.
	6.	Notify the desk officer, precinct of occurrence.
	7.	Establish crime scene as per <i>P.G. 212-04, "Crime Scene,"</i> if necessary.
	8.	Perform duties of the "immediate supervisor" as per <i>P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action."</i>
	a.	Ensure that a THREAT, RESISTANCE OR INJURY (T.R.I.) INCIDENT WORKSHEET (PD370-154) is completed.
DESK OFFICER	9.	Make the following notifications:
	a.	Patrol Borough Command
	b.	Operations Unit
	c.	Internal Affairs Bureau, Command Center
	d.	Detective squad.
	e.	Commanding officer/executive officer, if available.
OPERATIONS UNIT	10.	Notify duty chief and First Deputy Commissioner's Force Investigation Division.
PATROL BOROUGH COMMAND	11.	Notify duty inspector.
	12.	Notify duty captain, if commanding officer/executive officer is not available.
COMMANDING OFFICER/DUTY CAPTAIN/DUTY INSPECTOR	13.	Respond to the scene, confer with ranking member on scene and assume command.
	14.	Confer with Force Investigation Division supervisor, Detective Bureau and Internal Affairs Bureau duty captain.
DUTY CHIEF	15.	Respond to scene and assume command of scene.
	16.	Confer with the Commanding Officer, Force Investigation Division, duty inspector, and commanding officer/duty captain.

- COMMANDING OFFICER, FORCE INVESTIGATION DIVISION**
17. Respond to scene and assume command of the investigation.
 18. Confer with duty chief, duty inspector, and commanding officer/duty captain.
 19. Conduct investigative debriefing with all investigative units on scene to:
 - a. Review investigative steps taken
 - b. Develop an investigative plan
 - c. Direct and coordinate all investigative activity.
 20. Prepare a report of the preliminary investigation on **Typed Letterhead**, addressed to the First Deputy Commissioner, with additional copies for:
 - a. Police Commissioner
 - b. Chief of Department
 - c. Chief of Staff
 - d. Deputy Commissioner, Legal Matters
 - e. Deputy Commissioner, Intelligence and Counterterrorism
 - f. Deputy Commissioner, Internal Affairs
 - g. Chief of Detectives
 - h. Commanding Officer, Risk Management Bureau
 - i. **Chief, Management Analysis and Planning [IO 9 s.17].**
 21. After preliminary investigation, evaluate member's duty status.
 22. Conduct full investigative briefing for the Police Commissioner within seventy-two hours of the incident.

NOTIFICATION TO NEXT OF KIN WHEN A PERSON DIES IN CONNECTION WITH POLICE ACTION

- PATROL BOROUGH COMMANDER/DESIGNEE**
23. Confer with involved Commanding Officer, Force Investigation Division prior to contacting next of kin.
 24. Ensure timely notification to next of kin in cases where a person dies in police custody.
 - a. Have a member of the Community Affairs Bureau assist with the notification, if appropriate.
 - (1) Notification should be made by a member in the rank of lieutenant or above.
 - b. Have an investigator accompany the member making the notification unless it is deemed inappropriate by the patrol borough commander/designee and Commanding Officer, Force Investigation Division.
 - (1) Notification will not be delayed an inordinate period of time pending availability of investigator.
- NOTIFYING MEMBER**
25. Notify next of kin upon approval from involved Patrol Borough Commander and Commanding Officer, Force Investigation Division.
 - a. Notification should be made within a reasonable amount of time.
 26. Notify the Office of the First Deputy Commissioner and the Chief of Department upon successful notification and provide the following details:
 - a. Time of notification
 - b. Location of notification

INTERIM ORDER NO. 38